

Burlington Planning Commission

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vacant, Youth Member*



Burlington Planning Commission

Special Meeting- Work Session

Thursday, June 9, 2016 – 6:00-9:00 P.M.

****Police Department Community Room, One North Avenue****

AGENDA

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

I. Agenda

I. Public Forum

Please consider yielding time to individuals who have not previously shared comments with the Commission.

II. Proposed CDO Amendment- Downtown Mixed Use Core Overlay

The Commission will hold a special work session to review and discuss the proposed CDO Amendment to establish a Downtown Mixed-Use Core (DMUC) overlay. Information to aid in the Commission's discussion of this amendment is included in the agenda packet. Pages 2-15 include a revised draft of the proposed DMUC ordinance language. During the meeting, staff will provide a presentation with additional information to aid the Commission's discussion.

III. Upcoming Meetings

Tuesday, June 14, 2016- 6:30pm- Regular Meeting (Police Dept. Community Room, One North Ave)

Tuesday, June 21, 2016- 6:30pm- Public Hearing on ZA-16-11 and ZA-16-12 (Conference Room 12, City Hall)

Tuesday, June 28, 2016—*Regular Meeting Cancelled*

Wednesday, July 6, 2016- 6:30pm- Special Meeting (Contois Auditorium, City Hall)

IV. Adjourn

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Burlington Comprehensive Development Ordinance

PROPOSED: ZA-16-?? – Downtown Mixed Use Core Overlay

As revised by the Planning staff – June 3 2016.

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

Purpose: This amendment is to facilitate the redevelopment of a portion of the former Urban Renewal District with higher density mixed use development in the core of the downtown, and in so doing substantially and significantly help the City to implement many of the central goals and objectives found in the *planBTV: Downtown and Waterfront Master Plan* unanimously adopted in June 2013 to guide the future development and economic vitality of the downtown and waterfront area. It creates an overlay district to encompass a 1-2 block area in the core of the downtown area to enable taller Building Height without the necessity of a “bonus” from the DRB. It also establishes a number of building form requirements to ensure street-level activation and façade variation.

Article 4: Zoning Maps and Districts, Part 2: Official Map

Sec. 4.2.1 Authority and Purpose

A map entitled “The Official Map of the City of Burlington” and as depicted on Map 2.2.1-1 below is hereby established pursuant to 24 VSA 4421 that identifies future municipal utility and facility improvements, such as road or recreational path rights-of-way, parkland, utility rights-of-way, and other public improvements. The intent is to provide the opportunity for the city to acquire land identified for public improvements prior to development for other use, and to identify the locations of required public facilities for new subdivisions and other development under review by the city.

Map 4.2.1-1 Official Map of the City of Burlington (unchanged)

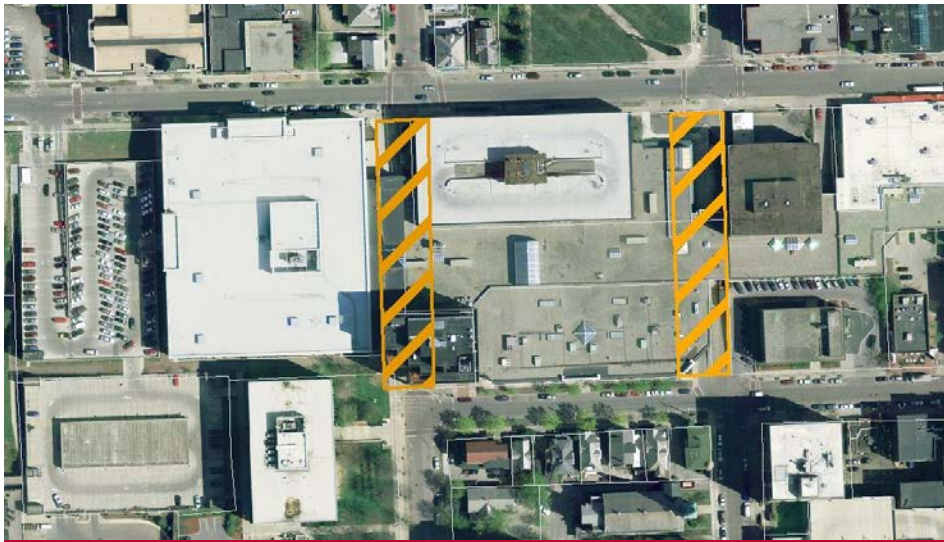
Sec. 4.2.2 Downtown and Waterfront Core Official Map Established

A map entitled “The Official Map of the Downtown and Waterfront Core” and as depicted on Map 2.2.2-1 below is established as part of the Official Map established above, ~~is to be dated as of the effective date hereof, is to be located in the department of zoning and planning and is incorporated herein by reference.~~ The proposed streets, public ways, public parks and other public lands and visual corridors contained therein are more particularly described as follows:

- (a) A pedestrian easement thirty (30) feet in width along the center line of Main Street extended to Lake Champlain west of the Union Station building;

- (b) A waterfront pedestrian easement fifty (50) feet in width abutting the ordinary high water mark of Lake Chaplain from Maple Street extended to College Street;
- (c) A waterfront pedestrian easement one hundred (100) feet in width abutting the ordinary high water mark of Lake Champlain from College Street extended to the north property line of the city-owned lands designated as “urban reserve” and formerly owned by the Central Vermont Railway;
- (d) Visual corridors and/or pedestrian ways sixty (60) feet in width along the center lines of Bank, Cherry, Pearl and Sherman streets extended west to Lake Champlain and visual corridors above the fourth floor along Main Street and College Street;
- (e) The following existing streets remain: Maple and King Streets and as extended to Lake chaplain; Main street; College Street and as extended to Lake Champlain; Lake Street from Main Street to College Street; Depot Street; and Battery Street;
- (f) An easement for pedestrians and bicycles twenty (20) feet in width, located adjacent to and west of the old Rutland railway right-of-way and owned by the State of Vermont running between the King Street Dock and College Street; ~~and~~;
- (g) Lake Street (north) modified: The portion of Lake Street is a street seventy (70) feet in width, the center line of which commences on the north line of College Street thence running northerly following the center line of existing Lake to a point intersecting the northerly property line of the Moran Generating Station extended east.
- (h) The re-establishment of St Paul Street between Cherry and Bank streets as a public street with a right-of-way sixty (60) feet in width to accommodate pedestrians, bicycles and vehicles; and
- (i) The re-establishment of Pine Street between Cherry and Bank streets as a public street with a right-of-way sixty (60) feet in width to accommodate pedestrians, bicycles and vehicles.

Commented [DEW1]: This will ensure that the proposed north-south connectivity on Pine and St. Paul streets envisioned in planBTV is accomplished. The City will have 120-days to initiate proceedings to acquire any land within this area that may be proposed for new development. As proposed, the BTC will comply.



Commented [DEW2]: These proposed new ROW's are consistent with the BTC project as proposed

(temporary illustration of the proposed addition)

Map 4.2.2-1 Official Map of the Downtown and Waterfront Core ~~Waterfront Core Official Map~~

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

Sec. 4.3.2 Overlay Districts Established:

Overlay districts are overlaid upon the base districts established above, and modify certain specified development requirements and standards of the underlying base district. the land so encumbered Properties within an Overlay District may be used and altered-developed in a manner permitted in the underlying district only if and to the extent such use or alteration is permitted in-as may be modified by the applicable overlay district. The following districts are established as overlay districts as further described in **Part 5** below:

(a) A **Design Review Overlay (DR)** district;

(b) A series of five (5) **Institutional Core Campus Overlay (ICC)** districts, as follows:

- UVM Medical Center Campus (ICC-UVMMC);
- UVM Central Campus (ICC-UVM);
- UVM Trinity Campus (ICC-UVMT)
- UVM South of Main Street Campus (ICC-UVMS); and,
- Champlain College (ICC-CC);

(c) An **RH Density Bonus Overlay (RHDB)** district;

(d) A series of four (4) **Natural Resource Protection Overlay (NR)** districts, as follows:

- Riparian and Littoral Conservation Zone;
- Wetland Protection Zone;
- Natural Areas Zone; and,
- Special Flood Hazard Area;

(e) A **RL Larger Lot Overlay (RLLL)** district;

(f) A **Mouth of the River Overlay (MOR)** district; ~~and,~~

(g) A **Centennial Woods Overlay (CWO)** district; ~~and,~~

(h) A **Downtown Mixed Use Core (DMUC)** district.

Sec. 4.4.1 Downtown Mixed Use Districts

(d) District Specific Regulations, 4. Building Height Setbacks

A. - unchanged

B. **Church Street Buildings:**

For the purposes protecting the historic character and scale of buildings along the Church Street Marketplace, the maximum height of any building fronting on Church Street shall be limited to ~~38-feet~~ 4-stories not to exceed 45-feet. Any portion of a building ~~within 100-feet from the centerline of Church Street exceeding 45-feet~~ shall be set-back a minimum of ~~16~~ 10-feet for every 10-feet of additional building height above ~~38~~ 45-feet.

