

Burlington Planning Commission

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Burlington Planning Commission Special Meeting Agenda Thursday, August 25, 2016, 4:00 P.M. Contois Auditorium, City Hall, 149 Church Street

AGENDA

*Note: times given are
approximate unless
otherwise noted.*

I. Agenda

II. Public Forum- Time Certain 4:05 p.m.

The Public Forum is an opportunity for any member of the public to address the Commission on any relevant issue.

III. Proposed ZA-17-04: Neighborhood Activity Center- Cambrian Rise

The Commission will discuss ZA-17-04, a proposed amendment to the Comprehensive Development Ordinance to establish a new zoning district: the Neighborhood Activity Center- Cambrian Rise (NAC-CR). The purpose of this amendment is to facilitate the conservation and redevelopment of the former Burlington College property by creating a new neighborhood mixed-use district on North Avenue that will allow for a range of housing types with associated neighborhood-oriented, small-scale retail and services.

The Commission will also review and approve the Municipal Bylaw Amendment Report for ZA-17-04. Following approval of the report, the Planning Commission should take action to warn the proposed amendment for public hearing.

IV. Adjourn

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Department of Planning and Zoning

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Burlington Planning Commission Report Municipal Bylaw Amendment

ZA-17-04 Neighborhood Activity Center- Cambrian Rise

This report is submitted in accordance with the provisions of 24 V.S.A. §4441(c).

Explanation of the proposed bylaw, amendment, or repeal and statement of purpose:

This amendment is to facilitate the redevelopment of the former St. Joseph's Orphanage/Burlington College property in a manner that is consistent with the results of a community planning process for the site. This amendment will advance many of the central goals and objectives found in the Burlington Municipal Development Plan regarding providing a greater diversity of housing choices, open space protection, and shoreland protection. This amendment creates a new neighborhood mixed-use district on North Avenue that will allow for a range of housing types and price levels to accommodate diverse ages and incomes, with associated neighborhood-oriented, small-scale retail and service uses.

Conformity with and furtherance of the goals and policies contained in the municipal development plan, including the availability of safe and affordable housing:

The amendment is in conformance with, and furthers many of the Municipal Development Plan's policies regarding housing, including:

- Encourage a healthier regional balance of affordable housing in each community, proximate to jobs and affording mobility and choice to low income residents.
- Support the development of additional housing opportunities within the city, with concentrations of higher-density housing within neighborhood activity centers, the downtown and institutional core campuses.
- Encourage a wide range of housing options to meet different and changing needs of households with children, the elderly, people with disabilities, and moderate- and low-income households.

Compatibility with the proposed future land uses and densities of the municipal development plan:

The amendment is in conformance with, and furthers many of the Municipal Development Plan's policies regarding land use and density, including:

- Encourage mixed-use development patterns, at a variety of urban densities, which limit the demand for parking and unnecessary automobile trips, and support public transportation.
- Target new and higher density development in the Downtown, Downtown Waterfront, Enterprise District, Institutional Core and the Neighborhood Activity Centers.
- Encourage development of an active, urban waterfront that offers a mix of uses, is open to the public, and linked to adjacent neighborhoods.

- Maintain or increase the ratio of publicly owned or permanently protected natural areas to developed land.

Furthermore, this area is identified as a potential neighborhood activity center on the *Future Land Use Map: Centers for Growth and Development* included in the land use section of the municipal development plan.

Implementation of specific proposals for planned community facilities:

As a result of a community planning process for the former St. Joseph's Orphanage/Burlington College property, this amendment furthers plans for a dense concentration of new, mixed-income housing, neighborhood-oriented commercial uses, and development that is clustered toward North Avenue, rather than the lakeshore. Per the plans, this amendment also expands publicly-owned and accessible land, by supporting the purchase and preservation of 12 acres of open space along the shoreline of Lake Champlain for public use through the Conservation Fund.

Burlington Comprehensive Development Ordinance

PROPOSED: ZA-17-?? – NAC – Cambrian Rise

As proposed by the Planning staff – 8/24/2016.

Changes shown (underline to be added, strike-out to be deleted) are proposed changes to the Burlington Comprehensive Development Ordinance.

