# **Burlington Waterfront Revitalization Plan**

City of Burlington, Vermont Approved by the City Council December 7, 1998

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#### INTRO: WHY A 1998 REVISION TO THE 1990 WATERFRONT PLAN?

On Election Day—November 6, 1990—the voters of Burlington approved the *Urban Renewal Plan for the Waterfront Revitalization District*. The 1990 Plan described an integrated, comprehensive strategy for the redevelopment of the City's urban waterfront in a manner that would ensure public use and enjoyment of the area. The Plan created an Urban Renewal District on the waterfront that provided the City the necessary mechanism to implement the projects proposed in the Plan. (Refer to Appendices  $\underline{A}$  and  $\underline{B}$  for a description and map of the district.)

At the heart of the Plan were 13 major project elements describing physical improvements that the community wanted to have occur in the district. Those projects were drawn from years of public discussion and a number of studies exploring the feasibility of various development scenarios. The Plan also discussed how those projects might be financed, and what zoning changes would be necessary to implement the vision.

# Why a Revision?

The original Waterfront Plan has served the City well for the past 8 years. It has provided a guiding vision and unifying force for development of the Waterfront district. Because enormous progress has been made toward the goals outlined in the Plan in 1990, much of the document is no longer helpful in guiding actions from today forward. Many projects detailed in the 1990 Plan—like the creation of Waterfront Park and the relocation of the Naval Reserve—are now complete. Others—like the Renaissance Center—have been canceled or replaced by similar projects due to changing circumstances.

#### How To Read This Document

At the heart of this Revised Plan are 22 project elements planned for the Waterfront Revitalization District. The 22 elements are each at different stages of development. Some of the elements—like the creation of a mixed-use urban neighborhood adjacent to Lake Street—are currently under construction. While others—like the redevelopment of the Moran Plant as an art space—are still conceptual.

The Plan also includes sections on the history of the Waterfront; guiding principles of the Plan; descriptions of property that may be acquired or demolished; a list of potential financing mechanisms; a description of the legal framework of an urban renewal district; various maps and photos; and a bibliography of Waterfront-related studies and reports. After the Revised Plan is adopted by the voters, it will replace, in whole, the original 1990 Plan. Although it might be interesting to do so, it is not necessary to refer to the 1990 Plan to understand this document.

# II. HISTORICAL BACKGROUND

The urban waterfront is generally defined as the area bounded on the north by so-called Texaco Beach and on the south by the Barge Canal. Once the region's lively, bustling center of transportation and manufacturing activity, the Waterfront played a major role in the early history of Burlington. During this century commerce and transportation have turned away from the Lake to locations more convenient to roads and highways. As a result, by 1990 there were, on Burlington's urban waterfront, more than 100 acres of land that could be characterized as blighted, neglected, underutilized, and/or inappropriately utilized. Remnants of past industrial uses, such as junkyards, auto body shops, coal plants and oil storage terminals were abundant.

Since the 1960s, the people of Burlington have once again focused their attention on the Waterfront and the opportunities that exist to revitalize this irreplaceable resource. In the past 35 years, serious planning for a new waterfront has included dozens of studies, models, plans and development proposals that have been brought forward for pubic review. Many of those documents are listed in Appendix H: Bibliography.

As part of this refocusing of attention on the waterfront the City of Burlington has spent millions of taxpayers' dollars, including local property tax revenues, to convert a decaying industrial area into a high quality public facility offering free access to Lake Champlain with unparalleled views of the Adirondack Mountains. This public space supports numerous activities and events which are enjoyed by the residents of and visitors to Burlington. A side benefit from the creation of this new taxpayer-supported public facility is an increase in the value of adjoining private property through the substantial improvement of the waterfront. Properties no longer overlook a coal fired electric plant, oil tanks, junkyards, and an active grain elevator; instead, they overlook a public park that provides access to the lake and all its amenities.

In the 1970s and 1980s, the City considered three major private development proposals for the Waterfront. One, proposed by Triad, Inc. in the late 1970s, consisted of 100 condominiums, a breakwater, a 100-boat marina, 70,000 square feet of commercial construction and 250 residential rental units. The first phase of that project was approved by the Planning Commission. The City applied for and received a UDAG federal grant to assist in the financing of this project. The project fell through as Triad was not able to secure the necessary financial commitments.

In 1980, plans by the Pomerleaus for Breakwater Place were unveiled. The \$35 million project included a 150-room hotel, retail space, a 100-slip marina, and 240 condominiums in 18-story buildings. This project was eventually withdrawn following objections from the Waterfront Board and other citizens.

In 1984, the Alden Waterfront Corporation assembled 25 acres of property and retained Benjamin Thompson and Associates to prepare a Master Plan for the development of this land. Alden's \$100 million mixed-use development was the topic of lively debate and discussion for a 2-year period. The proposal died in December 1985, when the two-thirds majority vote required for the approval of a tax increment financing (TIF) proposal failed to receive the required support.

In the late 1980s, following these private attempts at developing the Waterfront, it became clear that a need existed for the City to develop an integrated, comprehensive redevelopment strategy for the waterfront that would result in broad public use and enjoyment of this most precious resource. That effort resulted in the *1990 Urban Renewal Plan for the Waterfront Revitalization District*. The Plan was adopted by two-thirds of Burlington voters in November 1990. This document is a revision to that Plan.

To understand the context of the passage of the 1990 Plan, it is important to understand two landmark events in recent Waterfront history: the CVR agreement providing for the City's acquisition of Waterfront property; and the Vermont Supreme Court ruling that the filled lands in Burlington's harbor were subject to the Public Trust Doctrine.

#### **CVR Agreement**

In June 1990, the State of Vermont, the Central Vermont Railway (CVR), and the City reached an agreement relating to all of CVR's 62 acres of land on Burlington's Waterfront. The

Agreement resolved long-standing differences, ended years of litigation, and opened the way for the City to proceed with the revitalization of the Waterfront.

The Agreement allowed the City to control and direct both its recreational and economic development future. It allowed community consensus to determine the ideal mix of open space, and public and private use in this vital area into the foreseeable future.

# Highlights of the Agreement

- CVR would immediately convey to the City of Burlington, for a price of \$500,000, all
  rights and interests to the lands proposed for the waterfront park and promenade. That
  price would satisfy all outstanding claims for refund of taxes paid by CVR to the City
  under protest, and allowed the City to avoid condemnation proceedings. CVR would
  continue a right-of-way along the eastern boundary of the park.
- CVR gave the City an option to acquire the balance of the property on the waterfront
  with the exception of a right-of-way required for continued railroad operations. The
  optioned land included approximately 22 acres of filled land and 30 acres of unfilled
  lands. The City would have up to 18 months from the date of the agreement to decide
  to purchase the land.
- The City and CVR would join together to support State legislation which would permit
  additional public uses of filled lands. The State would defer the prosecution of its
  reentry claim until the expiration of the City's option, but if the City elected not to
  purchase the filled lands, the State could then reactivate its reentry claim to those
  lands.

# Results of the Agreement

- The City acquired approximately 11 acres of land for Waterfront Park.
- The City acquired approximately 47 additional acres of filled and unfilled land for the Urban Reserve and Interim Development Area.
- The City acquired approximately one acre of land around the Naval Reserve building.
- The State expanded and clarified permitted public uses of filled lands (see below).

#### **Public Trust Doctrine and Uses**

In December, 1989, after a lengthy legal battle with the Central Vermont Railway, the State Supreme Court ruled that the filled lands in Burlington's harbor were "impressed" with the Public Trust Doctrine. Broadly, the Public Trust Doctrine requires that filled lands "are a public trust" and must be "managed for the public good" as defined by the Vermont State Legislature. Uses that satisfy this requirement are listed below.

- governmental facilities such as water and sewer plants, coast guard and naval facilities, roads and accessory transportation facilities and parking services;
- indoor or outdoor parks and recreation uses and facilities including parks and open space, public marinas, water dependent uses, boating and related services;
- cultural activities including theaters, museums, art and cultural uses of the lake;
- freshwater and other environmental research activities; and
- services related and accessory to the uses permitted under subsection (a), (b), (c) and (d) above, including restaurants, snack bars and retail uses.

For filled lands north of Main Street, south of the Astroline site and west of the main railroad line, the above uses were codified by the General Assembly in 1991. In 1997, the General Assembly expanded the boundaries within which the above uses were allowed. The new

boundaries include all filled lands north of Maple Street. Refer to Appendix D for a map of the Public Trust lands.

Also in 1997, the General Assembly defined several additional uses allowed on filled Public Trust lands between Maple and Main Streets only. Those are:

- inns with public space, including restaurant, restroom and retail use. Contingent upon restrooms in the inns being available to the public; upon 45 transient dock slips in Burlington Harbor continuing to be available and marked for convenient access; and, upon the availability, in perpetuity, of uninterrupted public access along the shoreline of Lake Champlain from Maple to Main Streets.
- public markets.
- facilities for transporting pedestrians and vehicles upon Lake Champlain by ferry and cruise vessels, including necessary docks, wharfs, maintenance facilities, administrative offices, gift shops, snack bars and related parking facilities.
- marine related retail facilities.
- restaurants.

#### III. PROGRESS 1990 TO 1998

The Waterfront Revitalization Plan originally included 13 primary project elements. The table below provides a summary of those original elements (except Element A: Summary) and a status report as of January 1998. A full status report can be found in the Attachments.