Commented [DEW3]: While outside of the proposed new overlay, this change is already envisioned as part of the currently proposed form-based code to provide better compatibility of building heights on Church Street. The BTC project as proposed will need its upper floors to be set back farther in order to comply

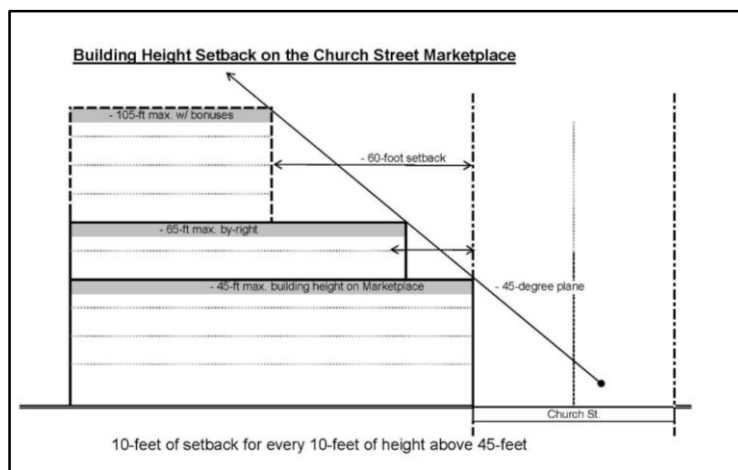


Figure 4.4.1-2 Measuring Height Limits for Church Street Buildings

C. - unchanged

Sec. 4.5.8 Downtown Mixed Use Core Overlay (DMUC) District

(a) Purpose:

The Downtown Mixed Use Core Overlay (DMUC) district is intended to facilitate the redevelopment of a portion of the former Urban Renewal Area in order to provide for a more walkable, connected, dense, compact, mixed use and diverse urban center. The area should support a diversity of residential, commercial, recreational, educational, civic, hospitality, and entertainment activities, and create opportunities to better connect the street grid for enhanced mobility for automobiles, pedestrians, and bicyclists in order to sustain and advance the economic vitality Burlington's downtown urban core.

This overlay allows larger scale development than is typically found in the underlying district, and development with larger and taller buildings. Development should be designed to support the diverse mixed-uses, activate and enrich the street and sidewalk for pedestrian activity, and encourage mobility throughout the district and adjacent districts for pedestrians and bicyclists with reduced reliance on automobiles.

(b) Areas Covered:

The Downtown Mixed Use Core Overlay (DMUC) district includes those portions of the Mixed Use Downtown (D) District as delineated on [Map 4.5.8-1](#).



Map 4.5.8-1: Downtown Mixed Use Core Overlay (DMUC) district

Commented [DEW4]: Boundary of this area needs to consider existing and potential development in this area which has generally been supported in planBTV and by the Joint FBC Committee as the part of the downtown where greater height could be appropriate.

(c) District Specific Regulations: Downtown Mixed Use Core Overlay (DMUC) district;

1. Dimensional Standards:

The maximum Building height and mass shall be as prescribed in Table 4.5.8-1 below. Building height and mass in excess of 65-feet and 5.5 FAR shall be allowed by-right and without the necessity of the DRB granting of Development Bonuses/Additional Allowances pursuant to Sec 4.4.1 (d)7.

The Dimensional Standards within the DMUC Overlay District shall be as follows:

Table 4.5.8-1 Downtown Mixed Use Core Overlay (DMUC) District Dimensional Standards	
Building Height	3 stories min. 14 stories not to exceed 160-ft max
FAR	9.5 FAR total max per lot
Floorplate:	
Floors 1-5	100% of lot max.
Floors 6-7	75% of lot max.
Floors 8-11	55% of lot max.
Floors 12+	15,000 sf max per individual floorplate
Pervious Area¹	10% min
Setbacks:	
- Front	0-ft min, 10-ft max.
- Side/Rear	0-ft min, 12-ft max.
Occupied Build-to Zone²	100%
Ground Floor Height (floor to floor)	14-ft min
Arcades³	10-ft clear depth min 14-ft clear height min

¹ Pervious Area is the area of a lot covered by surfaces or materials that allow for the movement or passage of water into soils below. Pervious areas include, but are not limited to, areas of a lot covered by soil/mulch, vegetative matter, permeable pavers/pavement, bio-retention areas, or other materials that allow for the infiltration of at least the first inch (1") of rainfall. For these purposes, green roofs that capture and attenuate at least the first inch (1") of rainfall are also considered pervious area.

² Occupied Build-to Zone is the proportion of the linear distance between the maximum and minimum front setback along a front property line that must be occupied by a Building façade. In lieu of a Building façade, a streetscreen between 3.5 and 8 feet in height or active public use or activity (such as outdoor cafes) occupying no more than the lesser of 20 feet or 20% of the Build-to Zone may be included.

Commented [DEW5]: This is important to comply with the Pre-DA

Commented [DEW6]: This is important to compliance with the Pre-DA

Commented [DEW7]: This is important to compliance with the Pre-DA

Commented [DEW8]: These comes out of the proposed form based code. The gradual reduction on upper floors is done to ensure that taller buildings are tapered as they go taller. May also want to include a minimum separation between individual towers – 60'?

Commented [DEW9]: These come directly out of the proposed form based code. See footnote regarding Pervious Area as a preferred alternative to lot coverage limitations. BTC project is proposing ~36% (39,405 sf) of upper floor greenspace by comparison

Commented [DEW10]: These come directly out of the proposed form based code in order to define a building wall along the street and create enclosure within a dense urban environment

Commented [DEW11]: These come directly out of the proposed form based code to ensure a spacious opening for pedestrians and outdoor activity

³ An Arcade is where only the ground floor level of the Building facade is set back from the front property line. The Building facade for the upper floors is at or near the front property line within the Build-to Zone, and is supported by a colonnade with habitable space above.

2. Urban Design Standards:

The following urban design standards shall apply to all Buildings in the DMUC Overlay, and the DRB shall make a final determination regarding strict compliance with these standards except as provided for in E below. These standards and requirements shall take precedence without limitation over any duplicative or conflicting provisions of Article 6, and compliance with Article 6 shall be presumed where a Building is in compliance with these design standards as determined by the DRB.

A. Overall Design: Proposed Buildings shall present an architecturally significant design as follows:

- i. Step backs, horizontal and vertical variation, selection of materials and other architectural design techniques are used to reinforce the street wall, create transitions from adjacent buildings of a smaller mass and height, and reduce the perceived height and mass of the upper stories from the street level;
- ii. Proposed Buildings provide visual interest and human scale at the pedestrian level through the use of a variety of scales, materials, fenestration, massing or other architectural design techniques;
- iii. Upper story proportions of Buildings emphasize vertically-oriented proportions to assure a rich visually interesting experience as viewed within the context of the downtown skyline, reinforce opportunities for establishing points of reference for visual orientation, and retain opportunities for a view of the sky between individual Building elements.

B. Façade Articulation: All primary and secondary street-facing Building facades shall be articulated as follows:

- i. Building facades shall incorporate surface relief through the use of elements such as bay windows, cladding materials, columns, corner boards, cornices, door surrounds, moldings, piers, pilasters, sills, belt courses, sign bands, windows, balconies and/or other equivalent architectural features at least three (3) of which must either recess or project from the average plane of the facade by at least four (4) inches.
- ii. Buildings with facades between seventy-five (75) feet and one hundred and fifty (150) feet in width shall include vertical changes through the horizontal plane of the Façade by dividing the facade into a series of architectural and/or structural bays between six (6) feet and sixty-five (65) feet in width involving up to a minimum of 50% of the height of the façade.
- iii. Buildings with facades greater than one hundred and fifty (150) feet in width must include a more substantial change in the horizontal plane of the façade where for every one hundred and fifty (150) feet in facade width, one (1) or more architectural bay as required above must either recess or project by at least four (4) feet involving the full height of the façade from the average plane of the street

Commented [DEW12]: These come directly out of the proposed form based code. The process to incorporate role of DRB in making a final determination is a hybrid of current process and FBC

Commented [DEW13]: Pretty subjective and best place for DRB discretionary review to focus. Ultimately following standards provide some objective measure of satisfying these

Commented [DEW14]: Current BTC design doesn't meet this

wall portion of the facade. Such bays shall occur no closer than fifty (50) feet from the Building's corner.

Commented [DEW15]: Current BTC design doesn't meet this

iv. Required Building Height Setbacks pursuant to Sec 4.4.1 (d) 4 shall not be applicable. Instead, upper stories of any primary and secondary street-facing Building facades exceeding six (6) stories in height shall be setback as follows:

a. An upper story setback at least ten (10) feet from the primary plane of the facade below shall occur within the first 60-ft of Building height at either the 3rd, 4th, or 5th story in order to provide a change in the vertical plane of the facade. Such a change shall involve the full width of the Building facade, but does not have to occur in the same story. Additional upper story setbacks may occur in order to provide additional terraces, taper and visual interest to taller Buildings.

Commented [DEW16]: Current BTC design doesn't meet this on St. Paul and Pine,

b. For Building facades exceeding ten (10) stories in height a second upper story setback at least ten (10) feet from the primary plane of the facade below shall occur at either the 10th, 11th, or 12th story in order to provide another change in the vertical plane of the facade. Such a change shall involve the full width of the Building facade, but does not have to occur in the same story. Additional upper story setbacks may occur in order to provide additional terraces, taper and visual interest to taller Buildings.

Commented [DEW17]: Current BTC design doesn't meet this on St. Paul and Pine,

c. Setbacks must be visually set off from the stories below by a balustrade, parapet, cornice and/or similar architectural feature, and are encouraged to be activated as an outdoor amenity space for Building occupants.

d. The upper stories beyond a setback may be visually differentiated from the stories below by a change in color, materials and/or pattern of fenestration in order to reduce the actual or perceived massing of the Building overall.

v. Where visible, the raised foundation or basement of a Building must be visually differentiated from the stories above by a horizontal expression line and change in color, material, and/or pattern of fenestration;

vi. The lower one to five stories of a Building must be visually differentiated from the stories above by a horizontal expression line, belt courses, banding, sign band, cornice and/or equivalent architectural feature, and include a change in color, material, and/or pattern of fenestration across a majority of the facade; and,

vii. The top one to five stories of a Building must be visually differentiated from the stories below by a horizontal expression line, belt courses, banding, sign band, cornice and/or equivalent architectural feature, and include a change in color, material, and/or pattern of fenestration across a majority of the facade

viii. The top of a Building must have a cornice, parapet, pitched or shaped roof form and/or other equivalent architectural feature involving a projection from the average plane of the facade by at least six (6) inches to serve as an expression of the Buildings top.