Purpose: This amendment is to facilitate the redevelopment of the former St. Josephs Orphanage/Burlington College property in a manner that is consistent with the results of a community planning process for the site that will advance many of the central goals and objectives found in the *Burlington Municipal Development Plan* regarding providing a greater diversity of housing choices, open space protection, and shoreland protection. This amendment creates a new neighborhood mixed-use district on North Avenue that will allow for a range of housing types and price levels to accommodate diverse ages and incomes with associated neighborhood oriented small-scale retail and service uses.

Article 4: Zoning Maps and Districts, Part 3: Zoning Districts Established

Sec. 4.3.1 Base Districts Established:

The following zoning districts are hereby established as illustrated in Map 4.3.1-1 and further described in Part 4 below.

(a) A series of five (5) **Downtown Mixed Use** districts: *(see Sec. 4.4.1)*

- Downtown (D);
- Downtown Transition (DT);
- Downtown Waterfront (DW);
- Downtown Waterfront –Public Trust (DW-PT); and,
- Battery Street Transition (BST);

(b) A series of ~~three-four~~ **(34) Neighborhood Mixed Use** districts: *(see Sec. 4.4.2)*

- Neighborhood Mixed Use (NMU);
- Neighborhood Activity Center (NAC); ~~and~~
- Neighborhood Activity Center - Riverside Corridor (NAC-RC); and,
- Neighborhood Activity Center – Cambrian Rise (NAC-CR);

(c) A series of two (2) **Enterprise** districts: *(see Sec. 4.4.3)*

remaining section unchanged...

Sec. 4.4.2 Neighborhood Mixed Use Districts

(a) Purpose:

The Neighborhood Mixed Use districts promote development that combines non-residential and residential uses on a single site. These zones allow an increased intensity of development than would typically be found in the surrounding residential areas, and provides neighborhood oriented goods and services and employment opportunities within walking and biking distance. This development type will support transit use, provide a buffer between busy streets and residential neighborhoods, and provide new commercial and residential opportunities in the City. The emphasis of nonresidential uses should primarily be oriented to serving the needs of the surrounding residential neighborhoods and other neighborhood commercial uses.

Development is intended to consist primarily of businesses on the ground floor with housing and other non-residential uses on upper stories. ~~The exception to this is the NAC – Cambrian Rise district that is intended to be more residential in nature than the other Neighborhood Mixed Use districts and thereby is expected to incorporate residential uses at the street level.~~ Development is intended to be pedestrian-oriented with buildings oriented to the sidewalk, especially at corners. Parking is intended to be hidden from the street, since ~~their~~ appearance is ~~generally~~ out of character with the surrounding residential development and the desired orientation of the buildings.

The ~~3-4~~ Neighborhood Mixed Use districts as illustrated in Map 4.4.2-1 are further described as follows:

1. The **Neighborhood Activity Centers** (NAC) are intended to provide convenient neighborhood and city wide-oriented goods and services and employment opportunities within walking or biking distance of many of the city’s residential areas;
2. The **Neighborhood Mixed Use** (NMU) district is intended to preserve and enhance historically commercial areas while reinforcing the compact scale and development patterns within the city’s older neighborhoods. Uses are intended to provide neighborhood oriented goods and services and employment opportunities within walking or biking distance of residential neighborhoods; and,
3. The NAC – **Riverside** (NAC-R) is intended to allow commercial development in areas already predominantly built along this important travel corridor while encouraging emerging mixed-use development. The zone allows a full range of retail and service businesses with a local or regional market orientation. Light industrial uses are allowed but limited in size to avoid adverse effects different in kind or amount than commercial uses and to ensure that they do not dominate the character of the commercial area. The zone's development standards promote attractive development, an open and pleasant street appearance, and compatibility with adjacent residential areas. Development is intended to be aesthetically pleasing for motorists, transit users, pedestrians, and the businesses themselves. Parking is intended to be placed behind or to the side of principle buildings.