	ELEMENT	January, 1998 STATUS
В	LAKE CHAMPLAIN - \$52 million project to separate sewer and storm water lines and upgrade the main treatment facility to ensure a clean harbor and beaches.	Complete.
С	WATERFRONT PARK - Creation of a major urban park on 11 acres of land between the Coast Guard and Naval Reserve.	Complete, except undergrounding transmission lines.
D	<b>DEVELOPMENT EAST OF LAKE STREET -</b> 200,000-300,000 square feet of urban infill development, creating a mixed-use urban neighborhood.	Zoning changes largely complete. Infill development beginning.
E	NEW LAKE STREET - Reconstruct and improve Lake Street right-of-way, emphasizing pedestrian use, minimizing vehicular access, and reflecting a scale and aesthetics similar to a small city street.	Substantial work has been completed. Some work still needs to be done.
F	BOATING, MARINAS AND FISHING PIERS - Improve access to Lake by anglers and people using boats.	Complete, except for fishing pier and LCT property.
G	DOWNTOWN LINKAGES - Improvements to the Downtown to ensure pedestrian access and safety, to improve the aesthetics of the Downtown, and to strengthen the pedestrian linkages to the Waterfront.	Major work complete. Ongoing upgrades planned.
Н	MORAN GENERATING STATION - Transformation of the Moran Generating Station into the Renaissance Center for	Renaissance Center concept adopted by L.C. Basin Science

	Science and the Arts.	Center. Interim use of Moran for Community Sailing Center.
I	NAVAL RESERVE FACILITY - Relocate Navy operations and convert Naval Reserve Facility to public uses.	Complete.
J	RECREATION CENTER - Creation of an indoor, full-service, year-round recreation facility.	No action. Discussions now underway with YMCA on joint facility.
К	TRANSPORTATION ALTERNATIVE - The creation of infrastructure that provides people with easy access from Interstate exit 16 to the Waterfront while not relying on the automobile as the primary means of transportation.	Incremental steps taken to improve pedestrian linkages, limit Waterfront parking, and provide mass transit. College St. Shuttle.
L	UNION STATION - Creation of a multimodal transportation center to enhance the efficient use of existing transportation systems and to decrease use of automobiles.	Union Station redevelopment in progress. Multimodal transportation center proposed at neighboring site.
M	HOUSING - New construction and rehabilitation of housing Downtown and on the Waterfront, including housing for low-and moderate-income persons.	There are units of housing on the Waterfront and Downtown. of those units are affordable to low- and moderate- income persons.
N	NORTH 40/CVR LANDS - Acquisition of lands north of Moran Plant for creation of an Urban Reserve for the next generation.	Acquisition Complete.
		Management Plan in place.  Environmental mitigation in
		progress.

# IV. GUIDING PRINCIPLES

This Plan for the Waterfront Revitalization District is guided by the following principles:

- that the waterfront is a critical resource for all of the citizens of Burlington;
- that there is generous park and open space for public use and enjoyment:
- that public development on the Waterfront should occur without imposing a significant burden on the property taxpayer;
- that we recognize that there are four seasons in Vermont, and that the Burlington Waterfront must be developed so that it can be used and enjoyed year-round;
- that infrastructure improvements be provided on the Waterfront which ensure safe pedestrian and vehicular access;
- that intrusion by the automobile should be minimized through dual footprint, underground, off-waterfront parking structures and innovative public transportation;
- that the patterns of development on the Waterfront should reflect the patterns of development in the center City, primarily Church Street, and that the development should occur incrementally;
- that the Waterfront should complement Downtown and its uses and that Burlington's Downtown and the Waterfront should be connected through pedestrian linkages;

- that the Urban Reserve should be preserved for future generations;
- that indoor uses be incorporated into the Waterfront;
- that the Waterfront's heritage be given significant consideration in future plans and projects;
- that affordable housing be incorporated into Downtown and Waterfront development activities;
- that Burlington's Downtown be strengthened through continued public improvements and private investments;
- that access to the Lake through boating and fishing be incorporated into public development activities; and
- that people with disabilities will have access to waterfront activities.

#### V. PROJECT ELEMENTS

#### A. Development Adjacent to Lake Street

Development of the unfilled lands adjacent to Lake Street should reflect the development patterns occurring in the City on lower Battery Street and Church Street. The objective is to create a dense, urban, mixed-use neighborhood with ground floor retail and upper story housing and commercial space. Zoning ordinances for this area (WFC-E and WRM) are now in place to provide for this type of development. Specifically, building heights allowed in these zones are 35 to 60 feet. 100% lot coverage is allowed. There are no building setback requirements. In addition, development that adversely affects the Waterfront escarpment is restricted. Any housing that is constructed on the waterfront must be available to persons of all incomes. The right of the public to use and enjoy the waterfront, including festivals, music, and other noise producing activities must not be limited by development.

Development in the area around Lake Street should occur incrementally. To date, the following developments have been completed or are in progress adjacent to Lake Street:

# Building Developer/Owner Year Use

Union Station redevelop. Main Street Landing Co. in progress Retail/Office

Wing Building (south) Main Street Landing Co. 1995 Retail/Office/Housing

Cornerstone Building Main Street Landing Co. 1997 Retail/Office/Housing

Train Station Main Street Landing Co. 1998 Retail/Train Station

Mossman Condos Barry Mossman in progress Housing

Atkinson Condos Harry Atkinson 1987-88 Housing

Isabelle's/Haigh Mill Bldg. Haigh Mill Associates, 1986 Restaurant/Office

Doremus Associates,

Creative Catering, Ltd.,

Smith Bell Real Estate.

All the remaining developable land adjacent to Lake Street is privately owned and not subject to Public Trust restrictions. Development of those parcels will occur when those property owners determine the development environment is right. Those parcels include:

# Parcel Owner Zoning

Battery & College Street Corner Spillane Automotive WFC-E

Battery & Main Street Corner Automotive Supply Associates WFC-E

Union Station North Main Street Landing Co. WFC-E

Lake & College Street Corner Main Street Landing Co. WFC-E

Around Isabelle's/102 Lake StreetMain Street Landing Co. WFC-E

In addition to being in mixed-use zoning districts, these parcels also fall in the Waterfront Design Review District.

#### B. Infrastructure Improvements

## Pedestrian Corridor Improvements: Battery Street Crossings

The width of the Battery Street crossings at Main, College, Cherry and Pearl Streets should be narrowed. Crossings should be bricked with a median in the center to create a safe harbor for pedestrians crossing.

Crossing improvements at King and Maple should be completed as part of the construction of the Champlain Parkway.

All traffic lights on Battery Street should be pedestrian activated and respond in a time similar to the one on Pearl and Church.

### Pedestrian Corridor Improvements: Sidewalk Improvements

The pedestrian path on the west side of Battery Street between Battery Park and College Street should be extensively improved. Upgrades to the walkway and the addition of pedestrian scale lighting and furniture should be included in the improvements.

A sidewalk should be constructed along the west side of Battery Street between College and Main Streets.

Street furniture and pedestrian scale lighting should be installed along both sides of Battery Street

Consideration should be given to the use of pavers in some downtown "greenbelts" to reduce the need for maintenance and eliminate areas where foot traffic has prevented grass from growing.

Sidewalks on lower Maple and King Streets west of Battery Street should be improved so that, like on College Street, sidewalks are on both sides of the street. These improvements should be completed as part of the construction of the Champlain Parkway.

### Pedestrian Connections to Waterfront from Sherman and Cherry Streets

Battery Park should be linked to the Waterfront by a staircase extending west from Sherman Street Extension to the area at the foot of Depot Street.

Downtown should be linked to the Waterfront with a staircase beginning at the Plaza at the end of Cherry Street extending down the bank to the corresponding pedestrian right-of-way extending east from Lake Street.

#### Pedestrian Right-of-Ways East from Lake Street

Four short (150' to 200'), narrow pedestrian right-of-ways should be preserved extending east off of Lake Street below Bank, Cherry, Pearl and Sherman Streets, as defined on the official map.

### Moran Square

Similar to the turnaround at the bottom of College Street, Moran Square should be constructed to allow bus/auto drop-off near the Moran Plant. This project will be completed in conjunction with redevelopment of the Moran Plant.

#### **Battery Street Improvements**

Planted median from Main Street to Monroe Street. The section from Main Street to College Street will be completed as part of the Multimodal Transportation Center project.

Pedestrian crossing improvements are described above.

Sidewalk and greenbelt with lighting and landscaping on west side between Main and College Streets. This element will be completed as part of Multimodal Transportation Center.

#### **Depot Street Improvements**

A Study completed by Burlington's City Engineer determined that Depot Street is not required as a southern egress from the Waterfront in order to support future development adjacent to Lake Street. With provisions made for special events and emergencies, Depot Street should be permanently closed to traffic. The existing street should be narrowed and redesigned as a pedestrian and bicycle path, with adequate lighting to provide a safefeeling pedestrian experience day and night. This hill could be used as an organized sledding hill in the winter.

#### Utilities

Utility lines running to all new developments in Burlington are required to be underground.

GMP and BED's overhead transmission and distribution lines from the Moran Plant to Maple Street are expected to be removed by 2000. These long overdue projects remains a high priority and will significantly improve the aesthetics of Waterfront Park.

The infrastructure for future utilization of district energyshould be installed on the Waterfront.

#### **Public Restrooms**

Currently, public restrooms are available at the Boathouse, in the Wing Building, at the Water Department and at the Waterfront Shelter. Public Restrooms will be available at the Train Station when it opens. Directions to existing public restrooms should be clearly marked for the convenience of Waterfront visitors. Additional public restrooms should be included in development in the Interim Development Area. New developments on the Waterfront should contribute toward the construction of such facilities.

#### Parking and Transportation Study

In order for successful development to occur, a Comprehensive Parking, Pedestrian Safety and Circulation Study must be given the highest priority and should be completed as soon as possible for the waterfront. Such a plan must take into consideration all permitted and proposed development and infrastructure improvements including but not limited to: the Champlain Park Way, Filenes, Multimodal Transportation Center, Union Station expansion, Moran redevelopment, development east of Lake Street, LOT Development, Skatepark, Science Center expansion, narrowing of Battery Street and closure of Depot Street. The final decision to close Depot Street should be deferred until after the completion of this study.

# C. Boating and Fishing

Burlington's Waterfront and Harbor are bustling with a variety of watercraft and waterdependent uses. Careful consideration must be given to the management of the potentially conflicting uses, providing access and safety for all.

#### Harbor Plan

A comprehensive Harbor Plan should be developed. The Harbor Plan must be given the highest priority and should be implemented as soon as possible before major changes or projects with regard to boating or fishing are completed. Harbor development and activities need to be interrelated to Waterfront development and landside amenities. The Harbor Plan should address issues relating to breakwater repair, modifications and expansions; harbor traffic, signage, moorings, and regulations; and the promotion of commercial dockage. The removal of inactive oil pump out dolphins should be investigated. Management of designated Underwater Historic Preserves should be coordinated with the Vermont Division of Historic Preservation.

The Harbor Plan should allow for and encourage:

- fishing from shore or boat;
- commercial fishing;
- commercial dockage;
- safe passage by small craft, whether motor, sail or paddle;
- separation of conflicting uses (e.g. motorboats and sailboats);
- facilities for visiting boaters;
- appropriate space for cruise vessels;
- use of boats as an alternative means of transportation;
- historical preservation of wrecks;
- environmental protection and cleanup; and
- a safe and pleasant waterfront.