C. Street Activation: All Buildings shall activate the street as follows:

- i. Buildings shall have one or more principal entrances for pedestrians at street level that are clearly identified as such along the primary street frontage or at a corner where a corner lot.
- ii. The linear distance along the primary street frontage between ground floor entries shall not exceed 60-feet, and such doors must be open and operable by residential occupants at all times and non-residential occupants and customers during business hours.
- iii. Building entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, canopies, awnings, transoms, sidelights and/or other design elements appropriate to the architectural style and details of the Building as a whole. Bays including a principal entrance should be expressed vertically, and may have little or no horizontal expression required below any required upper story setback.
- iv. Requirements regarding voids and the transparency of glazing in a primary and secondary street-facing Building facade shall be as follows:

	<u>Ground Floor</u>	<u>Upper Floors</u>
<u>Voids</u> <u>(rough openings for windows and doors per floor)</u>	<u>70% min, 80% of which shall be concentrated between 3-10 feet above the adjacent sidewalk</u>	<u>20% min</u>
<u>- Horizontal and vertical distance between voids</u>	<u>20' max.</u>	
<u>Transparency:</u> <u>- applicable to 80% of the glazing on each floor.</u>		
<u>- VLT - Visible Light Transmittance¹</u>	<u>60% min</u>	<u>40% min</u>
<u>- VLR - Visible Light Reflectance</u>	<u>15% max</u>	<u>15% max</u>

¹May be reduced to 50 and 30% respectively to meet the requirements of a High Performance Building Energy Code or equivalent program as determined by the DRB.

- v. Street-facing, street-level windows must allow views into a ground story non-residential use for a depth of at least 3 feet for the first 4 feet above the level of the finished sidewalk in order to provide for a window display, and for a depth of at least 8 feet for the next 4 feet above the level of the finished sidewalk in order to provide a view into the interior of the space. Windows cannot be made opaque by window treatments (except operable sunscreen devices within the conditioned space). External security shutters are not permitted.

D. Materials:

The following requirements regarding the selection and use of Building materials is intended to improve the physical quality and durability of buildings, enhance the pedestrian experience, and protect the character of the downtown area.

Commented [DEW18]: define

- i. Primary Materials: Not less than 80 percent of each street-facing Facade shall be constructed of primary materials comprised of high quality, durable, and natural materials. For Facades over 100 square feet, more than one primary material shall be used. Changes between primary materials must occur only at inside corners. The following are considered acceptable primary materials:
 - a. Brick and tile masonry;
 - b. Native stone;
 - c. Wood – panels, clapboard or shingles;
 - d. Glass curtain wall; and
 - e. Cementitious siding;
 - ii. Accent Materials: The following accent materials may make up no more than 20% of the surface area on each Façade. Accent materials are limited to:
 - a. Pre-cast masonry (for trim and cornice elements only);
 - b. External Insulation Finishing System - EIFS (for upper story trim and cornice elements only);
 - c. Gypsum Reinforced Fiber Concrete (GFRC—for trim elements only);
 - d. Metal (for beams, lintels, trim elements and ornamentation, and exterior architectural metal panels and cladding only);
 - e. Split-faced block (for piers, foundation walls and chimneys only); and
 - f. Glass block.
 - iii. Alternate Materials: Alternate materials, including high quality synthetic materials, may be approved by the Planning Director after seeking input from the Design Advisory Board. New materials must be considered equivalent or better than the materials listed above and must demonstrate successful, high quality local installations. Regionally-available materials are preferred.
 - iv. Other:
 - a. The use of recycled and/or regionally-sourced materials is strongly encouraged.
 - b. With the exception of natural wood siding or shingles such as cedar or redwood intended to gradually weather with time, all exposed wood and wood-like products (e.g. fiber-cement) shall be painted or stained. Exterior trim shall be indistinguishable from wood when painted.
 - c. Any synthetic siding and finish products shall be smooth-faced with no artificial grain texturing.
- E. **Alternative Compliance:** Relief from any non-numerical standard above, and any numerical standard with the exception of building height and FAR by no more than 20% of such requirement, may be granted by the Development Review Board. In granting such relief, the DRB shall find that:

- i. the relief sought is necessary in order to accommodate unique site and/or Building circumstances or opportunities;
- ii. the relief if granted is the minimum necessary to achieve the desired result;
- iii. the property will otherwise be developed consistent the purpose of this ordinance, the intent of the underlying Zoning District and this Overlay District, the intent and purpose of the section that the relief is being sought, and all other applicable standards;
- iv. the relief if granted will not impose an undue adverse burden on existing or future development of adjacent properties; and,
- v. the relief if granted will yield a result equal to or better than strict compliance with the standard being relieved.

Commented [DEW19]: add specific references? e.g. Sec 4.4.1 (a)

2. Use

Schools - Post-Secondary & Community College shall be allowed as a Permitted Use, and any project requiring Major Impact Review pursuant to Sec. 3.5.2 (b) shall not also be subject to Conditional Use Review unless a use specifically identified in Appendix A – Use Table as a “Conditional Use” or identified as “CU” is also proposed.

Commented [DEW20]: what about Pre-K Pre-school (same as lg daycare?), pet store with vet services (pet store and vet is currently CU, boarding is proposed as CU under another amendment before the Council.

3. Parking

- i. All onsite parking shall be provided either underground, setback a minimum of 20-ft behind the façade of building at the ground level, or above the ground floor, and shall participate in any Downtown Parking and Transportation Management District.
- ii. Entrances to parking areas and structures shall be located along a secondary street frontage where available.
- iii. The paved portion of vehicular entrances to parking areas and structures shall not exceed 24-ft clear width, and entrances to parking structures shall not exceed 16-ft clear height at the street frontage.
- iv. At least one pedestrian route from all parking areas and structures shall lead directly to a street Frontage (i.e., not directly into a Building).
- v. Any surface parking not within a parking structure shall be setback a minimum of 5-feet from any side or rear property line.
- vi. All structured parking with frontage on any portion of a public street shall be screened as follows:
 - a. The required setback between the parking and the public street at the ground level must be occupied by an active use (such as, but not limited to, residential, retail, office, recreational or services). This requirement shall not apply to parking along a secondary street frontage or located either entirely below-grade or above the ground floor where parking may come right up to the building’s perimeter.

- b. Where upper stories of structured parking are located at the perimeter of a building, they must be screened so that cars are not visible from ground level view from adjacent property or adjacent public street right-of-way.
- c. All floors of a parking structure fronting a public street must be level (not inclined), and any sloped ramps between parking levels must be setback a minimum of 20-ft from the street-facing building façade and shall not be discernible along the perimeter of the parking structure.
- d. Architectural and vegetative screening shall be used to articulate any street-facing building façade, and to hide parked vehicles and shield overhead lighting and vehicle headlights from the street and adjacent properties. Ground floor facade treatment (building materials, windows, and architectural detailing) must be continued on upper stories.

5. Signs

A master sign plan pursuant to Article 7 Part 3 is required for all sites occupied by more than three tenants where all signs must meet the requirements of the master sign plan. The master sign plan must establish standards of consistency as applicable of all signs to be provided on the subject property with regard to:

- Colors;
- Letter/graphics style;
- Location and Sign Type;
- Materials;
- Methods of illumination; and/or
- Maximum dimensions and proportion.

In addition to the flexibility from the requirements of Article 7 provided under Sec. 7.3.4, the following shall also be permitted when incorporated as part of a master sign plan in the DMUC Overlay:

- i. Projecting Signs: One projecting sign may be permitted for each ground floor use provided such sign:
 - a. does not exceed 8 square feet in area;
 - b. does not project more than 4 feet from the building façade on which it is attached;
 - c. has its lowest edge at least eight (8) feet above any pedestrian way;
 - d. has its highest edge no more than eighteen (18) feet above any pedestrian way; and
 - e. Any encroachment into the public right-of-way must also be approved by the City Council.
- ii. Marquee Signs: One marquee sign per primary street frontage may be permitted provided such sign:
 - a. is located above the principal Building entrance;

Commented [DEW21]: Consistent with Church Street Marketplace and proposed FBC. Currently limited to only 4 sf.

- b. projects a minimum of 6 feet from the building façade on which it is attached but in no event more than 10 feet and 3 feet from the curb;
- c. has its lowest edge at least 9'6" above any pedestrian way;
- d. has its highest edge no more the lesser of the floor level of the third story or 35 feet above any pedestrian way;
- e. is no more than 40 feet in width;
- f. may contain an area for manual changeable copy that does not exceed 30 percent of the area of the sign face on which it is located or 32 square feet, whichever is less; and,
- g. Any encroachment into the public right-of-way must also be approved by the City Council.

iii. Canopies and Awnings:

Commented [DEW22]: This remains incomplete...

6. Green Buildings

New development in the DMUC Overlay shall be built to the standard of LEED Gold Certification as evidenced by the submission of a completed LEED checklist by a LEED AP at the time of application and again prior to the release of any Certificate of Occupancy, and shall use all reasonable efforts to obtain such final certification upon project completion.