3-4. The NAC – Cambrian Rise (NAC-CR) is intended to create a new center for mixed use development that allows for a range of housing types and tenures, and to accommodate a diverse range of complimentary general office, institutional and neighborhood oriented small-scale retail and service uses. Much of the development is intended to be densely concentrated and oriented towards North Avenue, with new buildings that are complimentary to the iconic historic former-orphanage. Development should be compact, pedestrian-oriented and enhance the community with creative design, durable materials, and quality construction. Buildings fronting on North Avenue should be oriented toward and activate North Avenue, while Buildings fronting on new streets should be oriented toward and activate those streets. Buildings and landscaping should work together to contribute to the physical definition of streets as civic places, with buildings at and near the street level composed of human-scaled elements and details that promote pedestrian interest, comfort, and safety. Parking should to be hidden behind, to the side, within, or underneath principle buildings, and screened from view from public streets and community spaces.

(b) Dimensional Standards and Density:

The density and intensity of development, dimensions of building lots, the heights of buildings and their setbacks from property boundary lines, and the limits on lot coverage shall be governed by the following standards:

Table 4.4.2 -1 Dimensional Standards and Density

Districts	Max. Intensity (floor area ratio ¹)	Max. Lot Coverage	Minimum Building Setbacks (feet)			Building Height ³ (feet)
			Front ⁴	Side ²	Rear ²	
NAC	2.0 FAR	80% ⁵	0	0	0	Min: 22, 2 stories Max: 35
NMU	2.0 FAR	80%	0 ⁶	0	0	Min: 20 22, 2 stories ³ Max: 35
NAC-Riverside	2.0 FAR	80%	0	0	0	Min: 20 22, 2 stories ³ Max: 35
<u>NAC-CR</u>	<u>2.0 FAR⁹</u>	<u>72%</u>	<u>Min. 0⁸</u> <u>Max. 20⁸</u>	<u>10⁷</u>	<u>20⁷</u>	<u>Min: 22, 2 stories</u> <u>Max: 80⁹</u>

Comment [MT1]: Verify that this is the appropriate height limit at street frontage.

1. Floor area ratio is defined in Art. 13 and described in Art 5. Actual maximum build out potential may be reduced by site plan and architectural design considerations of Art 6.
2. Structures shall be setback a minimum of 15-feet along any property line that abuts a residential zoning district.
3. ~~Minimum building height shall be 20 feet and 2 story's.~~ Measurement of and exceptions to height standards are found in Art 5. Bonuses for additional building height where applicable are described in section (d)3 below.
4. All structures shall be setback a minimum of 12-feet from the curb on a public street.
5. Exceptions to ~~minimum~~ maximum lot coverage are provided in (d)2.
6. Notwithstanding footnote 4, the NMU district at the intersection of Pine St. and Flynn Avenue shall have a minimum front yard setback of 10 feet.
7. Side and rear setbacks are applicable only to the periphery of the district and not to individual parcels within the district.
8. Front yard setbacks for Buildings fronting on North Avenue shall be 20' min and 30' max.
- 6-9. The maximum Building height and FAR in Table 4.4.2-1 above shall be allowed by-right and without the necessity of the DRB granting of Development Bonuses/Additional Allowances pursuant to Sec 4.4.2 (d)3.

(c) Permitted and Conditional Uses:

The principal land uses that may be permitted, or conditionally permitted pursuant to the requirements of Article 3, within the Neighborhood Mixed Use districts shall be as defined in Appendix A – Use Table.

(d) District Specific Regulations:

1. Ground Floor Residential Uses Restricted

In order to maintain an active streetscape for pedestrians and pedestrian-oriented businesses and activities, residential uses shall not be permitted within 25-feet of a public street right-of-way along the street-level frontage in the NAC District. This restriction shall not apply in the NAC – Riverside and NAC – Cambrian Rise districts.