#### Stack and Store

A marina stack and store facility should also be explored. A stack and store facility would generally serve local recreational boaters with boats up to 25 feet in length, allowing existing boat docking facilities to be modified to accommodate a greater number of visiting boaters. In order to maintain important views of Lake Champlain and the Adirondacks, any "stack and store" facility should be located perpendicular to the lake.

#### Perkins Pier Marina

Perkins Pier Marina should be expanded. The expansion may require the development of a landside breakwater structure or expansion and modification of the existing breakwater. Changes to the breakwater would necessitate a thorough environmental analysis.

Any improvements to Perkins Pier must include a landside master plan which addresses traffic circulation, vehicular parking, shower and restroom facilities, utility extensions, marina fuel and pump out stations and landscaping of the large gravel surfaced parking lot.

#### Community Boat House & Marina

Marina facilities associated with the Community Boathouse are approaching 100% build out.

Continued expansion of the Waterfront may necessitate the development of an additional docking facility for a large capacity cruise vessel. It is unlikely the Community Boathouse area can accommodate such a facility. The docking facility currently used by the Spirit of Ethan Allen cruise vessel is marginally adequate for the size and capacity of that vessel.

To encourage separation of potentially conflicting uses, the Boathouse should continue to serve as the focus of motorboat use, while the Community Sailing Center serves as the focus for sailboats.

A study should be conducted to determine the feasibility of converting the Boathouse to a non-floating facility in its current location. Such a study would analyze the cost-effectiveness of maintaining a floating boathouse, and the economies of other options.

#### Lake Champlain Community Sailing Center (LCCSC)

The Lake Champlain Community Sailing Center (LCCSC) is a nonprofit organization dedicated to providing community access to the sport of sailing and Lake Champlain. Currently located at the Moran Plant, LCCSC has proven to be a valuable addition to the facilities offered to boaters on the Waterfront. More than 200 children and adults learn to sail at LCCSC each summer. Currently, the Community Sailing Center offers:

- Youth beginner & intermediate sailing instruction
- US Sailing small boat instructor certification courses
- Dinghy & keelboat rentals
- Adult dinghy & keelboat sailing instruction
- Boat storage
- Racing & race clinics

With the redevelopment of the Moran Plant, the LCCSC may be dislocated. Refer to Element E. If that should occur, the City should attempt to find a suitable alternative

location that would allow the Community Sailing Center to continue its activities on the Waterfront.

# Fishing Pier

There is an increasing demand for lakeside access to accommodate recreational fishing. The development of a fishing pier will help meet that demand. A likely site for such a facility is behind the Water Treatment Plant, although it is only one possible site where a Fishing Pier could be constructed. Before construction begins, feasibility and design must be studied. Issues that will be taken into account include:

- environmental impact
- cost to build
- amenities
- size
- impact of ice
- accessibility
- maintenance and life cycle costs
- costs and benefits of a floating pier versus a fixed pier
- need for storage and a secure winter berth
- appropriateness of location
- wind and wave action on the lake

Funding for this project may be available from the Vermont Department of Fish and Wildlife.

# D. Integration With Downtown

#### Directional and Information Signage

There should be a coordinated, comprehensive approach to wayfinding throughout the Waterfront district and between the Waterfront and downtown.

Sign clutter—by the City and by private property owners—should be reduced on the Waterfront, including elimination of duplicate signs, consolidation of individual signs onto one sign, and elimination of unnecessary signs. Signage and/or banners are useful tools, but they must have a purpose; otherwise, they are roadside clutter. Signage should be used to provide information. Banners may be used to designate a special area, creating a sense of place.

The Department of Public Works should continue its work with the Marketplace, the State of Vermont, the University, City Arts, the Burlington Business Association, the Chittenden County Regional Planning Commission, the Chamber of Commerce and Waterfront advocates to create a seamless route of information and vitality for residents and visitors.

The Burlington Business Association's Waterfront Focus Group commissioned a study titled, Wayfinding Analysis and Strategies for Burlington's Waterfront. The study recommends a four phase signage plan for the Waterfront district. Intended to be implemented over the next three years, the plan includes:

#### Phase I: Banners

Installation of banners along Battery Street indicate the gateway nature of the street as an access corridor to the Waterfront.

#### Phase II: Hairpins

Installation of additional hairpin signs along Battery Street at key decision-making points for visitors who are unfamiliar with the area. The signs should indicate the route to parking, public transportation, shopping districts, parks, and attractions.

# Phase III: Orientation Maps

Installation of pedestrian scale, local-area maps mounted on poles at train station, parking lots and other key areas. Maps direct pedestrians to points of interest within walking distance.

# Phase IV: Points of Interest Markers/ Heritage Trail

Installation of markers recognizing and interpreting points of historic or cultural interest. Refer to Element U for further detail.

This signage plan should be adopted as part of the City's signage plan for the Waterfront.

#### **College Street Shuttle**

The free College Street Shuttle continues to provide a convenient connection between the Waterfront, Church Street and the University of Vermont/Fanny Allen Health Center districts. See Element H for details about the Shuttle and other public transportation.

# Pedestrian Corridor Improvements

Refer to **Element B: Infrastructure Improvements.** 

# E. Redevelopment of the Moran Station

### History

The Moran Generating Station was built in 1953 and was used to produce electricity for the City of Burlington until 1986. Since that date, the plant has been largely unused, other than serving as an occasional venue for performance. There has been a history of efforts made to find a new use for the former generating station. Some ideas have included the Renaissance Center, an IMAX theater, and a movie set. In 1997, the City spent \$40,000 on stabilization work to prevent further deterioration to the structure in the interim before adaptive renovations could begin.

### **Existing Uses**

The nonprofit Community Sailing Center leases part of the building and grounds for the purpose of providing sailing classes, boat rental and boat storage. The Community Sailing

Center's lease runs through April 1999. Refer to <u>Element C</u> for more information about the Community Sailing Center.

An equinox sculpture currently occupies part of the grounds of the Moran Station. This is a temporary installation and may have to be removed or relocated when the Moran Station is redeveloped.

#### Possible Adaptive Reuse as Art Facility

At the present time, the most advanced plan for the adaptive reuse of the Moran Station is one put forth by the Fleming Museum/University of Vermont. The Fleming is currently developing a proposal to use the structure—primarily the main hall, basement and tower—for arts programming. The scale and openness of the main hall (12,000 square feet with a 28 foot ceiling) make it prime exhibition space.

The proposed redevelopment project would be phased. The goal of the first phase would be to establish a clean, safe space with minimal architectural alterations in which to begin programming within several years. Subsequent phases may include limited architectural alterations or a major architectural project resulting in the transformation of the building.

The Fleming's curatorial focus for activities in the Moran facility would be the cultural perspectives of artists from around the world, as well as from America's own diverse cultures, as expressed in experimental artistic forms.

The building offers a scale of architecture, an interior plan, and a location that are ideally suited to the exhibition of contemporary art. Museums and galleries of contemporary art are characterized by large, open spaces that can accommodate very large-scale work and can be reconfigured as needed. The scale of the Moran plant exceeds that of most contemporary art facilities and would offer artists a unique working and exhibiting opportunity.

The location offers the University an opportunity to enhance its presence within the Burlington community, building on the role of the arts as a key area of outreach to the community and the state, and building on UVM's partnership in the Lake Champlain Basin Science Center. Together, these two public facilities would anchor the Waterfront, offering broad, community access to exhibits and programs in the arts and sciences.

Compatible uses for other parts of the building are being pursued within the Burlington community: The Vermont Youth Orchestra Association and other local performing arts organizations have expressed interest in the Moran Plant as a possible rehearsal space. UVM's Lane Series and Royall Tyler Theatre could make use of this space as well. Additionally, revenue-generating tenants might be a desirable addition to help subsidize the central nonprofit use of the facility.

Some of the spaces in the building still house equipment from the power plant, such as the 10,000 square foot tower which contains massive coal hoppers. These areas could be cleaned up, put on display and interpreted as a means of documenting the industrial history of Burlington's waterfront.

The City will support the Fleming Museum/University of Vermont's redevelopment plan or any other economically feasible plan that results in permanent reuse of the building that is in keeping with the Public Trust Doctrine and the Guiding Principles of this Plan.

#### F. ECHO at the Leahy Center for Lake Champlain

The Lake Champlain Basin Science Center is a nonprofit corporation formed from a partnership of the City, the University of Vermont and the general public. Nearly a decade in the making, the Science Center opened its doors to the public on July 29, 1995 in order to educate visitors of all ages about the history, culture, and ecology of the Lake Champlain basin. The Center plays an important role in increasing public understanding of the watershed and teaching residents about stewardship for the environment.

In addition to serving residents and visitors, the Science Center offers subsidized programming to area schools, youth and family centers, and other service agencies. Through 1997, over 70,000 people had visited the Center to learn through hands-on exhibits, programs and demonstrations. The Science Center is also a project of the City's Enterprise Community, serving as a job training and employment initiative for Burlington's under-served teens and a resource for Burlington's schools.

# Expansion

Through a planned three-phase, \$11.5 million facility construction project, the Science Center has become a flagship project in the development of a year-round Waterfront. Expansion of the facility, which has already begun, is to be completed in 2001

# Phase 1 (Ongoing)

Conversion of the former US Navy Reserve facility into exhibits and learning spaces.

# Phase 2 (June 1999)

Construction of the \$3.5 million Rubenstein Ecosystem Science Lab, which will bring world class research scientists studying Lake Champlain to the Center and interacting with members of the general public.

#### Phase 3 (Dec. 2001)

Replacement of the existing inadequate facility with a new 40,000 square foot lake education center and attraction.

In addition to meeting programmatic goals, the buildout of the Science Center will provide:

- Broad public access to the lakeshore.
- Space for relocation of the Bikepath to the west side of the railroad right-ofway between College and King Streets.
- Consideration of and integration with neighboring properties—Lake Champlain Transportation Company and the Boathouse Marina.

#### **Tourism**

The Lake Champlain Basin Science Center is fast becoming a major attraction and may, eventually, provide a draw to Burlington on a scale with Church Street. With its focus on the ecology of the Lake Champlain watershed, the Center holds great potential to increase heritage tourism in the area. A Naval Memorial will be built on the grounds of the Science Center. And the Lake Champlain Maritime Museum has plans to bring to the Center a life-

size working replica of one of the ships that navigated the Lake more than a century ago. Plans also include linkages to museums and attractions in New York and Quebec, and participation in cultural heritage trails encompassing the Lake Champlain corridor.

