

Burlington Planning Commission

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vacant, Youth Member*



Burlington Planning Commission Minutes- Special Meeting Thursday, June 9, 2016 - 6:00 P.M.

Present: Y Bradley, L Buffinton, E Lee, A Montroll, H Roen, J Wallace-Brodeur, M Weinberger
Absent: B Baker
Staff: D White, M Tuttle

I. Agenda

No changes to the Agenda.

II. Public Forum

K Walkerman- Completes energy modeling professionally. Design and architecture of the building is respectful of open space, of neighbors and to minimize visual impact of height.

B Dunkiel & J Beck- Represent the developer, available if there are questions related to Predevelopment Agreement (PDA) or the project as currently conceived.

W Nelson- Mechanical engineer with experience with tall buildings. The sustainability of project is high because design limits amount of materials needed, a lot less exterior surfaces which reduces energy footprint. Prefer a tall building setback off ROW to one not as tall, close to the street, and with few façade undulations.

C Simpson- So much to criticize, but focus on praise of existing zoning with discretionary bonuses. Proposal gets rid of DRB discretionary process, public input and tilts the process to benefit of the developers. Urge PC to reject proposal and retain current zoning.

III. Proposed CDO Amendment- Downtown Mixed Use Core Overlay

D White: Staff presentation on model, boundaries of the district, changes to the official map, height and mass, urban design and other standards in the proposed amendment. Julie Campoli, member of the City's Technical Team, present to help discuss height and mass.

J Wallace-Brodeur: Move the model discussion after substantive issues.

D White: Proposed amendment came via Council, with an overview of what ought to be contained in the amendment outlined in PDA. Details for boundary, urban design standards came from the Form Based Code (FBC) committee. Purpose to facilitate implementation of planBTV by building opportunities for vertical expansion; adding much needed housing, retail and office space; definition of streets as civic spaces; reestablish north-south connectivity; and activate a pedestrian experience along Bank and Cherry Streets.

Boundaries

D White: Similar to what FBC Committee agreed is appropriate location for increased height.

A Montroll: Huge mistake to rely on current zoning given opportunity we have for this area. Current zoning has some useful tools, but only looks at impact of development on site itself rather than on streetscape and pedestrian experience. Current zoning leaves it up to developers and DRB to get design right—could have something wonderful, or a horrible, solid wall of 105 ft buildings. FBC and proposed overlay focus on impact on streetscape, provides clear standards for how to break up mass, height, entrances, windows, etc.

H Roen: Might even include the People's Bank site in the boundary.

J Wallace-Brodeur: What is context for what is included in the boundary?

D White: Does not include buildings fronting Church Street, or the VT National Bank due to its historic value. Does include BTC property, Burlington Square, Macy's and city parking garages. Included because sites are identified in planBTV for redevelopment, there is little historic context and they're internal to the block.

L Buffinton: Is there a legal agreement preventing additional height behind Hotel Vermont?

D White: Can look into it. It is City's property, so have control over what happens. Zoning does not mean it will be developed.

A Montroll: FBC Committee focused on this area as one for greater development because no historic pattern of development, Cherry Street view corridor retained, and Bank Street view already blocked. Committee did not include People's Bank because it didn't seem to fit the pattern of tapered height. Committee didn't specify height because Committee was isolated from the public, didn't want to take that step without input, and because major deviations from zoning should occur within the PC realm.

M Weinberger: FBC perspective on area for taller heights validates the proposed overlay boundaries.

J Wallace-Brodeur: Area is most underdeveloped and appropriate for additional height. Can't come up with a rationale for taking anything out.

Y Bradley: Seems like People's building should be included.

L Buffinton: Could be 105 feet if redeveloped; current zoning seems to be more respectful of Bank St.

D White: Need to consider the terminal vista on Bank St that draws people in.

E Lee: What will height look like from Church Street?

J Campoli: Church Street is not wide enough to get far enough away from building to see the height.

L Buffinton: Will there be step backs from St. Paul and Pine Streets?

D White: Yes.