Map Changes:

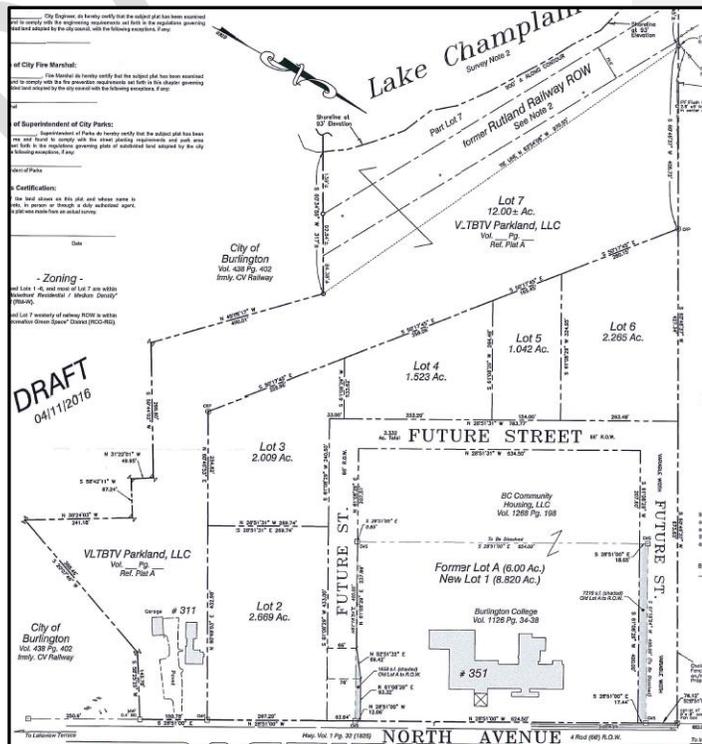
add new NAC-CR to:

- Map 4.3.1-1 Base Zoning Districts, p. 4-9
- Map 4.4.2-1 Neighborhood Mixed Use Districts, p. 4-29
- Map 8.1.3 -1 Parking Districts, p. 8-3

remove new NAC-CR from:

- Map 4.4.5-1 Residential Zoning Districts
- Map 4.4.5-2 Waterfront RM Height Exceptions

DRAFT - 8/24/2016



ARTICLE 8: PARKING

Sec. 8.1.3 Parking Districts

The demand for parking is highly dependent on the context within which a given use or structure is located. Factors such as proximity to other related uses, availability of public transportation, the density of land uses, and the ability to share parking with nearby uses are all factors which influence the demand for individual and dedicated off-site parking. For the purposes of this Article, the following three (3) Parking Districts as illustrated in **Map 8.1.3-1** are hereby created:

(a) Neighborhood Parking District:

This parking district establishes the baseline of parking requirements throughout the city where the demand for offsite parking is largely dependent on the needs and characteristics of an individual site or land use.

(b) Shared Use Parking District:

This parking district reduces the requirements from the baseline standards recognizing that opportunities exist to share parking demand between related nearby land uses, and that travel to and between these uses may not be strictly automobile dependent.

(c) Downtown Parking District:

This parking district further reduces the requirements from the baseline standards recognizing that extensive sharing of parking demand between nearby land uses occurs; that a majority of travel to and between land uses is independent from an automobile; and that an array of public parking facilities and frequent transit service greatly reduces the need for independent parking for individual land uses.



Map 8.1.3 -1 Parking Districts

remaining Article is unchanged...

Article 9. Inclusionary and Replacement Housing, Part 1: Inclusionary Zoning

Sec. 9.1.8 Inclusionary Units, Rental and Sales

For covered projects in which units are offered for rent or sale, a base of fifteen percent (15%) of all of the dwelling units in the project, graduated as specified in **Table 9.1.9-1**, shall be designated as inclusionary units

This includes any covered project where units are offered for sale via the conveyance of a deed or share for individual units, including fee simple ownership, condominium ownership and cooperative ownership.

<i>Table 9.1.9-1 Inclusionary Zoning Percentages</i>	
If the average sale and rental price of project units is affordable to a household earning:	The percentage of units which are subject to rent and sales prices as per Sec. 9.1.10 and are subject to marketing and continued affordability provisions (Sec. 9.1.11 and Sec. 9.1.12) shall be:
Less than 139% of median income	15%
140%-179% of median income	20%
Development in any Waterfront district (RM-W, RL-W, NAC-CR and DW) or 180% of median income and above in any other district	25%

remaining Article is unchanged...