

Department of Planning and Zoning

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TO: Development Review Board
FROM: Scott Gustin
DATE: June 19, 2018
RE: 14-0671CA/CU; 194 Saint Paul Street

Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

Zone: FD5 Ward: 6S

Owner/Representative: Champlain College, Inc.

Request: Extend expiration date of zoning permit 14-0671CA/CU approving mixed use apartment/commercial building and structured parking.

Applicable Regulations:

Article 3 (Applications, Permits, & Project Review)

Background Information:

The applicant is seeking approval for a second 1-year time extension to complete the construction associated with a mixed use building with apartments and ground-floor commercial space and related structured parking. The application originally received approval on appeal to the Vermont Environmental Court; decision dated March 16, 2015. The project's Act 250 decision was issued June 11, 2015 – commencing the 1-year start date for construction associated with the zoning permit. A 1-year time extension to the zoning permit was sought and obtained April 5, 2016. This action extended the zoning permit to June 11, 2018. The applicant has sought a second 1-year time extension. Construction remains underway. No changes to the project are included in this extension request.

Previous zoning actions for this property are listed below.

- 12/19/17, Approval to modify permit condition regarding allocation of onsite parking
- 10/20/17, Approval for soffit accent lighting
- 8/23/17, Approval for two signs
- 6/6/16, Approval for miscellaneous modifications to project plans
- 11/13/13, Approval to demolish structure and parking areas and to excavate
- 1/9/09, Approval to change use to temporary boarding house
- 7/27/06, Approval to install freestanding sign
- 11/9/99, Approval to install parallel sign
- 8/27/97, Approval to install replacement 2nd floor windows
- 1/28/93, Approval to install a telecommunications cabinet

Recommendation: Consent approval as per, and subject to, the following findings and conditions:

I. Findings

Article 3: Applications and Reviews

Sec. 3.2.9, Zoning Permits

(d) Time Limit on Zoning Permits:

The effective date for the zoning permit for this project is June 11, 2015. An initial time extension pushed the expiration date to June 11, 2018. Construction remains underway and not yet complete. The applicant is now seeking a 2nd time extension. Per this criterion, the applicant may request another 1-year time extension prior to expiration of the zoning permit. The request for extension was submitted May 7, 2018, prior to the June 11 expiration date. No changes to the project are proposed. Extension by an additional 1 year is acceptable. Construction must be complete by June 11, 2019. (**Affirmative finding**)

II. Conditions of Approval

1. Except as specifically modified in this approval, all conditions of the original zoning permit approval shall remain in effect.
2. Standard permit conditions 1 -15 (including construction completion date no later than June 11, 2019).