Official Map

D White: Purpose to establish two 60 ft. ROW. Proposed developments which impact features on Official Map, provide city an opportunity to acquire property at fair market value to implement city plans. If current proposed project goes away, this change is the mechanism to guarantee street connections will happen.

A Montroll: This is very important. FBC Committee did not discuss, but it is clear from planBTV.

Y Bradley: Is purpose of jog in the roads to accommodate existing buildings?

E Lee: Official map should show what we want, regardless of project. Should create a more aligned intersection, or be wider near intersections to provide flexibility in alignment.

D White: The proposed ROW allows for connectivity, but the jog can also help with traffic calming.

Y Bradley: Adding width comes at a cost.

J Wallace-Brodeur: What did the Technical Team say about the alignment?

D White: Much more comfortable with a road that is all at grade. Don't recall if there issue with alignment.

Height & Mass

D White: Outlined height and FAR in proposed overlay, particularly how the maximum floor area decreases as the height increases.

J Campoli: Study walkable cities around the country. Emphasis on streets; never paid attention to heights because it didn't matter as much. Looked at Google Earth for places previously visited to see how tall projects like proposal actually are. It is about massing, street activation, options to for how setbacks occur to create less uniformity. Setbacks aren't necessary, but good insurance policy against bad design. Width of street, doors and activation also important.

L Buffinton: What about shadows? If setback, get more sunlight.

D White: What are key places to preserve from shadow? All buildings will make a shadow at some point. Typically cities regulate shadows on civic spaces.

M Tuttle: Showed a model of maximum buildable envelope in downtown under existing zoning versus proposed zoning.

L Buffinton: How was 160 feet determined?

D White: Driven by public process and Council's discussions. planBTV recommended effort to reconsider zoning for downtown. This project and FBC give us something to test the ideas.

M Weinberger: Process began in 2014 with an opportunity to look at this area and share goals in planBTV. Don't want a specific project to drive policy decisions, but helpful to have a project to aid the discussion. Comfortable with this tension; last 18 months City's tech team has helped evaluate, make decisions informed by professionals. Has been an iterative process.

M Tuttle: Commission regularly receives requests from individuals who can't meet zoning. Proposal has a different value to the community, but is not outside of the PC purview to receive, consider a request like this.

H Roen: Not sure would be having conversations about height if it weren't for this project. Don't have a problem with the height specifically for this project, but for a zoning change, might think a bit differently.

L Buffinton: Support redevelopment, density, opening streets. Change 160 feet by-right is concerning because city won't get additional public good, like affordable housing in exchange.

D White: New developments inherently provide new, additional public good. Have had bonus provisions for 30 years, they're infrequently employed because they're seen as a burden. If development doesn't occur, then don't get community benefits associated with bonuses.

L Buffinton: Tax base will not increase if TIF is being used to build streets.

D White: City desires to build streets regardless of this project. If not built as a part of this project, using TIF, would be built using general taxpayer dollars. Doesn't burden taxes because this project generates the revenue to build the improvements.

J Beck: The design team held a public charrette – program has always been about mixed use, question was what uses and how tall. As an applicant, arrived at height based on ideas from the charrette.

L Buffinton: Parking is not the driver of the height?

J Beck: Not at all.

A Montroll: Issues are what is height and how to get there. FBC Committee agreed that if there are things we want, be direct about it. FBC does away with bonuses, but incorporates various levels of review. Could use this model for conditions on height based on opening of streets, or proving it's infeasible to place parking below ground.

Y Bradley: Need to remove biases towards developers, thinking about getting something in return. Think about what these projects mean overall for the community. More housing units by virtue means more affordable units.

L Buffinton: Parking numbers don't add up, Goody Clancy said it needs better design. Think parking is driving height.

M Weinberger: Images of proposed project are consistent with massing and height, but not design guidelines. Tech team is comfortable with height and massing, but not design. Design is important and PC's purview to get the design criteria right to help move project towards positive images in the packet. Concerned about above ground parking, but largely persuaded by Goody Clancy's images of successfully integrated parking. Instead of discretionary and uncertain review, be more explicit about the design of a parking garage.