# G. Parking

The City should continue to allow no permanent parking to the west of Lake Street except onstreet parking, handicapped parking, parking required to support existing uses and parking for water-dependent uses. The City should continue to encourage the incorporation of additional parking spaces and dual use shared parking spaces in projects developed east of Battery Street.

Currently, 1345 public parking spaces are available for Waterfront related uses, either on the Waterfront or along Battery Street. In the next five years, four new developments may change the number of available spaces:

- Full build out of the Science Center (potential elimination of 75 spaces).
- Construction of the Multimodal Transportation Center Parking Garage (addition of 288 spaces).
- Construction of the next phase of Gateway Plaza (addition of 12 spaces).
- Narrowing of Battery Street between College and Pearl Streets may include creation of parking on both sides of the street (addition of 50 to 80 spaces). Modifications to Battery Street to allow on-street parking between College and Pearl Streets should be investigated as part of the Parking, Pedestrian Safety and Circulation Study.

Parking at the Pease West lot (directly south of the Pease grain tower) is permitted through 2003. If parking is to remain at the site to accommodate boaters and Boathouse functions, it shall be as part of a dual footprint structure, thereby reducing the visual impact of the parking. Any dual foot print structure which is constructed at this site should be sensitive to view corridors and massing, and should be constructed so as to be as "transparent" as functionally possible.

#### Proposed Zoning Change

Parking requirements in Waterfront zoning districts currently require developers to provide at least one parking space for every 150 square feet of retail space or 300 feet of office space. Two parking spaces are required for each residential unit. Developers may request a waiver for up to 50% of the required spaces if they submit a parking plan as part of their permit application. One technique to lessen the demand for additional parking is to change the number of parking spaces required by the zoning ordinance from a minimum to a maximum, in effect limiting the number of parking spaces a developer can provide. The Parking and Mass Transit Capital Fund must also be made a more attractive alternative to developers in lieu of new parking spaces.

As stated previously, circulation and parking issues associated with proposed developments will be addressed through a Parking, Pedestrian Safety and Circulation Study outlined previously. (see <u>Element B: Infrastructure</u>).

#### H. Alternative Transportation

The City should continue to pursue transportation modes other than the automobile. Existing modes should be enhanced, while significant new investments in public transportation infrastructure should be encouraged.

### **College Street Shuttle**

The College Street Shuttle continues to prove that free transportation between desired destinations works. Every day, the Shuttle keeps dozens—and sometimes hundreds—of vehicles off the Waterfront. Expansion should include event-related transportation, expanded hours, and other permanent routes that connect desirable points with no fares and headways under 15 minutes.

#### **Multimodal Transportation Center**

The Multimodal Transportation Center will create a hub for interconnecting rail, ferry, pedestrian, bus and automobile traffic. See Element I for details.

#### Passenger Rail

The expansion of passenger rail is critical to the economic development of Burlington's Waterfront. Passenger rail has the potential of bringing one thousand additional visitors to the Waterfront every day, year round. Burlington's new train station at Union Station will open in 1998.

#### Commuter Rail

Commuter Rail will improve access to and from Burlington for commuters and visitors who must now travel on congested roads. Originally, the route will connect Burlington south to South Burlington, Shelburne and Charlotte. Track and crossing improvements along this route are nearing completion. The train is scheduled to begin running by fall 1999.

An important addition to this project will be the expansion of the Commuter Rail route north and east through Winooski to Essex. With such a route, much of Chittenden County would have fast, affordable and congestion-free access to Burlington.

Accompanying transportation from the Burlington train station to the riders' final destinations will be critical to the success of this transportation system. The Multimodal Transportation Center—adjacent to Union Station—will meet that need by providing a link to city buses and taxis.

#### Amtrak Expansion

Amtrak currently runs from New York City to Rutland. This route should be expanded north to Burlington. Such an expansion would create a seven hour link to Manhattan for Chittenden County residents. It would provide visitors to Vermont an alternative to interstate highway travel and would put Burlington's Waterfront directly in the path of many visitors to Vermont. The train would become popular with summer tourists, leaf peepers and skiers, and keep thousands of cars off Vermont's roads.

#### **Transportation Around the Waterfront**

As the Interim Development Area, the Moran Station and the Lake Champlain Transportation Company property are redeveloped, public transportation between points on the Waterfront and from off-site parking to the Waterfront will be necessitated. Possible people-moving systems might include:

Creation of a north-south tram from the Moran Plant to Roundhouse Point.

- Use of golf carts or a small van to shuttle visitors from downtown parking to the Waterfront—especially during special events.
- An extension of the College Street Shuttle route down Lake Street to the proposed Moran Circle turnaround.

# Waterborne Transportation

The Harbor Plan discussed in <u>Element C: Boating and Fishing</u> should include a section which addresses waterborne transportation opportunities and alternatives.

Above all else, there should be a preference for clean, environmentally sound means of transportation around the waterfront. In addition, a preference should be given to pedestrians and bicyclists on the waterfront.

As stated previously, circulation and parking issues associated with proposed developments will be addressed through a Parking, Pedestrian Safety and Circulation Study outlined previously. This Plan will include the effect of alternative forms of transportation on the circulation patterns and parking needs of the area.

# I. Multimodal Transportation Center

The City has been investigating the possibility of developing a Transportation Center throughout the 1990s. In 1992 and 1993, the Metropolitan Planning Organization funded studies on the concept and feasibility of a facility. In 1997, the City hired Wallace, Floyd, Associates to complete a feasibility study for a Multimodal Transportation Zone. The Transportation Zone would contain the new Train Station at Union Station and another facility to accommodate additional transportation modes. The Wallace, Floyd, Associates' study forms the basis for the current Multimodal Transportation Center plan.

# **Existing Transportation Linkages**

Current intermodal connections between the regional and intercity bus systems, ferry service and future passenger rail are either inadequate or nonexistent. The Vermont Transit operation on Main Street was cumbersome and inefficient as well as an inappropriate use of a prominent downtown site. Vermont Transit's temporary operation at Pine Street, while operationally functional, offers no intermodal connection.

The Chittenden County Transportation Authority has outgrown its existing Cherry Street terminal space. CCTA's five-year Short Range Transit Plan for public transportation in Chittenden County called for relocating their principal downtown terminal to accommodate existing and planned operations.

Pedestrian and bicycle activity are significant contributors to the transportation system and are basic elements of any intermodal system; however, pedestrians require short walks between modes and bicyclists require racks and lockers—none of which are provided by Burlington's existing transportation system.

#### Proposed Multimodal Center

A 1.5 acre trapezoidal site has been chosen for the construction of a new Multimodal Transportation Center. It is the block bounded by Battery, Main, Lake and College Streets. The site is steeply sloped, dropping approximately 23 feet from Battery Street to Lake

Street. Current uses on the site include a service station, video rental shop, and a decorating store.

The site is ideally located close to the ferry terminal, Union Station, and the College Street Shuttle, and provides an excellent opportunity to interconnect regional bus, intercity bus, commuter rail, ferry, bicycle, pedestrian and shuttle and circulator bus systems.

The development of a Multimodal Transportation Center strategically located on Battery Street at the juncture of Downtown and the Waterfront achieves three of the City's transportation and land use goals:

- The development of the Multimodal Center ensures full access to the Downtown/Waterfront area for the future, without expanding the roadway network, by capturing autos before they enter the downtown, and by reducing auto-dependency for downtown trips.
- A Multimodal Center located at the intersection of rail, intercity and regional bus, and ferry operations maximizes transit options and transfers between modes, and provides a pleasant, comfortable environment for transit patrons.
- The design for the Multimodal Center provides a mixed-use building with an active, pedestrian-friendly retail frontage, parking, and housing and/or office space on the upper floors, consistent with the City's waterfront development goals.

#### **Projected Timeline**

As the project concept has recently been developed, the majority of the development work lies ahead. Land acquisition, permitting, environmental studies and mitigation, construction and lease-up are anticipated to take from three to five years to complete. The City has recently placed the project on the official City map. Impacted property owners have been notified of the City's intent to proceed with the project and acquire their property.

Circulation and parking issues associated with this proposed development will be addressed through a Comprehensive Traffic, Parking and Circulation Plan outlined previously.

# J. Waterfront and Downtown Housing

It is the City's goal to create a downtown with a balance of commercial and residential development and to provide housing to residents of all incomes. New construction and adaptive reuse of buildings in Downtown Burlington and on the Waterfront offer an opportunity to provide housing for a wide range of household incomes and household types - including families with children - in a very convenient location. The downtown and Waterfront depend on having an active population after working hours and having residents who are concerned about the area. Downtown residents provide the workforce for downtown businesses without causing additional traffic.

While this Plan generally encourages the development of housing in downtown and on the waterfront, it also needs to ensure that residents and businesses of the downtown and the waterfront do not inhibit or discourage the public's right to use or enjoy both the public and private development that has and will occur. Burlington's waterfront is a place for all to use and enjoy, and it should not become the exclusive domain of its residents. Policies should be explored and utilized by both the public and private sector to ensure that this occurs.

### **Inclusionary Zoning**

The inclusion of affordable housing with market rate housing is important to maintain a diverse and accessible Waterfront. Inclusionary Zoning is one way to ensure that the urban neighborhood developing on the Waterfront will remain economically diverse.

#### Creation of a Mixed Use Urban Neighborhood

Housing on the Waterfront is restricted to unfilled lands not subject to Public Trust laws. To date, 29 units have been constructed on the Waterfront and 80 units (Milot Condos) have been constructed on the east side of Battery Street. Mixed-use zoning ordinances on the Waterfront in WFC-E require ground-floor commercial and retail uses with housing and office space above.

Conceptual plans by Main Street Landing Company call for 8 additional units to be developed in a second Wing Building to be constructed between the new train station and College Street, and 75 units to be constructed east of Lake Street between College Street and Depot Street. These units have not yet been permitted. Barry Mossman has received permits to add 14 more units to his row of six condominiums adjacent to the steel-sided condos built by Harry Atkins.

Existing zoning regulations in the Interim Development Area allow additional housing development in that area. Zoned Waterfront Residential Medium Density (WRM), up to 20 units per acre are currently allowed. Refer to <a href="Element L">Element L</a>. The number of units that might be built in the IDA has not been determined, but would be permissible only on the unfilled lands.

