

Ordinance Committee
Monday, June 12, 2023 at 7:00PM
Bushor Conference Room or Remote via Zoom

DRAFT MINUTES

Members Present: Councilor Traverse (Chair), Councilor Carpenter, Councilor Hightower, Councilor Shannon

Staff Present: Kim Sturtevant (Acting City Attorney), Meaghan Tuttle (Director of Planning), Charles Dillard (Principal Planner)

Public Present: Marni McKittrick, David Kerman, Colin Larsen, Jak Tiano, Jonathan Farrell, Nic Anderson, Evon Gould, John Caulo, Steve Levy, Sharon Bushor, Ryan Nick, Todd Sarandos, Lena, Craig

Meeting called to order at 7:04 PM.

1. Adopt the Agenda

1.01 Adopt the Agenda

Motion to Adopt Agenda as is.

Motion by Councilor Carpenter, Seconded by Councilor Shannon.

Final Resolution: Motion Passes

Yes: Unanimous

2. Adopt Draft Minutes from May 8th

2.01 Adopt Draft Minutes from May 8th

Motion to Adopt Minutes from May 8th, 2023.

Motion by Councilor Carpenter, Seconded by Councilor Shannon.

Final Resolution: Motion Passes

Yes: Unanimous

3. Public Comment

3.01 Public Comment

Sharon Bushor: I live in Ward One. I have gotten feedback from people from other wards. I have heard that people have an issue with the reduction of nonresidential uses. This eats away at the South End's make space. I still feel the height is too high. I think five or six stories should be the cap. The focus should be on having Burlington be a people-sized city.

Lena: I live between downtown and the South End. I hope this new neighborhood would be walkable and that people won't need a car. We should have community partnerships to create bicycle-friendly and garden-friendly spaces.

Jonathan Farrell: I live in Burlington and am here in my capacity as the Director of COTS. I am here to support this district as we are in a housing crisis. We need more affordable units and we have a waiting list for units, particularly for families. I hope we can have affordable units with two or three bedrooms.

Colin Larsen: I live in Ward 7. I would like to remind councilors that we would lose green space if we make the buildings shorter. I think we should be planning for 20 years in the future so that we are not in this same vacancy rate issue that we have today.

Jak Tiano: I live in Ward 5. Taking the FAR into account, a six-story building would have half the green space as an eight story building. I want to talk about parking today. Parking is always controversial. Studies have always said we have sufficient parking, but it is not utilized well. This committee is where change happens and we should make a bold step. In short, don't walk back on the surface parking requirements. We should also have as many permitted uses as possible to have a vibrant, mixed used neighborhood.

John Caulo: I live in Ward 5. This has been a long process already in the Planning Commission and neighborhood level. I think the three previous comments really point to that.

Nic Andersen: I work at Champlain College. I support the higher height limit. In the future, it is difficult to rebuild these buildings to be taller if we want something taller later in the future. Since there is already a restriction on building size, I think sticking to the higher limit is a good idea.

Evon Gould: I live in Ward 5. I also sent comments via email individually. I support having the height limit at eight stories as it gives us more flexibility for the future. Even some developments 20 or 30 years were short and it is difficult to upzone later in the future.

4.0 Councilor Discussion on SEID Ordinance

5.01 Councilor Discussion on SEID Ordinance

Shannon: I have a list of questions myself. One thing we have not touched on in detail is parking. We have not done this style of parking scheme before. I think we also need to talk about height and figure out where we are as a committee on that question. I am not sure how taller buildings encourage differentiation. We must stabilize the housing issue and I want to discuss how this ordinance will reach that end. Ownership of even small housing units can help people to get into the market and stabilize their housing costs. Does the committee want to pursue requirements on green space or balconies? Finally, we should discuss the ratio of height to street width and how that will affect the space.

Charles Dillard (Principal Planner): We do not currently have a set layout for streets so that developers have flexibility. The minimum width of any public path would be 11 feet like the current bike path. There are some barriers such as the railroad right-of-way and wetland areas. The block size is 1600 square feet which is the same as the downtown area, although it does not have to be a square block. As for parking, the planBTV sets out a consolidation of parking into four structures. The parking structures could vary in size depending on if the structure has a

transit stop. We are actually going to update some of the language to only require that parking structures be screened by buildings or vegetation. Surface lots have a cap at 20 spaces.