H Roen: Expand the requirement for active uses in the first 20 ft to upper floors.

J Beck: Airport parking on a flat site, no soil issues cost \$12,000/space. UVM Medial Center underground parking, no soil issues cost \$46,000/space. Wrapping garage with buildings requires mechanical ventilation which adds cost, and people don't feel as safe. For natural ventilation, at least 40% of garage needs to be open.

J Campoli- How does exterior treatment impact cost?

J Beck: A wrap will drive up cost, but not as much as mechanical ventilation or underground structures.

E Lee: Don't want a garage that looks like proposed; it won't fit with FBC.

D White: Design standards in proposed overlay require parking on ground level to be setback 20 feet and behind active uses, upper floors must be level, screen cars and lighting, and façade must be integrated with overall design.

J Wallace-Brodeur: With public input and for what the project will achieve, there is a consensus that more height is appropriate, just need to determine what height is. If this project doesn't happen in downtown Burlington, where does it happen in Vermont? Could debate a few stories, but project's program is achieving our goals at this height so comfortable with it. Street level engagement is important; if we get design right this is a project the community will be happy with. Disappointed that the parking came above ground, but costs are high and not sure putting it underground is worth taxpayer money. Focus on making the design of above ground parking successful.

M Weinberger: How should we be confident that we'll get a garage design like [the positive parking example in image from Goody Clancy]?

D White: Reiterated design standards for parking.

H Roen: Amendment exempts parking from the design standards.

M Tuttle: Exemption only refers to providing active uses in the first 20 ft of building above the ground floor.

J Campoli: Should be careful about recessing buildings at street level. Want a canopy or temporary awning.

Urban Design

D White: Design standards require fine-grain variation in facades; vertical bays up to 65 feet wide for 150 of building length; projection of all or some of the façade; step backs that are an appropriate depth to be used for something meaningful, and flexible in their vertical location to provide variety; primary entrances defined and required every 60 feet; 70% of façade as voids.

E Lee: Voids are not a term FBC used, not consistent with screening requirements.

J Campoli: Maybe different standards are needed for parking. Also, language needs to direct design so designers aren't putting retailers at risk, functioning doors actually used.

J Wallace-Brodeur: What happens to a side street when two buildings back up to one another and have their primary entrances on the streets they front on?

D White: Any street needs doors that are operable during business hours, must be at least one direct connection between a parking facility and the street.

E Lee: planBTV says pedestrian is king. Should not prioritize a convenient experience for people that drive.

M Weinberger: Some level of confidence that the façade elements from FBC are informed by best practices to get us the design on the left. Could use some refinement to ensure parking design is right. Staff could look into this in more detail.

E Lee: Talking about development by right; language has to be tight.

M Weinberger: By right only applies to height and mass. Design will still be discretionary at DRB.

Y Bradley: Void language seems to be problematic.

A Montroll: Point is that parking doesn't look like parking.

D White: Purpose of urban design is to get the form right. Opportunities for discretionary relief through DRB, except for height and FAR.

Other Elements

D White: Overlay requires that buildings meet LEED Gold design, but not required to be certified.

L Buffinton: Need to demand green buildings, but not specify LEED.

E Lee: Asking for a checklist does not guarantee implementation. Need something with teeth.

J Beck: LEED is not best standard, but most understood, definitive, measurable. Good place to start, and can be exceeded.

J Wallace-Brodeur: Ask BED or other expert for input.

C Bates: LEED Gold is not a healthy building; health is most important and should be required.

M Weinberger: Downside of a real project is that there is a timeline for zoning amendment process. Need to strike a balance between policy discussions and schedule. Suggest focusing input on most outstanding elements regarding design so that it can move forward.

L Buffinton: Should prioritize issues; little details can be amended later.

Y Bradley: Need to get out of the weeds and focus on parking, height and mass.

A Montroll: Urban design standards are important, too.

IV. Adjourn

The Commission unanimously approved a motion by H Roen, seconded L Buffinton, to adjourn the meeting at 9:00pm.



Y Bradley, Chair

Signed: 08.15.2016



E Tillotson, Recording Secretary