Commented [DEW23]: This remains incomplete

Sec. 5.2.6 Building Height Limits

(a) unchanged

(b) Exceptions to Height Limits

1. Additions and new construction on parcels created prior to January 1, 2008 that contain a non-conforming existing structure-Principal Building exceeding thirty-five (35) feet the maximum permitted Building in-height as of January 1, 2008 may exceed the maximum permitted Building height of the zoning district thirty-five (35) feet subject to the design review provisions of Art. 3 and 6, but in no event shall exceed the height of the existing non-conforming Principal Buildingstructure.
2. In no case shall the height of any structure exceed the limit permitted by federal and state regulations regarding flight paths of airplanes.
3. Greenhouses, rooftop gardens, terraces, and similar features are exempt from specific height limitations but shall be subject to the design review provisions of Art. 3 and 6.
3. Ornamental and symbolic architectural features of buildings and structures, including towers, spires, cupolas, belfries and domes; greenhouses, garden sheds, gazebos, rooftop gardens, terraces, and similar features; and fully enclosed stair towers, elevator towers and mechanical rooms, where such features are not used for human occupancy or commercial identification, are also exempt from specific height limitations and shall be subject to the design review provisions of Art. 3 and 6. Such features and structures shall be designed and clad in a manner consistent and complimentary with the overall architecture of the Building.

4. Exposed mechanical equipment shall be allowed to encroach beyond the maximum building height by no more than 15-feet provided that portion exceeding the height limit does not exceed 20% of the roof area.

Exposed mechanical equipment shall be fully screened on all sides to the full height of the equipment, and positioned on the roof to be unseen from view at the street level. Screening may consist of parapets, screens, latticework, louvered panels, and/or other similar methods.

Where mechanical equipment is incorporated into and hidden within the roof structure, or a mechanical penthouse setback a minimum of 10-ft from the roof edge, no such area limit shall apply and the structure shall be considered pursuant with 4 above.

- ~~5. The footprint of such architectural features shall not exceed ten percent (10%) of the total roof area.~~

5. All forms of communications equipment including satellite dish antennae shall not be exempt from height limitations except as provided in Sec 5.4.7 of this Article.

6. The administrative officer may allow for up to a 10% variation in the maximum building height to account for grade changes across the site. In no event however, shall such additional height enable the creation of an additional story beyond the maximum permitted.

Commented [DEW24]: Not specific to the DMUC however, important changes to screening requirements for rooftop equipment and flexibility in amount and numerical building height limits.

DMUC Overlay – PC Action Items

<u>Key Elements:</u>	<u>Staff notes & comments:</u>
Create a new Overlay District, known as the Downtown Mixed Use Core (DMUC) Overlay District (the “DMUC District”)	Exact boundaries still TBD. Comes from the current draft of the FBC. PC may want to fine-tune.
Expand the Official Map to include 60-ft. wide extensions of St. Paul Street and Pine Street between Cherry and Bank Streets.	Comes directly from the recommendations of <i>planBTV: Downtown and Waterfront Master Plan</i> Staff notes that the City Council has agreed in the PDA that this is acceptable and strongly recommends that the street boundaries shown on the Official Map coincide with those shown on plans proposed for redevelopment of the mall, and recommends this <u>as proposed</u> .
New development in the DMUC District will be exempt from seeking building height bonuses from the DRB pursuant to BCDO Sec. 4.4.1 (d) 7; instead, the DMUC District will establish the following new, by-right height and massing limits and requirements:	This is implied by the changes below...
3 stories min., 14 stories max. not to exceed 160 ft. max.	Staff notes that the City Council has agreed in the PDA that this is acceptable and strongly recommends this <u>as proposed</u>
Overall height allowed variation of 5% of the total allowable height (but no additional floor area) to account for grade changes across the site.	Comes from the proposed standards found in the current draft of the FBC. Applicable beyond proposed overlay but a very important element of flexibility for all development. PC may want to fine-tune. Staff recommends this concept as proposed.

<u>Key Elements:</u>	<u>Staff notes & comments:</u>
4 stories not to exceed 45-ft max on Church Street, with a 10-foot upper story setback required for every 10-feet of height above 45-feet	Comes from the proposed standards found in the current draft of the FBC. Staff notes that the City Council has agreed in the PDA that this is acceptable and strongly recommends this <u>as proposed</u>.
Maximum FAR of 9.5	Staff notes that the City Council has agreed in the PDA that this is acceptable and strongly recommends this <u>as proposed</u>
New developments in the DMUC District will be exempt from the existing upper story setback requirement pursuant to BCDO Sec. 4.4.1 (d) 4 A; instead, new prescriptive design standards will be used to ensure good urban design, façade articulation and especially street activation including but not limited to:	This is implied by the changes below... PC may want to fine-tune, but all come from the proposed standards found in the current draft of the FBC, and Staff recommends this largely as proposed
- Façade Articulation: - Finer-grained surface relief within the façade plane (use of material changes, balconies, belt courses, columns, lintels, etc) - Creation of architectural bays to provide regular and strong vertical changes in the horizontal plane of a façade particularly within the lower 3-5 stories. - Horizontal changes in the vertical plane of a façade (articulated base, stepbacks of upper stores, and clearly defined top)	
- Street Activation at the ground floor: - Location, frequency and operability of primary entrances - Proportion of and distance between voids (doors and windows) - Transparency of glazing - Visual access within spaces	

<u>Key Elements:</u>	<u>Staff notes & comments:</u>
Acceptable primary and accent façade materials	
Projects within the DMUC District will be required to participate in the emerging downtown parking initiatives being developed under the newly adopted <i>Downtown Transportation and Parking Plan</i>, provided that private owners of parking lots or parking structures shall not be required to participate in any parking initiatives to the extent that such initiatives impose or result in any material obligation or cost to the such owners.	
Mixed use projects within the DMUC District will be required to develop a Master Sign Plan which provides for flexibility from some individual sign requirements/limits subject to DRB approval.	Comes from the proposed Sign Type standards found in the current draft of the FBC, but PC may want to fine-tune. Staff recommends this largely as proposed

MEMORANDUM

TO: Burlington Planning Commission
FROM: David E. White, AICP, Director of Planning & Zoning
DATE: Friday, June 03, 2016
RE: Proposed DMUC Overlay

The purpose of this memo is to outline for the Commission the Planning Staff's perspective with regard to the proposed height and massing allowed in the proposed Downtown Mixed Use Core Overlay. In addition for your consideration attached are reports and excerpts from a City Council presentation from two members of the City's Technical Team (Julie Campoli of Terra Firma, and David Spillane of Goody Clancy) whose role it has been to evaluate and comment on a range of urban design considerations relative to the proposed redevelopment of the Burlington Town Center.

While the Planning Commission's role is not to review and evaluate the specifics of the redevelopment project, David and Julie's comments are also relevant and useful to the Commission's zoning amendment discussion in understanding 1) the appropriateness of 14-story buildings at 160' feet in this part of the downtown generally, and 2) some of the important urban design considerations that the proposed zoning amendment has been drafted to address.

Staff comments regarding the overall height and mass:

- 1. New development and taller buildings concentrated in specific locations are central to Burlington's long-range development policy, and are not without precedent - including at a similar height.**
 - Burlington's Master Plan and zoning regulations are specifically constructed in an effort to concentrate areas of mixed use, higher density development in key locations across the city in order to protect and preserve residential and recreation/conservation areas. Examples include the Downtown Mixed Use, Neighborhood Mixed Use, and the Institutional Core Campus districts. This overall policy strategy is very important to promoting a more sustainable and walkable development pattern, and serving to help reduce sprawl across the region.
 - Larger mixed-use buildings in general offer a number of important benefits to the community as a whole – they are a far more efficient use of very limited land resources; they are a far more energy efficient and environmentally supportive development pattern than low density single-purpose sprawl; they enable a concentration of people (both residents and employees) that add economic vitality to our downtown; and, they add tremendous economic value to the City's tax base that helps to pay for important City services and keep residential property taxes lower.
 - The proposed Downtown Mixed Use Core Overlay creates a “core within the downtown core” that strategically provides a concentrated area for taller buildings thereby furthering the overall development strategy of the overall city and of the region.

- 3 of the City's Institutional Core Campus districts similarly have concentrated areas within them where additional building height is permitted - including the area containing the UVM Medical Center where buildings up to ~155-ft are currently allowed. (Sec. 4.5.2 (c)5.)

2. Taller buildings as proposed in the DMUC Overlay are supported by both the existing public policy and recent community engagement processes:

- The *planBTV: Downtown and Waterfront Master Plan* (unanimously adopted in June 2013) specifically identifies this area of the downtown as an area: "well suited for larger residential structures. The plan suggests the addition of larger residential, mixed-use buildings by redeveloping underutilized parcels, essential for addressing citywide housing needs, reducing traffic congestion and parking demand, and supporting the continued vitality of our downtown economy." (p108)
- Since the adoption of this plan, we have been working on the development of a new form based code for the downtown and the waterfront. One purpose of these new regulations (supported by a City Council resolution in Oct 2014) is to "take (ing) advantage of limited opportunities for new development at modestly larger scales and densities where appropriate." As this effort has evolved, the area generally between Pearl and College, Church and Battery has been identified as the best location for buildings taller than the current 105-ft limit. Ultimately the Joint FBC Committee has settled on a smaller area generally as proposed in the current amendment. While the Joint Committee has not offered a specific height recommendation, it has been well-understood that it would be more than the current 105-ft limit.
- While it is true that planBTV does not offer any specificity with regard to a preferred maximum height, the ensuing public engagement process regarding the redevelopment of the BTC specifically sought to get a better understanding of the public's desires and aspirations for this site. At nearly every stage of this 18-month process, the City and the Mall teams have been encouraged by participants to "think bigger" and "go taller." The hundreds of citizens who were involved in this process were less concerned about the actual height of any new buildings, and more that the height is "done well."