# K. The Urban Reserve

The Urban Reserve was created in 1992 with the City's purchase of Waterfront property from Central Vermont Railway. The Urban Reserve, also referred to as the "North 40" is located along the shore of the Lake to the north of the former Moran Generating Plant and to the south of Texaco Beach. It is approximately one-half mile long and 600 feet wide with the entire eastern boundary of the property characterized by a steeply vegetated slope rising roughly 100 feet to the residential neighborhood above. Refer to Appendix F for a map.

The principle purposes for the Urban Reserve are threefold:

- To preserve a large natural area from unwanted commercial development;
- To reserve the right for future generations to determine what level of development should occur at this site; and
- To concentrate the efforts of Burlington's development activities within the Downtown Business District and the Waterfront Commercial District east of Lake Street.

Approximately half the Urban Reserve—nearly all lands west of the Bikepath—are filled lands and are therefore subject to the Public Trust Doctrine. In addition, a portion of the funding secured for the City's purchase of the Urban Reserve came from a grant from the Vermont Housing and Conservation Fund. With these moneys came a requirement for the creation of a conservation easement requiring that "no less than 50% of the. . .property should be retained as public open/recreation space or conservation land." Included as part of the easement were the following elements:

- 8 acres of shoreline running the entire length of the property to a width of at least 100 feet;
- A 1.5 acre natural area designated to protect an endangered plant community;
- A public open recreation area reserved for the use and enjoyment of the citizens of Burlington to consist of at least 13 acres. The specific locale and extent of the public open recreation portion of the easement was to be defined at a later date; but prior to construction of any buildings or structures on the Urban Reserve.

In 1997, the Department of Planning & Zoning prepared a plan for the interim use and management of the Urban Reserve over the next 10 to 15 years. The result was the *Interim Use and Stewardship Plan for the Urban Reserve*, which was adopted by the Planning Commission and City Council in October 1997. The plan outlines interim use and stewardship, long-term planning, site remediation, public access and future policy and management for the Urban Reserve and the Interim Development Area. Among the plan's provisions are the following:

- Maintain the property as passively-used and publicly-accessible open space allowing for the continued re-naturalization of the property. Additionally, consideration should be given to maintaining remnants of the property's railroad and industrial heritage.
   Particular attention should be given to the brick building at 2 Lake Street and remaining rail sidings and spurs.
- Existing dedicated uses should remain.
- No new development or dedicated uses on the property will be considered, including harbor-related development.
- No additional fill will be placed on the property unless part of an approved remediation plan.
- No changes to the natural regeneration of the vegetation and wetlands will be made unless it is necessary as part of an approved remediation or vegetation management plan, except in maintenance of existing right-of-ways.
- Completion of a comprehensive master plan for the property, including extensive public participation and review will be required prior to any future development.
- Consideration should be given to the future sale of some or all of the development rights to entities such as the Vermont or Lake Champlain Land Trusts.
- Long-term planning for the property is the responsibility of the Planning Commission with staff support from Planning, Parks and the Community & Economic Development Office.
- Final adoption of any long-term plans for the property will require City Council approval, and possibly be subject to consideration by the voters.
- A long-term plan for the property will be initiated after the completion of the 2006 Municipal Development Plan, and will be adopted not more than 15 years from the adoption of this Plan.
- The City's Brownfields Initiative within CEDO will be responsible for the development and implementation of a comprehensive environmental assessment of the entire property.
- Parks will be responsible for the development and implementation of property
  maintenance and vegetation management recommendations in consultation with the
  Conservation Board, CEDO and Planning. As part of the development of a vegetation
  management plan for the property, particular consideration should be given to
  maintaining views of the lake and the New York Shoreline and issues regarding public
  safety and security while allowing for the natural revegetation process.
- As long as they are responsible for the majority of traffic entering the site, the
  Department of Public Works will be responsible for controlling vehicular access to the
  property to prevent illegal dumping. Parks will take responsibility for this function
  when DPW no longer uses the site as heavily.

- Parks will be responsible for the removal of buildings and structures at the "Astroline" site and other areas necessary.
- Consideration should be given as part of a Remediation Plan to cutting out portions of the remaining seawall and adding rip-rap to establish a more natural shoreline. Future harbor uses and the containment of potentially contaminated sediments should be considered in any changes to the seawall.
- Parks, in conjunction with DPW and Planning, will consider opportunities to enhance public access to the Urban Reserve from adjacent neighborhoods where feasible, including:
  - o Sherman Street extension
  - Depot Street
  - o Possible public use of the trail from the Catholic Diocese property.
- The plan will be reviewed in 5 years and then as necessary until a long-range plan has been prepared for the property in fulfillment of the Waterfront Urban Renewal Plan.

The *Interim Use and Stewardship Plan* is included in its entirety and is included in the Attachments. With the exception of the relocation of the Bike Path within the Urban Reserve, it is referenced for the purposes of guiding management of the Urban Reserve.

# Stewardship Responsibilities

# Local Lead Agency

CEDO will remain the lead agency for all activities related to the Urban Reserve.

# **Operations**

Dept. of Parks & Recreation

#### Point of Contact

Dept. of Parks & Recreation

#### Coordination

A Waterfront Technical Committee will be established with staff from the Department of Parks, Planning Public Works, City Attorney and chaired by CEDO. This Committee will meet as needed to coordinate and plan waterfront activities including the implementation of this Plan.

# **Oversight**

City Council Waterfront Committee

#### Resources

All City departments with responsibility for implementation must be given the additional budgetary resources necessary to fulfill the objectives of this plan.

# Decision-Making

Final policy decisions will be made by the Mayor and City Council after review and recommendation by the City Council Waterfront Committee.

### L. Interim Development Area

At the time the waterfront land was purchased from the Central Vermont Railway, an "Interim Development Area" of approximately 7 acres was delineated south of the Urban Reserve and north of Waterfront Park. This area was not part of the Urban Reserve, and it was intended that development would occur on this land—with applicable regulatory review—without triggering the requirement of completing the conservation easement. This land was not intended to be reserved for conservation uses.

The Interim Development Area (IDA) of the Burlington Waterfront includes land north of Waterfront Park, from the shoreline to just east of Depot Street and north to a line running west from the southern end of Lakeview Terrace to the Lake. The northern boundary of the IDA is shared by the southern boundary of the Urban Reserve. See map of area in Appendix F.

#### **Existing Conditions**

The IDA is owned by the City except for a .20 acre parcel owned by Frank Von Turkovich. An easement for the New England Central Railroad runs through the property along the railroad tracks. Existing uses in the IDA include the Coast Guard Station, the small boat launch, the Water Treatment Plant, the Water Department building, the Moran Plant, the equinox sculpture, the Community Sailing Center, Water Department Park, the Bikepath, informal roads, and an informal parking area for service vehicles for festivals at Waterfront Park. A skatepark is permitted but not yet built. Overhead transmission lines run through the area.

The IDA includes three development zones (refer to map in Appendix C):

- WFC-W Waterfront Commercial West
- WRM Waterfront Residential, Medium Density
- WRC Waterfront Recreation/Conservation/Open Space

In addition, four notable zoning constraints are in place:

- Approximately 2/3 of the IDA is filled land, where only Public Trust uses are possible.
- $\bullet~$  A 60' wide pedestrian/view corridor has been designated extending from Sherman Street west to the shore.
- Development must be set back 100' from the lake shore.
- The New England Central Railroad (NECR) has an easement through the area.

# Proposed

The Interim Development Area should be developed in conformance with zoning requirements for the area. The development should integrate the adaptive reuse of the Moran Plant, the Skatepark, the bikepath, housing on the Von Turkovich parcel and other unfilled lands, parking for related uses, and the potential use of existing NECR tracks for passenger rail service between Burlington and Essex.

Public infrastructure improvements will be needed in the Lake Street right-of-way to support the development of the IDA. Changes to existing zoning regulations should be made to make zoning consistent with the Public Trust laws. The Interim Development Area should be reduced and should not include any area north of the northern boundary of the former Moran Plant.

#### M. Skate Park and Rink

Skateboarding and rollerblading have become major recreational activities for many City residents during the 1990s. As the sports have grown, there has developed a need for a skatepark facility with ramps, "halfpipes" and other amenities to meet the unique requirements of the sports.

Since 1989 a Skatepark Task Force has been working with the City to develop a skatepark facility. Several sites in various locations throughout the City were considered before settling on the planned location just north of Waterfront Park, next to the Water Treatment Plant in the Interim Development Area. The City Council has approved the location. In recognition of concerns of residents living near the site, the Planning Commission issued a temporary permit for one year from the date of initial opening of the Skate Park. In determining whether to issue a permanent permit, the Planning Commission will consider the noise impacts of the Skatepark at this site. The permits are now being challenged in court, and the outcome of that litigation will determine whether the Skate Park is built at that site.

# N. Lake Champlain Transportation Company Property

The lakefront property between King and Main Streets and west of the railroad tracks is owned by the Lake Champlain Transportation Company and is currently used for operation of the Lake Champlain Ferries, for warehousing and for related amenities such as a restaurant. The ferry has been an important component of the City's working waterfront and transportation system.

These lands are filled and are therefore restricted to those uses allowed under the Public Trust Doctrine. The property is in the section of the Public Trust lands on which the greatest number of uses are allowed. All uses listed in <u>Section II</u> of this Plan are permitted on the Lake Champlain Transportation Company's property because it is situated between Maple and Main Streets.

The owner of this property has expressed an interest in redeveloping it in such a way as to provide services and facilities for users of Perkins Pier Marina and the general public. Amenities that may be part of the new development include a restaurant, public restrooms, ships store and pumpout facility. This project is in the conceptual stages and has not yet applied for permits.

The City supports redevelopment of this prime waterfront property in such a manner as will guarantee:

- Broad public access to the lakeshore.
- Space for relocation of the Bikepath to the west side of the railroad right-of-way between College and King Streets.
- Continuation of the ferry dock's location somewhere between Main and King Streets.
- Consideration of and integration with neighboring properties—Perkins Pier and the Lake Champlain Basin Science Center.
- Consistency with the principles of the **Guiding Principles of this Plan**.

### O. Winter Enjoyment of the Waterfront

Summer use of the Waterfront is increasing annually. On warm days, Waterfront Park, the Bikepath, and many Waterfront attractions are bustling with activity. But with the exception of days when special events or festivals are scheduled, winter activity on the Waterfront is very low.

