

Burlington Planning Commission

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Jennifer Wallace-Brodeur
vacant, Youth Member*



Burlington Planning Commission

Tuesday, October 6, 2015 - 6:30 P.M.

Conference Room #12, Ground Floor, City Hall, 149 Church Street

MINUTES

Present: B. Baker, H. Roen, L. Buffinton, Y Bradley, A Montroll

Absent: E Lee, J Wallace-Brodeur

Staff: D White, M Tuttle, E Tillotson

I. Agenda 6:33

No Changes

II. Public Forum 6:35

Martha Lang, resident of Colchester Avenue: At the last Commission meeting, she made points about a proposed change in the zoning ordinance overlay district which will affect the building height allowance and also must include changes to the use and density.

Barbara Headrick: States that she believes there are conflicts of interest relative to the parking study(ies) being conducted. A member of the UVM parking team was appointed as a member of the City Residential Parking Study, which is documented in the February 15th meeting minutes. The UVM Director of Parking has stated that the five year plan is to move parking away from the campus core and to the periphery of the campus. He has an agenda which has tainted the recommendations in the report from RSG which is due on Oct 27th. The report now contains corrupted recommendations. It is not right for the Planning Commission to vote on these recommendations, they should go to full public. This issue should be addressed now and should be rewritten containing no conflict of interest.

Report of the Chair

- The Exec. Committee discussed a joint work session with the City Council as a means to streamline the process. It was the Mayor's suggestion to reach out to Chair Jane Knodell in an effort to work with the Council. He has discussed this with the Mayor so that the Mayor will be up to speed on the process.
- A question was raised about how FBC would affect historic building materials. The FBC additions doesn't really address this issue, its mission is not to rewrite the zoning ordinance. Major impact review will be addressed. There is consensus around the issue of historic building materials.
- Thank you to B Headrick for summarizing the Exec. Committee meeting today, but asked that in the future she please share them with the Committee members themselves.

III. Report of the Director

- Welcome to Meagan Tuttle, our new comprehensive planner, and she is doing an awesome job already.

As approved by the Planning Commission on Oct 27, 2015

- The Planning Department reorganization is going to the City Council finance committee the end of this month.
- Mary O'Neil, Kirsten Merriman, Peter Owens, and myself were invited to tour the newly restored Waterbury State offices by Freeman French Freeman Architects. This was an incredible investment that the state has made on our behalf. They took on an effort to showcase best practices of construction and respect for the historical impact in all aspects. Their effort to do it and do it right, set the example of what we need to live up to.
- Last week attended the NECAPPA conference in Portland, Maine along with Scott Gustin where there were many useful topics presented including a look at residential zoning on the Portland peninsula, which is the core of their downtown. Portland went through a very detailed process to examine all of the aspects for zoning changes to fit the actual circumstances. The community was engaged early and it was not an upzoning, but putting in place a process to evolve. We have the same needs to undertake this kind of process in Burlington.

Y Bradley: Are there lessons to be learned which we should apply in Burlington from the work done on the state complex?

D White: The state looked at the core of buildings, removed about 50% and added back about 30% of structures. They preserved brick, slate, and wooden windows above the water line of building, maintaining the previous quality. One thing that did get saved was the smoke stack for the old boiler although there is no longer a boiler. It was saved as an iconic image but has actually lost its context. The front door of the central building is a porte cochere, but will not an actual entrance to the building – too bad, a missed opportunity where there is true context and function.

Y Bradley: This will be interesting change for our local community since after hurricane Irene a lot of office space was locally utilized by the State and that will now change.

IV. Burlington College Land Plan

Y Bradley: Will recuse himself since he is involved with Burlington College.

L Buffinton: Wishes to disclose that she works for CHT and has an interest in the buildings.

Eric Farrell: As background, before February, there were 33.65 acres in three parcels. On February 27 he acquired the majority of the property extends to Texaco Beach with about five acres retained by Burlington College. He has since agreed to purchase the remaining college property in order to help them financially, and he currently has permits to convert the orphanage to housing.