3. Taller buildings in the proposed DMUC Overlay have the opportunity to enhance the City's skyline and urban character:

- This area has been identified as an appropriate location for taller buildings because it is the height of land within the downtown core – a place often considered more appropriate for taller buildings (e.g. San Francisco), and thereby having less of an impact on important views from public spaces. Also because of Urban Renewal, there is little historic fabric left than might otherwise be disrupted by larger-scale redevelopment.
- As can be seen from photographs of the city – especially from the lake - Burlington has a generally uniform and horizontally oriented with the exception of a few key vertical elements (the church steeples, City Hall clock tower, Old Mill & Williams, Ira Allen and the Masonic Temple). These however add important elements of architectural diversity, points of reference, and visual interest to the city skyline. As currently written, Burlington's zoning regulations perpetuate this by allowing for a generous building mass concentrated within a fairly small building envelope that will generally fully occupy the site and street-level, but offers little in the way of a vertical dimension.
- As proposed, the Downtown Mixed Use Core Overlay includes limitations on the floor area of groupings of floors that will have the effect of concentrating the bulk and mass of new buildings towards the street (where they serve to create a consistent streetwall and activate the street for pedestrians), while forcing a building to be tapered as it gets taller and thus adding a more vertical element to any redevelopment project and as a result the overall skyline.

As a result, we strongly encourage the Commission to endorse the proposed height and mass

MEMO

TO: CEDO & Planning Departments
FROM: David Spillane, Goody Clancy
DATE: March 7, 2016
RE: Technical Team Peer Review – BTC Redevelopment

INTRODUCTION / BACKGROUND:

Goody Clancy is an architecture, planning and preservation firm based in Boston and working nationally. The firm's work focuses on assisting our clients and their communities to create plans and places that provide economic, social and environmental value. We have worked with many communities on design and development review of urban projects, including Providence's Capitol Center, where we have served as Design Advisor over the last 10 years.

In May 2015, Goody Clancy offered a preliminary review of the urban design aspects of Devonwood's BTC Proposal. This memorandum reviews Devonwood's most recent proposal submitted in December 2015. Overall, the revised proposal offers notable improvements over its earlier submission, most significantly the reestablishment of St Paul Street as a public street open to pedestrian and vehicular traffic, reconnecting two sections of the downtown area and advancing a major goal of PlanBTV.

This memorandum generally follows the format used in our initial comments submitted in May (including the questions CEDO and the Planning Department posed to us). Where appropriate, we summarize our earlier comments, offer comments on Devonwood's responses to these thoughts, and outline areas for further design improvement or exploration by the Devonwood team.

QUESTIONS:

What is your overall assessment of Devonwood's proposed plan to redevelop the BTC in light of PlanBTV and other identified municipal planning goals?

May 2015 Proposal: As we noted in May 2015, Devonwood's proposed plan to redevelop BTC is an exciting and ambitious initiative that can have a profoundly positive impact on downtown Burlington, advancing many of the goals of PlanBTV. Key opportunities associated with BTC redevelopment include:

- **incorporate a mix of uses that would contribute new life and activity to Burlington's core**, providing opportunities for downtown living, together with expansion of both office and retail space—accommodating both national and local retailers
- **strengthen the overall functioning of downtown by restoring and enhancing connections within the downtown**, especially along Pine Street and St Paul Street, that were eliminated or degraded as part of the original mall construction
- **enhance the character and vitality of Cherry Street and Bank Street**, which lack vitality and active street level uses

December 2015 Proposal: Since May 2015, Devonwood has incorporated important changes within its proposal that have strengthened its contribution to the downtown and its potential to advance many goals of PlanBTV.

Please provide insight on the following range of issues (comment on all that apply to your expertise):

- *circulation and civic connectivity*
 - o **May 2015 Proposal:** Devonwood's May 2015 proposal provided a new pedestrian connection across the property at St Paul Street and enhanced the existing connection across the property at Pine Street. Our comments on the proposal noted that the new pedestrian connections would be made through the interior arcade space of the building, and while representing an improvement over the current condition, such connections would not be "true public spaces." We recommended the creation of at least one outdoor route that is fully open to the sky, which is as direct as possible, providing clear sightlines across the property and aligning directly with existing street corridors beyond the property.
 - o **December 2015 Proposal:** Devonwood's revised proposal represents a major step forward in providing a true public connection across the property at St Paul Street, and responds directly to the previous review comments. This new connection provides both pedestrian and vehicular access across the property (both of which are important), reconnecting two areas of the downtown and advancing a principal goal of PlanBTV.
 - o **Additional comments and desirable improvements:** The December proposal bridges over the reopened St Paul Street corridor at the building's second floor level, obstructing the view along the street, and

diminishing the benefit of the view corridor established along the reopened street (which would otherwise be visually terminated by the cathedral bell tower at the corner of St Paul and Cherry Street). This second level connection should be eliminated to open up the view corridor and strengthen the sense of connection across the property. The east face of the building along the newly-created St Paul Street segment will also require further design attention and refinement to ensure that it serves as an attractive and fully activated street edge. Key concerns related to the current façade design include the undifferentiated character of the parking garage expression, the flat character of the façade itself, and the relatively limited activation of the street edge at ground level. The outdoor space adjacent to the LL Bean store, which incorporates open air displays, provides a good model for street activation.

- *activation of public streets*
 - o **Cherry Street edge - May 2015 Proposal:** The proposed design includes significant activation of Cherry Street replacing the existing parking garage with an active streetscape of storefronts and building entrances. Our comments on this proposal noted several issues and recommended further design development of the ground level. We noted that this street edge would be significantly improved by incorporating clearly designed and expressed entrances to residential uses and the elimination of the setback to the proposed ground level retail uses.
 - o **Cherry Street edge - December 2015 Proposal:** The revised design incorporates major improvements that respond to the prior review comments to the Cherry Street frontage, including incorporation of entrances to residential uses and elimination of the recessed street level façade.
 - o **Cherry Street edge - Additional comments and desirable improvements:** Continued refinement of the street level design will be desirable as the project moves forward (additional comments are offered in the following section below).
- *height, massing, and urban design in relation to its downtown location*
 - o **May 2015 Proposal:** We commented that the proposed design adds a vital mix of uses and a high-density format that seems appropriate to its downtown setting and established public goals. While some building

elements are taller than surrounding structures, it appears that these taller elements are generally located to ensure that they do not overshadow existing streets (review of shadow studies is needed).

- o **December 2015 Proposal:** The overall height and massing of the project is broadly consistent with the previous proposal, however, the introduction of above-grade structured parking in the December proposal presents some new design challenges as it relates to the design of building facades (see comments below). In addition, several issues identified in our May 2015 comments will require continued attention:

- The strong horizontal emphasis of the building design, particularly along Cherry Street (ground level retail, parking levels, office floors, residential top), reinforced by various setbacks and the repetitive nature of the expression in the Cherry Street façade as a whole, appears to emphasize the building's large size relative to its context. While the building is truly large, additional design development could potentially mitigate its visual impact by reducing the horizontal emphasis in expression, or establishing greater differentiation among building parts, generally enriching the expression of the project and enabling it to integrate more seamlessly with its surroundings. One possible design strategy would be to include portions of the façade where the upper levels of the building has a stronger visual connection to the street level—for example establishing a stronger visual continuity between residential and/or office entries at street level and those components of the building above. Another possible strategy would be to incorporate subtle variations in the façade plane emphasizing different elements of the design. Similar comments, but to a lesser degree, apply to the Bank Street frontage.

- o **Additional comments and desirable improvements:** The December proposal replaces basement-level parking with an above grade parking structure that is visible at several levels along Cherry, St Paul and Bank Streets. While it is not surprising that Devonwood has concluded that the cost of providing this much below grade parking makes it infeasible, the inclusion of above grade parking introduces some new design challenges. Significant additional design attention and creativity will be needed to ensure that the parking structure is appropriately integrated with the building façade along all three street edges. The success of this effort will be pivotal to determining whether the Devonwood proposal

can be effectively integrated within the downtown streetscape. There are some examples from other communities where this kind of challenge has been successfully addressed, but many more cases where success has been elusive. No single design treatment is likely to be successful along each building façade. The Devonwood design team will need to combine a variety of approaches and strategies to each façade to achieve the desired outcome.

- *mix of land uses (e.g. retail, entertainment, office, housing, public space)*
 - o **The mix of land uses incorporated within the development is consistent with public goals and would make a real contribution to downtown's continued vitality.** This mix is largely unchanged from the original proposal and continues to be a great fit for downtown.
- *mix of retail uses (price and national vs local)*
 - o **The goal of incorporating a mix of local and national retailers is very positive.** The precise mix will need to be discussed further.
- *type and public value of civic spaces*
 - o **May 2015 Proposal:** We commented as follows:
 - The new Arcade has the potential to be an attractive civic space within the downtown area, but its primary function is to support retail activity within the development.
 - The connections across the property on St Paul Street and Pine Street represent the most important potential contributions of the project.
 - Rooftop park space represents a potentially appealing amenity but with limited public value.
 - o **December 2015 Proposal:**
 - The improved public connection at St Paul Street represents a major improvement and advances the most significant public goal of the project.
 - The rooftop park space has been eliminated and the scale of the interior retail arcade has been reduced; neither of these changes significantly diminish the value of public spaces created by the project.

What are the **positive impacts** likely to accrue to the City if this plan were to be developed?

- See previous comments.

What design and programming **elements can be improved** and how? Please list and explain.

- See previous comments.

Based upon your professional training and experience, what are the **most critical public amenities** provided by the proposed project and why. Please list in order of importance to the City.

In order of importance, the most critical public amenities/benefits are as follows:

- **#1. Reopening of St Paul Street as a vital and active element of Burlington's public realm.** Reopening this corridor will facilitate movement within the downtown area for people with origins and destinations beyond the boundaries of the BTC project.
- **#2. Creation of an active and vital street edge along Cherry Street, replacing the existing parking structure with active storefronts,** and building entrances serving office retail and residential uses.
- **#3. Creation of an active street edge along Bank Street.** Bank Street's current form allows for incorporation of retail use at ground level, but for the most part such uses have not located here.