One of the <u>Guiding Principles of the Waterfront Plan</u> (Section II) states: We recognize that there are four seasons in Vermont, and that the Burlington Waterfront must be developed so that is can be used and enjoyed year-round.

In February 1998, the City Council Waterfront Committee held a summit of residents, business owners and city officials to begin the discussion of how best to encourage "off season" use of the Waterfront. Two ideas received strong support from all sectors during that meeting, and could create immediate increases in winter use.

#### Ice Skating Facility

The existing location of the Waterfront ice rink will be eliminated with the expansion of the Lake Champlain Basin Science Center. At the February 1998 summit, participants identified the construction of a quality outdoor ice skating rink as one of the highest priorities to encourage winter use of the Waterfront. The current skatepark design for the permitted site just north of Waterfront Park includes a multi-season skating facility designed for summer in-line/roller skating and winter ice skating. That location is pending current litigation. Refer to Element M.

# Sledding Hill and Snowmaking

The development of a quality sledding hill would contribute dramatically to the vitality of the Waterfront during winter months. Further study would be needed to determine the practicality, location, and required investment. The installation of snowmaking equipment would lengthen the season and would ensure a base of snow even in dry winters. Water is readily available from the lake. If Depot Street was to be used as a sledding hill, a compressor could be situated at the base of the hill, and piping for water could be installed during reconstruction of the street as detailed in <u>Element B: Infrastructure Improvements</u>.

### P. Public Market

A Public Market could provide a public commercial space where Vermont farmers, crafters, artists, small business people, consumers and local residents can carry on traditional local market activities. A year-round enclosed market would create a destination on the waterfront that would add a sense of community, provide income for small growers and entrepreneurs and keep dollars in local circulation.

A Steering Committee for the Public Market has been established and is currently considering the feasibility of and location for the project.

A February 1998 initial feasibility study found that Burlington has enough people with enough income to support a 20,000 square foot fresh foods market downtown. On the supply side, we have a diverse range of existing food producers that offer an excellent vendor base.

A 20,000 square foot market would contain 10,000 leasable square feet that would house approximately 20 permanent vendors. The facility would also provide storage and refrigeration

for vendors. The indoor, year-round vendor space would be augmented by outdoor seasonal vending space and common areas for seating, demonstrations and other events.

The Steering Committee is currently considering four sites for the project. Three of the four sites are on the Waterfront; one site is downtown:

- Multimodal Transportation Center
- Lot next to the Pease grain tower
- Lot at corner of College and Lake Streets
- Former police station property on S. Winooski Ave.

The project feasibility study's finding have been based on a computer model analysis and will be refined by a survey of local consumers' buying behavior, satisfaction with current choices and perceptions of potential sites. A producer survey will also be completed.

The next steps for the Steering Committee will include:

- Analyzing feasibility of prospective sites
- Preparing a rough tenant mix (based on the results of the producer survey)
- Preparing development and operating budgets

# Q. Barge Canal

After several years of negotiations, The Pine Street Coordinating Council (BCCC) has recently received approval for an environmental remedy and financial settlement for the Barge Canal Superfund Site. This will be issued soon as a formal "Record of Decision" (ROD), which will then be subject to public scrutiny before it is finalized. EPA has a goal of fall 1998 for completion of this work.

The ROD will include a redefinition of the Superfund site removing six contiguous commercial properties from Superfund designation. As a result, these properties will be redesignated as "brownfields". Removing these properties from Superfund allows for developers to more easily obtain insurance, financing, and regulatory approval for site plans. Deed restrictions are now being developed to address the special environmental conditions of these six properties including restriction on excavation and loading.

Among these properties is an eight acre vacant lot owned by the Davis Company which has significant potential for development. Davis has recently proposed a supermarket. Past proposals have included a business incubator building and an expansion of Specialty Filaments located across the street. Several of these new brownfields properties are now in use, including the Vermont Transit bus terminal, the Maltex Building, Farrell Distributing, Citizen's Oil, and the Burlington Street Department garage. Presumably, all these properties will have increased value after the ROD is finalized, and their use could change significantly in the next few years.

The ROD will include a subaqueous sand cap in the canal itself which will prevent contamination from leaching into the water. In addition, the site of the former gas plant (the source of the coal tar pollution) will be capped as well. Improvements to the stormwater runoff from Pine Street that empties into wetlands adjacent to the site will improve the natural filtering that the wetlands provide. Additional moneys may be made available for "supplemental projects" to improve the environmental conditions within the watershed. Supplemental projects include:

#### **Restoration of Englesby Brook**

Reduce the discharges of bacteria, sediment and other pollutants to the brook and Lake Champlain. Reduce the incidence of high runoff flows that cause erosion, property damage and stream channelization. Restore impaired habitat to improve stream health.

#### Community-based research and assessment on the existing conditions in the Lake

Five-year program accessing the environmental health of Lake Champlain and especially Burlington Bay. Involve schools and the larger community in an effort to track the condition of the ecological communities in the Lake.

#### Provide access to the Barge Canal site in a safe and educational way

Provide footpath and trail access to certain portions of the site to enable area residents and visitors to take advantage of the natural areas, historic value and educational opportunities the site provides.

# Site engineering study program

Optimize the opportunities for redevelopment of current site parcels. Analyze and summarize existing site data to determine potential loading for structures and appropriate foundation designs that could be utilized for different types of development.

#### R. Relocation of the Vermont Rail Yards

The City should study the idea of relocating the Vermont Rail Yards and facilities to a site off the Waterfront and outside Burlington's residential neighborhoods. The study should examine the pros and cons of moving the rail yards and an analysis of relocation costs.

The State of Vermont currently owns more than fourteen acres of valuable lakeshore land that is leased to Vermont Railway. While the City encourages the expansion of passenger rail, the rail yards are a potential obstacle to development of the Waterfront as a publicly accessible community resource.

By moving the rail yards off the Waterfront, truck traffic through residential neighborhoods would be eliminated. Noise would be dramatically reduced. There would be a positive impact on Burlington's south end neighborhoods. And the storage and handling of hazardous materials would be eliminated. Relocation of the rail yards would provide an opportunity to create mixed use development on those lands. The Roundhouse and other historically significant structures would be preserved and made more accessible to Waterfront visitors.

Since 1987, State and City officials and Vermont Railway representatives have been considering the possibility of relocating this facilities to a site to the south of Burlington along the railway corridor. Middlebury, Brandon and Proctor have all been discussed as possible sites.

On the other hand, relocation of the Vermont Railway yards off the waterfront could possibly mean the loss of rail infrastructure in the City and would further sanitize the waterfront from its industrial heritage. The movement of goods by rail is far more sustainable, efficient, economical and environmentally responsible than trucking. Future opportunities to transfer goods for manufacturing and public use by rail should not be discarded without careful consideration.

#### S. Bikepath & Promenade

The section of the Bikepath between College Street and King Street should be relocated from the east side to the west side of the active rail line as a result of the planned Commuter Rail project in 1999. The expanded Union Station activities have already resulted in bicycle and pedestrian conflicts in this area. The dramatic increase in rail traffic resulting from the Commuter Rail project will create an unsafe bikepath crossing at King Street unless the bikepath crossing at that point is eliminated.

Between College and King streets, a pedestrian promenade should be constructed along the water's edge. The Lake Champlain Basin Science Center and the Lake Champlain Transportation Company have integrated the promenade into their redevelopment plans.

In contrast to recommendations in past plans, the relocation of the Bike Path in the Urban Reserve is no longer contemplated. Instead, a pedestrian path or promenade should be created whenever possible extending from the southern end of Perkins Pier to the northern end of the Urban Reserve. Any additions or changes to bike and pedestrian ways in the Urban Reserve should consider possible impacts on natural resources, waterfront access, future uses, and the separation of different type of users.

Whenever possible, the bike path should be widened to a minimum of ten (10) feet everywhere in the Urban Renewal area.

Bike racks (both open and covered), showers and locker facilities should be encouraged in new development on the Waterfront. Bike racks should be added as furniture along the bikepath.

# T. Waterfront and Battery Parks

Development of Waterfront Park is substantially complete. The use of the Park for festivals and special events brings thousands of visitors to the Waterfront. The use of the festival site should be maximized. Recent installation of an irrigation system will improve the viability of grass in that area of the Park.

Public restrooms should be made available near the northern end of the waterfront. (Refer to <u>Element B: Infrastructure Improvements</u>). Several existing and proposed developments increase the need for such facilities:

- Festivals
- Small boat launch
- Skatepark and rink
- Fishing pier behind the Water Treatment Plant.

A small support facility is required by the Department of Parks & Recreation for maintenance and service for Waterfront Park, the Boathouse and the Skatepark.

The Battery Park Masterplan should be implemented in association with Waterfront Development. Improvements yet to be implemented include a pedestrian link from Sherman Street to Depot Street and redevelopment of the Battery Park Extension and lower plaza at College Street.

The view of the Waterfront from Battery Park should be formally recognized as an asset by installing descriptive signs along the park wall pointing to notable features on the Waterfront below.

#### **U.** Heritage Protection

The City should develop an approach that identifies and values key elements and artifacts of the industrial, transportation and maritime heritage associated with the Burlington Waterfront. Such an approach will serve the goals of education, protection of cultural heritage and enhanced opportunities for heritage tourism. Senator Jeffords is investigating a Heritage Corridor for Lake Champlain with the National Park Service. The City should move ahead with its own system.

#### Heritage Trail

A self-guided pedestrian and/or bicycle Heritage Trail should be developed. Points of interest should be marked along the route with a consistent signage system. Models could enhance the educational experience at key points. Points of interest on the Waterfront might include:

- Barge Canal Bridge
- Roundhouse Point
- Rail Yard
- South Spit
- Union Station
- Pease Property
- Ship Wrecks
- Moran Plant
- Railroad Siding
- Railroad Tunnel

A Heritage Trail should also link the Waterfront with the rest of downtown. Burlington Business Association, the Department of Planning and Zoning, the Preservation Trust of Vermont and the Church Street Marketplace have all expressed an interested in working on such a project. The City should work closely with the efforts of the Lake Champlain Bikeways group. These groups should create a taskforce which might begin with an inventory of existing conditions and historical documentation to investigate the feasibility.