Over the past several months he has undertaken a public outreach process sponsored by the VT Land Trust and the Dept. of Parks, Recreation and Waterfront to find balance between the need for open space and residential development. It is possible to develop 800 + units on this site and inclusionary housing will be required.

The outcome of this process will be memorialized in a development agreement between the VT Land Trust, CHT, the City and himself. There is a need for the underlying zoning to be amended, specific to building height. The city wants the land where the highest buildings could be built. The plan may continue to evolve, but currently includes about 770 units including 160 affordable, a mix of rental and owned. As currently envisioned, CHT and Cathedral Square will be partners in development of the inclusionary units which will meet or exceed the current Inclusionary Zoning requirements for the site. The plan also includes ~12 acres of open space (including the trail between North Ave and the bikepath, the slope and Texaco Beach) that will be sold to the City. This protected open space will close the remaining gap in public ownership of the lakeshore between Waterfront Park and North Beach.

He is asking the Commission to consider rezoning the entire site to allow for more mixed use – some version of NAC (neighborhood activity center zone). The current zoning of the property (Waterfront Residential – Medium Density) doesn't work well on this site for a number of reasons – he would like to include non-residential uses such as food service, retail and offices that the current WRM doesn't allow; he has attempted to keep the density closer to North Avenue where it can complement the historic orphanage building rather than force it to the middle of the lot away from the street; in working with CHT to develop the inclusionary

housing, he needs some clarity that these units could be built on a separate parcel and on a different schedule than the remaining project; and, the parking requirements are high given that it's on CCTA's most heavily used route, especially with the bike and recreation path accessibility.

D White: Reiterated that the property has been zoned waterfront residential medium density for a long time, not open space. In regard to the height limits, agrees that the current zoning height limits don't make sense and has encouraged the developer to place it where there is more development near street. Development needs to compliment the orphanage with activity level on street. The city has long had an interest in the bluff beach and trail; it is within a mile of downtown. There is a lot of potential; specific zoning issues need to be identified. Some form of Neighborhood Activity Center (NAC) zoning makes a lot of sense here.

Sharon Bushor, City Councilor: Will new buildings equal the height of the existing orphanage or be higher? She likes the open space corridor.

A Montroll: Is concerned about how the most north western parcel dictates the use of the open space.

E Farrell: The area closest to the Avenue is pretty flat, and the proposed buildings are about the height of the eaves of the orphanage. The site then begins to slope away towards the lake to the point where the roof of a 4-5 story building farthest north-west would be about sidewalk level on the Avenue. He has worked with CHT and the other organizations involved and expended an enormous amount of energy to compose a plan.

Charles Simpson, Ward 6: Is concerned about planned unit development (PUD), which eliminates virtually all open space, like Grammercy Park for the residents. The sale of property happened at the time Y Bradley was Chair of the Board of Burlington College. The sale was predicated on possible zoning changes.

Amy Radcliffe: Works in the south end, a development of almost 770 units is big development and a perfect opportunity to address the housing middle zone which is really needed. This project won't do that much to alleviate that specific need. Let's do it in a way that actually helps the problem.

Joanne Hunt: Lives in the new north end. She is a nurse practitioner, and a strong advocate of open natural space; this is not the place for development. It is the last truly open space in the city. The project should be more creative, there should be more public process, and it doesn't meet for some housing needs. It could be a more inclusionary process

Barbara McGrew, Ward 3: She objects that the developer can request changes in the zoning code. It breaks the zoning code and is not the right way to approach this.

Ruby Perry: Wishes to speak to climate change, doesn't know who is the body to speak to. She is addressing the Commission, has addressed the Conservation Board and the City Council, believing that the future must be considered in the simplest way possible which is economic. Her job is to speak to the future; it should be logical to consider and weigh the future that we face, and not deny the climate change that is going on. This specific land should be a mitigating factor in the climate, where is this considered, the value of land in supporting human life? Somebody has to consider this. It is a moral responsibility to address climate change, she is concerned about development. Individuals look to government to make these judgements. Making money is not the bottom line. Burlington will not continue to be a livable city because we have fed the tax base. This is a piece of land that has been a part of the commons for a very long time. You are the decision makers. I don't hear that discussed, I don't hear that subject raised. I hope you are the body that will address this.