Our comments on this topic are largely unchanged from our May 2015 remarks. The Devonwood team has made significant progress in strengthening its proposal in these areas.

Please provide comments, feedback and or recommendations on the **project's phasing** for the City to consider moving forward.

- The project has the potential to result in significant disruption to the downtown area during the construction period. This topic will need to be the subject of continued discussions.

MEMO

To: Peter Owens, CEDO Director
From: Julie Campoli, Terra Firma Design
Date: 24 March 2016
RE: Written Summary of BTC Evaluation

Per your request, below is a written summary with graphic exhibits of my March 7th comments to the Burlington City Council. The comments generally address both the **overall scale and massing** of the project within the downtown and the **pedestrian scale** as experienced from downtown streets. Comments are offered on the plans presented on plans presented at the January 5, 2016 public meeting and supplement June 2015 comments on an earlier version of the project presented at the May 5, 2015 public meeting.

A. OVERALL ASSESSMENT

The revised proposal (1/16) achieves three key goals articulated by Plan BTV:

- 1) It **restores north-south** movement through downtown,
- 2) it adds a **dense and varied mix of uses**, which will create significant value for the city and opportunities for residents, and
- 3) it **activates surrounding streets** to strengthen the walkability of downtown.

The bigger issues (height, massing, mix of uses, access) have been addressed, but the smaller ones (façade articulation, street-level circulation) need significant attention as the plan moves into the next stage of design development.

The heights of the proposed buildings and overall size of the project are not out of scale with the character of downtown Burlington. However, the Bank and Cherry Street façades **must be reconfigured** as the project proceeds to later design development phases, to limit the perceived size of the lower stories as experienced from the street.

B. COMPARISON with the MAY 2015 PLAN

Restoration of St. Paul Street

The most recent proposal re-establishes a public street along St. Paul St. The benefits of this change can't be overstated.

The greatest benefit is in greater connectivity through downtown. An open-air public-right-of way (rather than an interior hallway) gives the city control over this vital connection and allows 24/7 access through the site to everyone. It allows cars to move more freely between the North and South Ends and offers bicyclists and pedestrians a sorely needed mid-hill north-south connection at all times of day—something an interior mall passage does not permit.

Re-inserting St. Paul through the urban renewal site also helps restores the fine-grained urban grid of historic Burlington. One of the reasons the Burlington Square Mall never fit the scale and character of Burlington was that its sprawling footprint, made possible by the urban renewal superblock, contrasts sharply with the massing of surrounding structures, which are set within historic 400' x 400' urban blocks. The 5/16 design retained the appearance of a horizontally large complex rather than two separate urban blocks. But removing the St. Paul arcade breaks the larger structure into visually smaller parts. In this version, the buildings, like surrounding ones, reach upward from a 400' x 400' block.

Another benefit to the one-block extension of St. Paul is the opportunity to create new urban retail frontage. Facades along this block should replicate the pedestrian-friendly pattern of Church and College Streets. Located one block away from the Marketplace and intersected by the mall arcade, the new street can become an integral part of downtown's pedestrian-based retail network.

Due to their greater visibility and accessibility, corners are valuable retail locations. With new intersections at Cherry and Bank, the plan brings opportunities for more pedestrian activity at these corners.

Restoration of Pine Street

While great progress is shown on St Paul Street connection, considerable issues remain along Pine Street. The May 2015 plans showed underground vehicular and bike connection and a pedestrian galleria at street level similar to that shown on St. Paul. While the underground alignment had considerable problems (outlined in earlier tech team comments), for the reasons stated above,

the value of restoring N-S transportation connection along Pine Street can't be overstated.

The most recent proposal is weaker on several respects. First, it eliminates the critical N-S vehicle and bike connection along Pine St—more critical from a transportation perspective due to its northerly connection to Pearl Street and the Old North End and its importance within the City's overall bike/walk network.

Secondly, the width of the Pine Street corridor has been significantly reduced from 60 feet to 40 feet. Given the size and the scale of the project, a full width public right of way connection similar to St Paul should be a minimum requirement of the project.

Finally, the public value of the pedestrian arcade shown along Pine Street is not convincing due to the narrow, sloping ramp from Cherry down to the Macy's lower entry and the lack of viable public space. Further work is needed to deliver viable and meaningful public space along the Pine Street corridor.

Serious consideration should be given to restoring a full 60 foot wide public street right of way along the Pine Street corridor. While the current building spanning over part of the corridor presents some challenges, a viable surface street connection appears feasible and should be vigorously pursued in conjunction with the once in a generation opportunity to restore the Burlington's historic street grid.

Additional garage entrance / exit on Bank St.

The new plan relocates parking from below grade to above grade due to cost constraints of underground parking. While this presents urban design and streetscape challenges (see later comments), a related issue is the new plan's reduction of garage access to a single entry on Cherry Street. This contrasts with the May 2015 plan that retains the current two entrances—one from south at Pine/Bank, one from north on Cherry.

A single north entry is concerning both from garage access perspective and a traffic congestion perspective since a majority of vehicle trips approach from the south. Provision for a second garage entry on the south side of the project should be seriously considered. A second access point will allow drivers to enter and exit from the south, reducing the need to circle the block and limiting unnecessary congestion.

C. EVALUATION of HEIGHT and MASSING

Set within the **larger urban context**, (views from Lake Champlain, the Hill, etc.) the project fits the scale and character of downtown BTV.

The proposed heights, while taller than adjacent buildings, are compatible with their surroundings. The proposal incrementally increases heights in the area that are identified by Plan BTV as prime location for higher-density mixed-use bldgs.

Pedestrians along Bank and Cherry will not perceive the full height of the tallest structures because they are set back from the street and rise from the interior of the block. Unlike suburban buildings that stand alone and can be seen unobstructed from many vantage points, the BTC buildings will sit within a field of many other urban structures. From the nearby streets, and from the Hill, they will be visible only in fragments, with adjacent multistory buildings blocking a direct line of site. This was borne out in the architect's March 7 presentation, which showed partial views of the towers in the background, and existing buildings in the foreground.

The exception would be the view from Lake Champlain, where the towers will be visible as objects on the horizon line. The question is whether they dominate the skyline, contrasting abruptly with their surroundings. The same question applies the new view point from Champlain College above Edmunds School that was recently prepared in response to a City Counsel request. In my opinion, this is not the case for either viewscape. The new buildings create a more layered and complex skyline, adding some welcome vertical elements to existing buildings whose architectural features stress the horizontal. They rise above existing buildings but not by an unreasonable degree without obstructing the iconic church spires and City Hall tower of the downtown skyline. Arguably, the resultant complexity serves to visually express the urban core of Vermont's largest City

Set within its **immediate context**, however, the façade design makes the buildings appear out of scale.

The current design of the parking and office floors emphasizes rather than diminishes the perceived size of the building along Bank and Cherry Streets.

This would not be apparent as a pedestrian from below, but from a block away, such as from Pearl Street across the St Paul Cathedral green or along Pine from Pearl.

Few buildings in Burlington stretch the length of an entire block. The traditional pattern of narrow lots and diverse buildings creates an aesthetically appealing streetscape. Yet for functional reasons (an internal parking garage), this 300' long building is necessary. It's quite possible to design a long building that appears smaller than it actually is, but the current proposal has not succeeded in achieving that. With its unbroken plane and repetitive fenestration, the proposed design for the lower floors of the building needlessly emphasizes its large size.

D. DESIGN ELEMENTS that should be IMPROVED / ADDRESSED

Redesign the parking garage façade

Moving the parking levels from below grade (May 2015 plan) to floors 2-4, where they are visible from the street, creates a significant design challenge the architects have not yet fully resolved. The current design draws the eye to those levels, where large openings will leave the parked cars and the interior lighting quite visible.

There are existing models of upper level garages downplay the presence of parked and circulating cars. Successful models integrate parking levels into the overall structure with common materials and details (see *attachment D*).

Emphasize vertical rather than horizontal connections

It's common for the first floor of an urban building to vary in appearance from upper stories, but this proposal shows entirely different façade treatments for retail, parking, office and residential levels. For example, the parking garage façade treatment carries through the entire block, despite the completely different office and residential towers that sit above it on Bank and Cherry. This lack of vertical continuity creates a disjointed effect. Several long buildings seem to be stacked on each other, rather than buildings side-by-side, as we've come to know them in a traditional urban setting.

The building could appear smaller if there was greater continuity in materials and style between floors, but greater variation between horizontal elements.

The goal would be to make the different towers read as separate building elements, unified from top to bottom, but distinct from each other and set off by intervening elements. This approach would be more in keeping with the existing pattern of downtown Burlington, where several buildings rise from a single block face (see *attachments C*). Related issues

Reduce the monotony of the retail, office and parking floors

Establish a more varied rhythm in the façade by altering the fenestration, adding vertical elements, creating breaks in the building plane or other means (see *attachments C*). The goal of a more active and human scaled urban street will be further enhanced by building transparency, frequent of entries and associated architectural elements (see *attachments A*). These urban design goals are aligned with the direction of Burlington's draft downtown Form Based Code under public discussion over the past several years.

Eliminate the St. Paul Skyway

The proposed skyway bridge above St. Paul St. does not appear to have an critical circulation function, but will have a negative impact on the streetscape. It will block the newly restored visual connection between northern and southern sections of downtown. It will darken the street below and diminish its quality as a public space. As skyways often do, they draw foot traffic away from the street and undermine the overall planning goal of activating downtown streets.

Design the building to address grade changes along St Paul Street

An active corner use at the new intersection with St. Paul could vastly improve the streetscape of Bank Street. The corner could be a café, restaurant with outdoor seating, or a small public plaza that marks the entrance to BTC. The current plan shows sections of blank walls at the corner. To accommodate the grade change and take advantage of this prime location, the building could be designed with a separate corner floor plate level that opens to St. Paul and Bank at grade (see *attachment B*).