#### V. Public Art on the Waterfront

Public art is central to the cultural life of the City and is strongly supported by the Burlington community. The incorporation of artwork throughout the public areas of the City notably improves the quality of life of City residents and the quality of experience of City visitors. The Art in Public Places Program, upon approval of the City Council, will be fully integrated into the management and development of Burlington's waterfront.

The Art in Public Places Program will:

- Provide the City's residents and visitors with an expanded visual arts experience by creating permanent and temporary sites for art throughout the City;
- Enhance Burlington's standing as an arts community;
- Provide opportunities for professional artists to integrate artworks and ideas into a variety of settings and involve City residents in the development of art in public places.

The public art planning process shall relate to the City's various planning functions, such as infrastructure improvement, neighborhood planning processes, park planning, and redevelopment. Whenever possible sites for artwork projects will be identified at the early

stages of planning in order that artwork and art ideas can be effectively and economically integrated into project development

The public art selection procedure, as more fully described by Burlington City Arts' *Art in Public Places Guidelines* will not override or adversely affect any plan for the use of public or private land by the City.

Burlington City Arts will review and, if necessary, revise the public art selection process not less than annually.

#### VI. POTENTIAL PROPERTY ACQUISITION

The City may consider acquiring certain properties for the purpose of implementing this Plan. Mention of properties in this section does not indicate an intent to proceed with acquisition nor an obligation by the city to proceed with acquisition. Potential acquisitions include:

- Parcel on the northwest corner of Battery and Main Streets, owned by Automotive Supply Associates (Sanel), for the purpose of developing the Multimodal Transportation Center.
- Parcel on the southwest corner of Battery and College Streets, owned by Spillane Automotive, for the purpose of developing the Multimodal Transportation Center.
- Parcel of approximately 0.2 acres in size in the Interim Development Area, owned by Frank Von Turkovich, for the purpose of facilitating the development of that parcel and lands already owned by the City.
- Portion of parcel owned by Lake Champlain Transportation Company along railroad right-of-way between College and Main Streets for the purpose of relocating the Burlington Bikepath to the west side of the railroad tracks in that area.

# VII. DEMOLITION CONTEMPLATED

As stated in the Guiding Principles of this Plan and Element U: Heritage Protection, historic preservation is an important goal of the City's activities on the Waterfront. However, in order to carry out this Plan, the City may need to demolish—in all or in part—five structures in the Waterfront District.

#### Pease Grain Tower

The City is currently discussing a plan whether to preserve or remove the Pease grain tower from the Waterfront in order to preserve it. However, if removal is not possible, it may be necessary to demolish the tower.

#### Brick Building on the Astroline Site

The City is currently pursuing an adaptive reuse of the one remaining building on the Astroline site. The building is structurally sound, and with substantial renovations, may provide suitable office space for a City department or nonprofit organization working on the Waterfront. However, development limitations include the lack of parking, the building's location on Public Trust Land, and the lack of water and sewer service compliant with current codes. Any use of the building at this time would be on an interim basis until 2006, at which point the master plan for the Urban Reserve will be developed.

#### **Automotive Supply Associates Building**

Planned construction of the Multimodal Transportation Center on Battery Street would require demolition of the brick building on the corner of Battery and Main Streets.

# Spillane Automotive Building

Planned construction of the Multimodal Transportation Center on Battery Street would require demolition of the service station on the corner of Battery and College Streets.

#### Naval Reserve Building

The final phase of the Lake Champlain Basin Science Center's development project would require the demolition of the Naval Reserve building.

Mention of properties in this section does not indicate an intent to proceed with demolition nor an obligation by the city to proceed with demolition. Demolition or modification of existing structures would go through the standard Planning and Zoning review process.

#### VIII. ZONING CHANGES RECOMMENDED

### Parking

One of the Guiding Principles of this plan reads as follows: "Intrusion by the automobile should be minimized through dual footprint, underground, off-waterfront parking structures and innovative public transportation" (Sec. II). In Element G: Parking, the Plan states: No parking should be allowed to the west of Lake Street except on-street parking, handicapped parking and parking required to support existing uses and water-dependent uses. To meet the goals of this plan, the zoning ordinance for zones WFC-E and WRM may be modified to set parking requirements for new Waterfront development to 50% of current standards, and to require developers to seek waivers if they plan to build additional spaces.

# Interim Development Area

Zoning districts in the Interim Development Area should be modified to make them consistent with the Public Trust laws restricting uses of filled lands in the area. Refer to <u>Element L</u>.

# IX. FINANCING MECHANISMS - A MIXED ECONOMY APPROACH

The Plan contemplates the use of both public and private enterprise to make Waterfront revitalization possible.

Private enterprise will be encouraged on lands not subject to the Public Trust Doctrine to the east of Lake Street. It will also be encouraged for the purpose of revitalization on portions of filled Public Trust lands that are still being put to bona fide public trust uses such as wharfage (e.g. the Lake Champlain Transportation Ferry Dock).

Public investment and enterprise are contemplated primarily on filled Public Trust lands where only public uses are legally permitted. Infrastructure improvements are contemplated as primarily a public sector task.

Anytime the City incurs debt to finance a project in the Waterfront Urban Renewal District, the City shall be subject to State statute including but not limited to Urban Reserve statutes. As is

true throughout the City, any acceptance of funds for projects must be approved by the City Council.

In some cases, a partnership of public and private sector enterprise will be required. For example, the redevelopment of the Moran Station, creation of recreational facilities and the development of a multimodal transportation center all would require such a partnership.

# Financing Mechanisms Available

A resourceful community can tap an array of sources and utilize a variety of mechanisms to fund the project elements of this Plan. The City of Burlington has not and should not look to the taxpayer as the sole, or the most significant, source of financing for acquisition of property or for financing development projects. The full array of programs and mechanisms available to assist in financing the projects include the following:

# Private-Sector Fundraising

A method of raising voluntary contributions from corporations, businesses, foundations, individuals and other groups for the acquisition, development or management of lands, facilities, programs or activities. Donors benefit from improved recreational opportunities and may be eligible for income tax deductions.

#### Community Development Block Grant (CDBG)/ CDBG E-Z Access

A federal program available to promote sound community development through projects that principally help low and moderate income people or prevent *or* eliminate slums or blight *or* meet urgent community development needs.

# Vermont Fish and Wildlife Department

This department has a small grant program which makes moneys available for the acquisition and development of land for boat launching facilities.

# **Vermont Housing & Conservation Trust Fund**

Available for projects that preserve the working landscape, protect environmental resources, and support affordable housing.

# **Army Corps of Engineers**

Funding available for breakwater, shoreline and environmental restoration projects.

# Federal Funds

Special appropriations are sometimes available for capital projects.

#### Land & Water Conservation Fund

Federal funds administered by State Recreation Division. May be available for boat launches and other recreational amenities.

### Federal Transit Authority - TEA21

The replacement program for ISTEA. Available for innovative mass transit projects.

#### General Obligation (GO) Bonds

Backed by the full faith and credit of the City and paid for through general fund property taxes.

#### **Revenue Bonds**

Backed by the revenue generating potential of the capital improvement they fund. Paid for by receipts obtained through the use of the facility.

#### Dedicated Revenue General Obligation Bond

A general obligation bond issued for a specific activity which generates revenues sufficient enough to pay the bond obligation. However, these bonds still pledge the full faith and credit of the City through the property tax. Interest rate for a GO bond is lower than for a revenue bond, and as a dedicated revenue bond it does not have to meet the strict regulatory requirement of a general revenue bond.

# Section 108 Financing

HUD loan program secured with CDBG funds. City voters approved the use of this mechanism in 1995.

#### Mortgage Loan

Typically available at local banks, the land or property is pledged as collateral to the mortgage.

#### Private Financing

Utilized for project elements which are privately owned and developed.

#### Special Assessment District

Allowed by 24 VSA Chapter 87. Established for the purposes of providing a public improvement which is to benefit a limited area of a municipality. The Church Street Marketplace is an example.

# Tax Increment Financing

Isolates the additional property tax revenues produced by redeveloping deteriorated properties and uses these revenues to repay the costs of public investment in the project.

# Fees and Charges

Entrance fees, activity fees, leases, and license fees. Consideration should include equity, affordability, and benefits received.

#### Development Fees - Impact Fees

Authorized by 24 VSA 4417(a), these fees are paid by developers in lieu of dedicating a certain percentage of property where dedication is not practical. The amount can be established by the City Council. Impact fees are a form of development fee.

#### Other Taxes

Set forth in Chapter 85, Title 24, this mechanisms allows the City to employ a wide variety of taxing mechanisms *other than* the ad valorem property tax. Available for uses such as to mortgage property, or to levy taxes and assessments.

#### Tax Increment Financing (TIF)

In November 1996, with the approval of Burlington voters, the City established the Waterfront Tax Increment Financing (TIF) District. The district included all portions of the Waterfront Urban Renewal District north of and including Maple Street. In 1997, the TIF District was expanded to include part of the downtown. Refer to Appendix E for a map.

Within the TIF district, public investment can be financed by isolating and designating incremental increases in property tax revenues that result from the redevelopment of deteriorated properties. This mechanism is used when a public investment can directly result in subsequent redevelopment efforts by the private sector. For example: the reconstruction of Lake Street. In this case, reconstruction of the street and related infrastructure have made possible the redevelopment of the private properties east of Lake Street. The increased property taxes produced by those properties once redeveloped will be reserved for paying for the street work.

To date, the Lake Street reconstruction is the only project in which the City has used the TIF mechanism; however, TIF should be considered in any situation where a public investment will create an incentive for private investment. Examples include, development of an ice skating rink or recreation center, construction of roads and sidewalks, and utility improvements. Clearly, the TIF mechanism has enormous potential for use on the Waterfront, but future use of TIF will only be possible if private redevelopment occurs within the district.

The following uses of TIF revenue are specifically allowed:

- Public infrastructure improvements, including parking.
- Lake Street reconstruction.
- Moran Plant redevelopment.
- Lake Champlain Basin Science Center improvements.
- Waterfront/Downtown linkages.
- Retirement and/or refinancing of the Urban Reserve debt.
- Multimodal Transportation Center construction.