Meagan Tuttle: The current ordinance does not preclude a developer being creative with how they incorporate parking into their designs. We are envisioning that these parking structures would be shared between multiple developers and groups. As for institutions like Champlain College, we do currently restrict surface parking in those areas on the hill.

Carpenter: I understand that institutions like using the surface lots in the South End right now, but when this is rezoned there will be a higher value to the land currently being used. They should probably be trying to build structured parking on or closer to campus.

Traverse: Are there any further proposed changes when it comes to parking?

Charles Dillard: We proposed to strike the language around requiring private or public alleys and rather just include that there must be perimeter buildings or vegetation. We also proposed to exempt large parking structures from the FAR if they include public parking. Any public parking floors or areas would be exempt.

Hightower: I specifically had questions around making the 7th and 8th floors conditional. Also, I think the question of views of Calahan Park is important. The public can't get views of the lake from Calahan, but can get views of the mountains and we should preserve that.

Traverse: I also have a few questions before we turn to Councilor Hightower's questions. Do we have to send our amendments back to the Planning Commission?

Meagan Tuttle: I think it will be sent back to the Planning Commission, but that is usually done concurrently with discussion in the City Council. The Planning Commission would deal with any technical deficiencies and would not be adding whole new sections. Because we would have to do a public hearing warning on this before the Council meeting, the earliest we could warn the hearing would be July 3rd for the July meeting.

Meagan Tuttle: From 2008 to 2013 we had an ordinance that allowed for eco-friendly buildings to be built taller than is normally allowed in the downtown area. I am unsure if any developers took advantage of that. A tricky thing is that certification happens after a building is built and developers place a surety equal to five times the application cost. If we wanted to allow 7-8 story buildings if they met certain standards, I am unsure how many developers would choose to pursue anything taller than the six story buildings that would not need extra considerations.

Hightower: I think when we talk about the community aspect, five or six stories is what we are looking for. However, we do need housing and use the taller building idea as an incentive to build more eco-friendly buildings.

Carpenter: I believe that the CityPlace design was afforded more square footage because it was 100% electric.

Meagan Tuttle: There are some arguments for these complex considerations, but the City has moved away from that style of ordinance.

Charles Dillard: If you reduce the height from 8 to 6 stories, then on a 50,000 square foot lot you will likely see 4 buildings instead of 3. Given their size, you would lose around 15-30,000 square feet of built space per building.

Meagan Tuttle: Building height does not always directly translate to community building. It really depends on the design and other factors.

Shannon: I believe we have around 5 bonuses that allow for extra height and developers tended to gravitate towards the cheapest bonuses they could achieve to get the height that they wanted. While architecture isn't the only thing that influences community, it is an important thing. Most of European buildings try to keep a connection with the street, the outside, and neighbors.

Charles Dillard: If there were a cap on building height at 6 stories, there will likely be more homogenous sizes whereas an 8-story condo building might then have to have a shorter set of rowhouses next to it on the same lot. It is generally easier to finance rowhouses than condos, as well.

Meagan Tuttle: There is less financing for multiunit condo buildings like there is for multiunit apartment buildings. Rowhouses can be easier to build and sell than condos in a larger building. We can't guarantee this is how developers will think, but if a developer built an 8 story building, they cannot build more tall buildings on the same lot since it will exceed the limits.

Hightower: Could a developer build public parking on lower floors of a building and have the parking still be exempt from the FAR?

Charles Dillard: I believe we would only allow that in the larger parking structures and not in individual buildings.

Hightower: I will send further questions to the Planning staff so we have more answers and materials for the next meeting.

5.0 Other Committee Business

6.01 Other Committee Business

Next meeting time will be discussed offline and warned beforehand.

6.0 Adjournment

7.01 Adjournment

The meeting was adjourned at 8:57 PM.