Show Bank, Cherry, and St. Paul St. retail facades in greater detail

So far, the drawings have suggested but not illustrated the type of façade details that would create a successful retail streetscape. More detailed elevations are needed to determine whether the facades have sufficient transparency, permeability and other key design elements (see *Attachment A*).

More detailed elevations are needed to determine whether the facades have sufficient transparency, permeability and other key design elements present in the best qualities of Church St. Illustrated elevations at a smaller scale, combined with photo-simulated perspectives from the street (rather than from the sidewalk) will make a more thorough evaluation of the street level façade possible. A physical model of the project would not be necessary or effective at relaying this information.

Original Proposal



Current Proposal – reduced mass, same height



Another Option Explored – same SF, taller



Key areas for design development/improvement:

Façade articulation

- Composition and articulation of the lower levels of the project
 - Greater variation in facade design; more responsive to surrounding environment
 - Façade broken down into smaller elements
 - More complexity in development of secondary design elements—entrances, windows
 - Less emphasis on horizontal composition; stronger visual connection between upper and lower elements of the building
 - Some variation in plane of building façade to eliminate flatness, add shadow
 - Additional attention to street level design/entrances



Façade articulation: repetitive and flat vs. varied composition and multiple planes



Four Seasons Hotel (12 floors; approx. 350 feet long façade)



Heritage on the Garden--retail, office floors, upper residential (12 floors with setback, approx. 300 ft long façade)

Simple BTC scale comparison: both building (beside each other facing the Boston Public Garden) are approximately the same height and length as the Cherry Street façade of the new BTC

GOALS FOR FAÇADE ARTICULATION AND COMPOSITION:

- Greater variation in design; more response to surrounding environment
- Façade broken down into smaller elements
- More complexity in development of secondary design elements—entrances, windows
- Less emphasis on horizontal composition; stronger visual connection between upper and lower elements of the building
- Some variation in plane of building façade to eliminate flatness, add shadow
- Additional attention to street level design/entrances

HIGH STREET, COLUMBUS



PROPOSED CHERRY STREET FAÇADE



COLUMBUS, OHIO



BOSTON, MASSACHUSETTS



C. How building design affects the perception of its size



Variations in details along the lower floors, and a slight setback in the upper floors help bring this 250' long building down to a more human scale.

IMAGES AND ANALYSIS COURTESY JULIE CAMPOLI, TERRA FIRMA DESIGN



Slightly protruding “columns” and a string course create relief on this 325' long building wall. Retail entrances along the length of the street offer visual interest. The apartment entrance is distinguished by a more marked protrusion. The columns set the window pattern. The eye doesn't see a long horizontal line of glass, but a rhythm.



Another example of window patterns and protrusions that break down the scale of a long building wall. This 300' long building appears to be a few separate structures with a break in styles, color and material.

The same techniques applied in a different architectural style. A 325' long building with varying setbacks, window patterns, and colors creates the impression of many smaller structures.



Key areas for design development/improvement: Street level design is critical to success

A. How building design affects street activity

Julie Campoli, Terra Firma Urban Design 4/21/2015



The traditional urban retail pattern of Church St. (left) and Toronto and Somerville, MA (right) features frequently spaced doorways, large display windows, and highly articulated shop entrances that create variety at a human



Many 20th century local buildings lack doorways, display windows, or a facade design that stimulates interest at the street level.

IMAGES AND ANALYSIS COURTESY JULIE
CAMPOLI, TERRA FIRMA DESIGN

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A facade with a high percentage of windows is more appealing than a blanker wall, but with it, entrances along the streets, there is no reason for someone to walk there. Narrow storefronts offer a variety of services within a short distance and generate more foot traffic along a street.

Key areas for future design development: Treatment of parking facades

- Design of parking facades:
 - Integrate/blend within overall building design
 - Vary expression within facades and on different streets

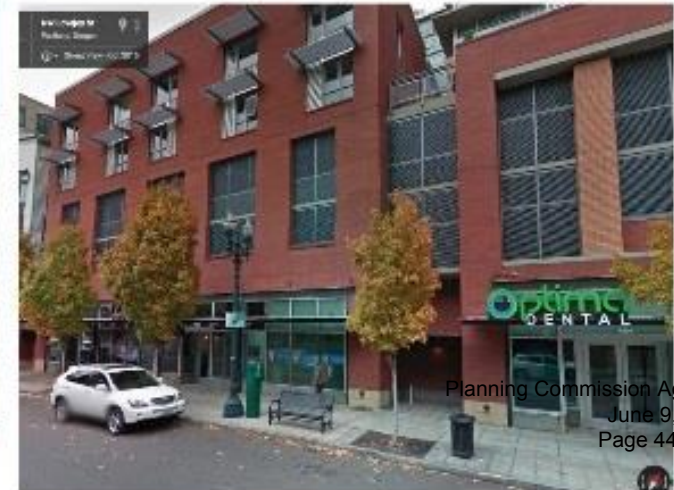


PARKING STRUCTURE



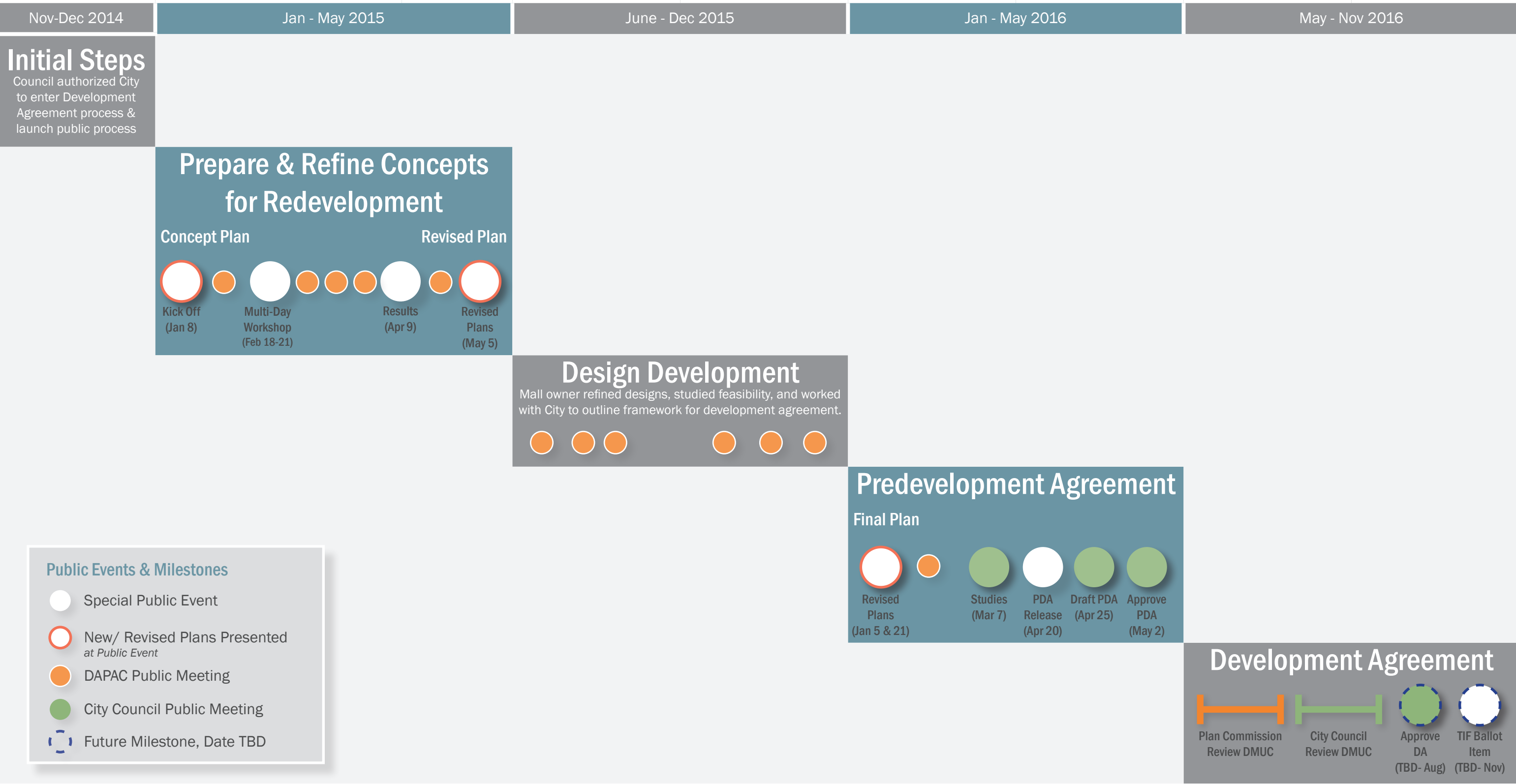
PARKING STRUCTURE

Successful integration of parking structures



IMAGES COURTESY JULIE
CAMPOLI, TERRA FIRMA
DESIGN

Burlington Town Center Public Process Timeline (Nov 2014-Nov 2016)



Public Events & Milestones

- Special Public Event
- New/ Revised Plans Presented at Public Event
- DAPAC Public Meeting
- City Council Public Meeting
- Future Milestone, Date TBD

BTV Mall Public Process Summary and Key Recommendations

Updated May 19, 2016

The owners of the Burlington Town Center Mall and the City of Burlington have partnered to seek meaningful citizen input into the redevelopment of the mall property. Guided by a public process approved by the City Council in December 2014, public engagement and input has been gathered through a variety of public outreach efforts spanning nearly 18 months. This document summarizes the public engagement process and the ways in which the proposal for the project have evolved to respond to key recommendations for the public.