L Buffinton: As an environmentalist, the key is to remember that the bulk of the environmental issue is coming from cars. Highly clustered development in the city does make sense to be efficient like this.

A Montroll: The zoning along the bike path is residential medium density and recreational conservation (RM & RCO). How much can be developed now? Looking at it under the current zoning regulations it would appear to be pretty much all developed, and in continuous neighborhoods and fits together, this doesn't really fit. In RM you would expect that all that is developable would be developed. I don't think this is the right zoning for this area and I am open to looking for alternative zoning. The city had many opportunities to purchase the land and choose not to.

H Roen: In brief, he appreciates the work done with the land trusts and the parks and recreation department. He has no problem with portions of the land being developed and wants to see the best project possible here.

D Gayer: Refers back to a public meeting in August, where Gil Livingston and others joined in a discussion with the focus that this be an innovative project, energy efficient, with different types ownership, other

approaches to formulating a neighborhood. She doesn't see that now. The application has to be specific two different parcels and since it is two different developments and they don't speak to each other now. The open space, orphanage, housing project should all speak to each other. The lake is now visible from North Avenue, how will this space look from the lake? She would suggest that the process go back to innovation to create a relationship, there could be more freedom in the site plan.

Ibnar Avilix: Is the Fire Marshal involved, are the schools involved?

B Baker: The Development Review Board would address these questions.

I Avilix: In relation to profitability, what information is available? Do we see the numbers or do we just take the information as presented?

D White: If the developer can't meet certain city development standards they may made the argument regarding economic feasibility, but typically the zoning review process does not look at profitability.

V. planBTV: South End Master Plan Draft Update/Revisions

L Buffinton: Looking to clarify if we are saying no housing for now in the enterprise zone. Thinks there could be some good examples where this could work.

B Baker: We are discussing that now.

A Montroll: It seems that we should start the discussion with a summary of comments, including highlights.

D White: He will provide a summary on a topic by topic basis which should be ready in time for the next meeting. Housing has been the number 1 topic from day one. Housing can be a tool for on-going vitality, but it also raises real and serious concerns.

B Baker: Perhaps the next agenda should be a discussion of just housing.

C Simpson: It is important to discuss how to deepen and strengthen non gentrification, the incubator characteristics; the city has a big influence on that aspect of the plan.

B Baker: We will start with this for our next meeting.

VI. Committee Reports

Long Range Planning Committee: H Roen: A fairly substantial group of people are still dissatisfied with the planBTV South End proposals. There was a lot of frustration during an intense meeting. The big issues are housing in the enterprise zone, the southern connector, the barge canal, stormwater dead ending on Pine Street

D White: There continues to be a fundamental lack of understanding about the planning process – this is not an end but a beginning. Charles Simpson was spot on about the process - conversations will go on for years around implementation of any of the ideas put forth.

Executive Committee: Met earlier today.

Ordinance Committee: Met today. They are in receipt of a memorandum from Frank von Turkovich. The committee was open to discussing his proposal.

D White: I don't see any rationale for creating another core campus area relative to this proposal.

L Buffinton: A little more flexibility for mixed use could be a good thing. Rezoning Fletcher Place should be on the agenda for the next Ordinance Committee meeting.

Joint FBC Committee: Continues to make progress and hoping for completion in December.

VII. Commissioner Items

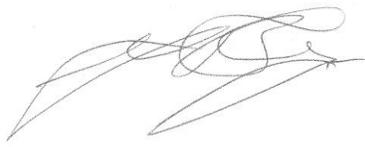
There were none.

VIII. Minutes/Communications

On a motion by A Montroll, seconded by H Roen, the minutes of September 22 with corrections were unanimously approved.

Adjourn

On a motion by A Montroll, seconded by L Buffinton, the Commission unanimously adjourned at 8:40 pm.

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|  <p>Y. Bradley, Chair, Signed: December 10, 2015</p> |  <p>E. Tillotson, Recording Secretary</p> |
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