#### Appendix A - BOUNDARIES OF AREA COVERED BY THE PLAN

Starting at the northernmost point of the filled public trust lands known as the Texaco Parcel, then following the northern and eastern boundary of the property of the Central Vermont Railway as set forth in the Survey of Donald Hamlin Engineering recorded at Plat Hanger #174 of the Land Records of the City of Burlington to a point where said boundary meets the east line of Depot Street; then south along the east line of Depot Street to a point made by intersecting the east line of Depot Street with the northern line of Sherman Street extended to the Lake; then east along a line extended from the north line of Sherman Street to the west line of Battery Street; then south along the west line of Battery Street to the south line of Maple Street; then south along the south line of Maple Street to the east line of the Burlington Bikepath; then south along the east line of the Burlington Bikepath to the entrance of and including the Barge Canal; then west and north along the shore of Lake Champlain to the point of beginning at the northernmost point of the so-called Texaco Parcel.

The Plan also includes, in addition to the new Waterfront Revitalization District Urban Renewal Area, the designation under 24 VSA 3208(a) of portions of the Downtown Area as "adjoining areas having specially related problems" which require improvements and projects necessary for carrying out the objectives in the Waterfront Revitalization District.

Waterfront Urban Renewal District

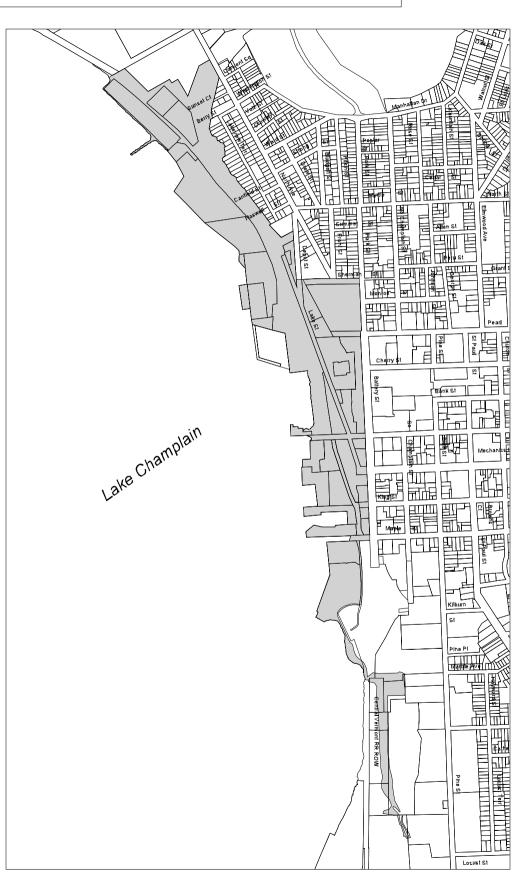
Appendix B

**Scale** 1:14000



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July 1998

# Waterfront Zoning Map

Waterfront Urban Renewal District

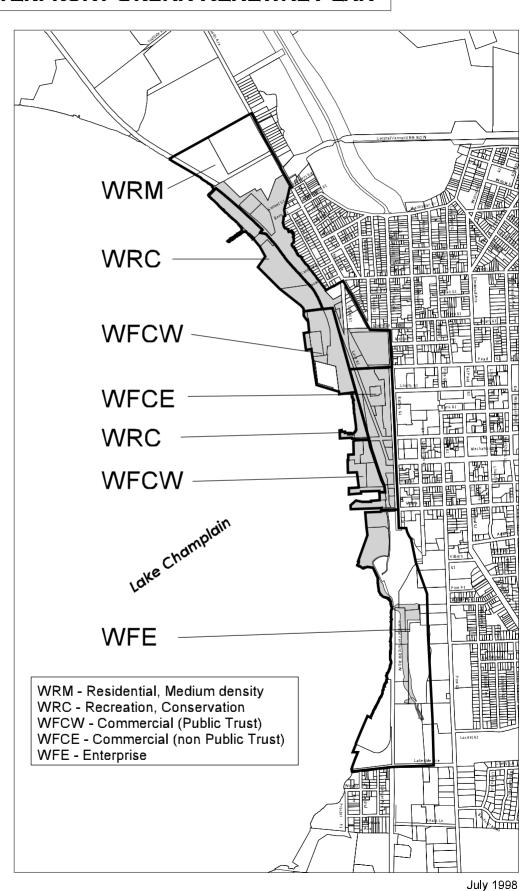
Appendix C

**Scale** 1:20000



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Burlington Planning & Zoning



# Public Trust Lands

Land created by filling portions of Lake Champlain are considered "Public Trust Lands."

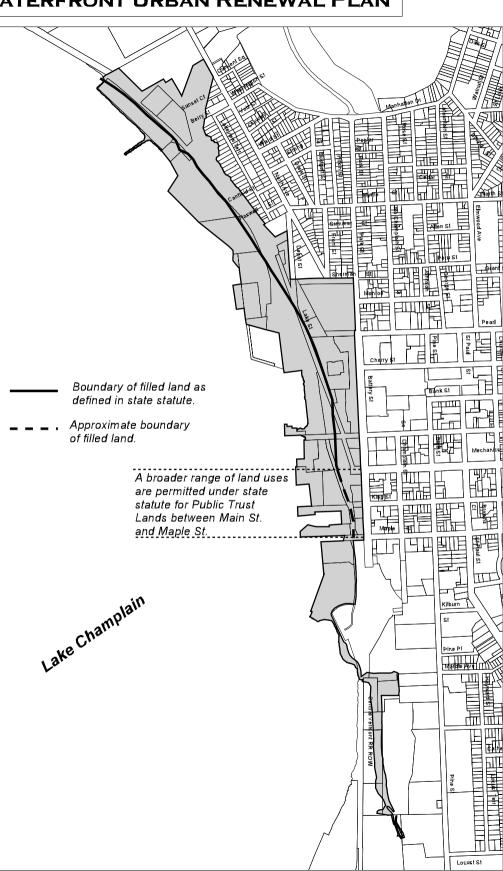
Permitted land uses are defined by state statute. (29 V.S.A. Chapter 11)

Waterfront Urban Renewal District

Appendix D

**Scale** 1:14000





July 1998

# Tax Increment Finance District

# Appendix E

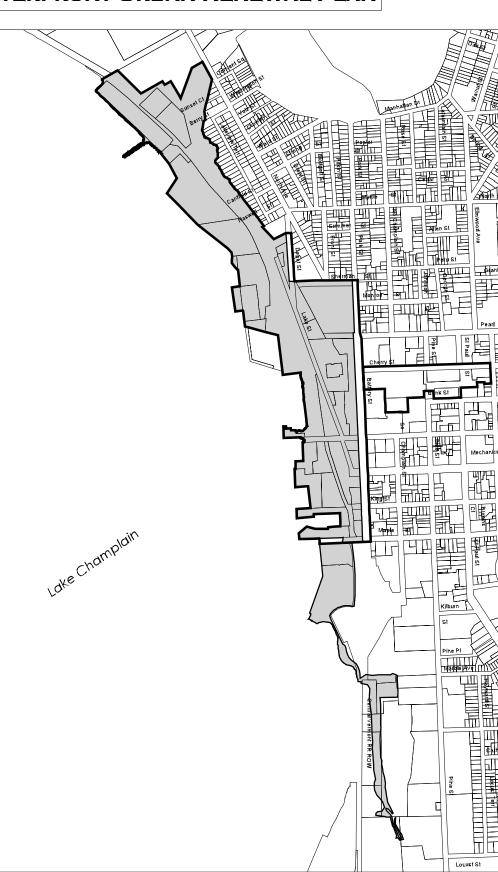
Tax Increment Finance District (TIF)
Waterfront Urban Renewal District

**Scale** 1:14000



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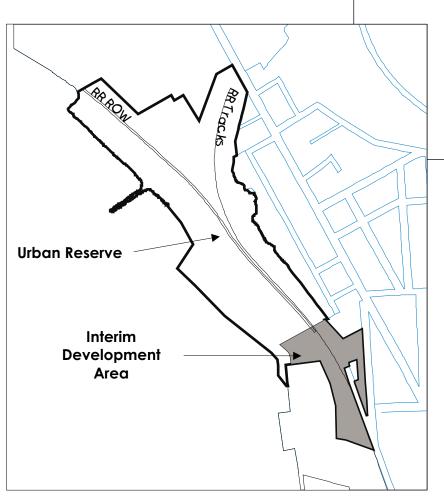
Burlington Planning & Zoning

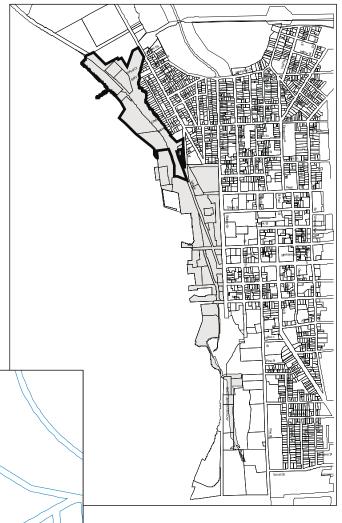


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# Waterfront Urban Reserve

Appendix F





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# Waterfront Bike Path



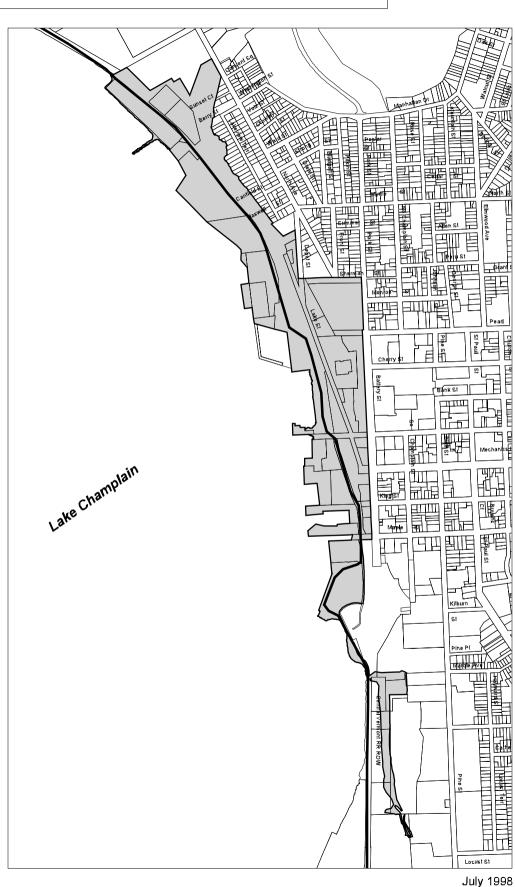
Appendix G

**Scale** 1:14000



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