Scope of Public Engagement

Information has been shared and input has been received about the project in a number of ways. Throughout the 18 month public process, there have been dedicated public presentations, a multi-day workshop/charrette, multiple City Council and other board and commission meetings, presentations at NPA meetings, comment boxes and a City website. Additionally, a joint committee (DAPAC) of the City Council, Planning Commission, and staff was formed to provide oversight on matters related to public participation and key recommendations from this process. It is estimated that well over 1,500 people have been directly engaged in this planning process.

- Public Process Mall Website: www.burlingtonvt.gov/btvmall
- January 8, 2015 Kick-off presentation and public forum
- NPA Presentations to Wards 1&8, 2&3, 5 and 6.
- Comment boxes distributed at 14 locations throughout the City including ONE, NNE, South End and Downtown
- Presentations at public meetings of City Committees
 - Planning Commission, Accessibility Committee, Youth Council
- February 18-21, 2015 Public Planning Workshops
 - Kick-off workshop, 6 design workshops, 4 open houses, closing workshop
- April 9, 2015 Public Review of Workshop Results
- May 5, 2015 Presentation of Revised Plans & City Review of development concept
- January 5 and 21, 2016 Presentations of Revised Plans & Development Agreement Framework
- March 7 and 21, 2016 City Council Meetings
- April 20, 2016 Public Release of Draft Predevelopment Agreement
- April 25 and May 2, 2016 City Council Public Forums
- May 2, 2016 City Council approval of Predevelopment Agreement
- City Council Executive Sessions
- Development Agreement Public Advisory Committee (DAPAC), 12 meetings from February 2016 to February 2016

Key Recommendations from Public Input and DAPAC

Based on community and Development Agreement Public Advisory Committee (DAPAC) input through the process outlined above, the City has continuously advocated for modifications to the proposed plans in order to meet these key recommendations from the public:

- **Create clear north/south and east/west connections through the mall**—Initial designs for the project showed only St. Paul St. re-opened to traffic. After much public interest, and the subsequent urging by the City, the proposed project now includes full public streets at St. Paul and Pine Streets.
- **Include a diversity of housing types (price points, targeted demographics, size) in the project**—Inclusion of a significant amount of housing has been one of the City's and public's highest priorities. 20% of the units will be permanently affordable, 30% of the units will be master leased by Champlain College, the remaining 50% will be available at market rate, including a mix of unit sizes from studio to 3 bedroom. Further consideration of "workforce housing" and ownership opportunities are still ongoing.
- **Build public green space with a view of the water**—An earlier iteration of the project included a rooftop park; however, residents and the City did not feel that it would be an effective community space that the public should help pay for. Now, the project includes a smaller rooftop green space that will benefit the project's tenants, and instead includes a green roof system which will significantly improve stormwater management in this part of downtown. Also, based on great interest by the public, the proposed project now includes a rooftop observation deck that will be accessible to the public with views of the Lake.
- **Activate Cherry and Bank Streets with street level uses**—The mall owner has indicated that the proposed plans "turn the mall inside-out," with retail uses lining Bank and Cherry streets. Additionally, the proposed Zoning Amendment includes language that requires street level activation, entrances and windows at defined intervals, and high quality design that enhances the pedestrian environment.
- **Create a parking plan that shares parking and integrates the city-wide parking management plan**—Parking demand has been calculated using shared-parking calculations, and the proposed 925 space parking structure has been designed accordingly. Additionally, the proposed Zoning Amendment includes language requiring the property to participate a downtown parking management program should one exist.
- **Provide retail options that are diverse and include affordable options, both national and local**—The owner has indicated an intent to include a mix of retail options, but the programmatic pieces are still unknown to an extent. Thus far, the owner has demonstrated an ability to work well with local businesses, and also attract national companies like L.L. Bean.
- **Include civic spaces and public spaces available for events, rentals, etc.**—In addition to the publicly accessible rooftop observation deck, the proposed plans include a ± 5,000 Sq.ft. public space.
- **Incorporate walking and biking infrastructure in all elements of the plan**—The public streets at St. Paul and Pine will incorporate walking, biking and vehicular modes of transportation. The

Predevelopment Agreement indicates that the proposed project will include covered bike parking, and the owner has been working with Local Motion to incorporate recommendations on how this project can serve as a bicycle hub for downtown.

WHAT WORKS

Lessons learned from Burlington and other traditional cities.

TRADITIONAL

TOWNS AND CITIES WERE LAID OUT AND DESIGNED FOR PEOPLE. DESPITE EXTREME CHANGES IN COMMERCE, TRANSPORTATION, HUMAN

BEHAVIOR, AND THE STRUCTURE OF SOCIETY,

HISTORIC CENTERS HAVE

CONTINUALLY ADAPTED,

AND AFTER MORE THAN 150

YEARS, THE COMPLEX FABRIC

OF TOWNS AND CITIES HAS

ENDURED.

PHOTO BY MAX TRUMAN



oday, cities and towns across New England are experiencing a renaissance, with an upswing in residents who want the benefit of an urban lifestyle. The creative class, entrepreneurs, and baby boomers are moving into cities, sacrificing privacy, personal space, and their automobiles, in exchange for convenience, entertainment, and social interaction.

In addition to attracting residents, traditional communities have also become centers of place-based tourism. Travelers visit historic places because they feel good and have appeal at a very basic level.

Over the past 20 years, urban designers and new urbanists have been studying historic centers to learn what makes them so adaptable, vibrant, and livable. What we have discovered is a set of critical characteristics that most loved places possess. These principles, including walkability, connectivity, density, scale, diversity, and mixed uses, are described here in more detail.

[Walkability]

The term “walkability” has become a buzz word in recent years without much effort to provide definition. As a result, it is often misunderstood to mean a place that would be pedestrian-only. In fact, the term describes an environment where there is balance between many modes of transportation. Most importantly, it describes an environment in which people feel comfortable walking. In Burlington, there is a greater emphasis than in most communities on the importance of walking and biking, with a significant portion of the population sharing an interest in living sustainably and minimizing individual carbon footprints.

The constituent elements of walkability are referred to as “The 3 D’s”: Distance, Destination, and Design. When each of these elements are addressed, people are more likely to walk.

Destination.

People will tend to walk more if they have somewhere meaningful to go. Meaningful destinations include civic spaces, schools, meeting halls, and commercial areas like neighborhood or town centers where daily or weekly shopping needs can be met. Often these destinations, when centrally located, become the “heart” of the community. In Burlington, Church Street acts as the center for both locals and visitors, with the waterfront, the universities, and smaller neighborhood centers serving as additional destinations.

Distance.

The average pedestrian is willing to walk up to one-quarter of a mile (1320 feet) or roughly five minutes to a destination. This ¼ mile walk from a neighborhood to a meaningful destination at the center is called a “pedestrian shed”. For most Americans, distances requiring more than a five minute walk will typically be made in a car rather than by walking. This walking versus driving threshold is locally calibrated. In Burlington, because of a culture of auto-independence, residents are likely to walk longer than the ¼ mile distance.

Design.

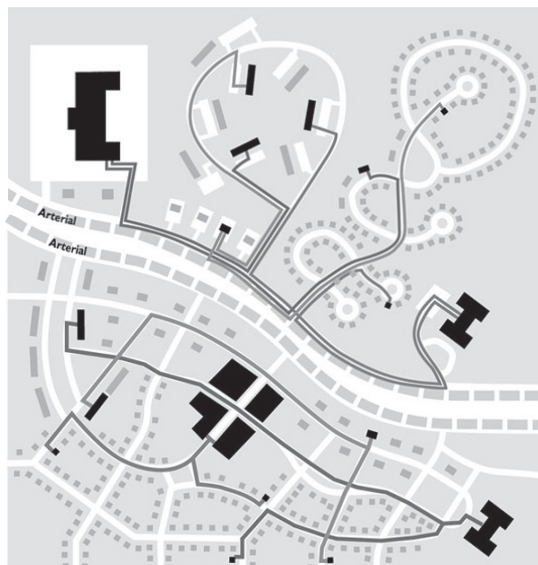
An interesting streetscape and pedestrian safety and comfort are critical for a walkable environment. Narrow travel lanes, street trees, and on-street parking all act as effective psychological cues, helping to slow automobiles and, in turn, enhance pedestrian comfort. The design elements of the building themselves also provide visual interest and diversity of experience along the way. In Burlington, most urban streets feel comfortable for walking, with the exception of a few of the higher speed streets.

Connectivity

All streets should be connected to other streets, maximizing the number of routes to and from a destination. By avoiding dead ends and cul-de-sacs, and instead creating a street network, drivers, cyclists, and pedestrians can choose from a number of different options.

Having greater connectivity allows for traffic to disperse, minimizing congestion by providing multiple ways to get from point a to point b. An interconnected thoroughfare network also increases life safety by providing alternative routes for emergency service vehicles so that they may avoid congested or blocked streets.

Connectivity is also beneficial to pedestrians by increasing pedestrian access throughout a community, along streets, sidewalks, paths, and trails. By increasing the number of routes through a community, pedestrians are provided alternatives and a more interesting pedestrian experience.



The suburban street system that requires traffic to move from local street, to collector, to arterial causes congestion and limits options for pedestrians as well as vehicular traffic and emergency services vehicles.

An interconnected networks of streets alleviates congestion by dispersing traffic and offering alternative routes for pedestrians, making for a more interesting walking experience.

Density

Developing in a dense pattern, where multiple story buildings are located closely together, can minimize air and water pollution, preserve open space, and enhance social interactions and a sense of community. There is an increasing recognition nationwide that density is integral component to the creation of neighborhoods that offer convenience, value and a high quality of life. In addition, more compact development patterns are likely to reduce Vehicle Miles Traveled (VMTs) by enabling more people to walk or bike to work or to run errands. Density can also produce reductions in energy consumption and CO2 emissions both directly and indirectly.

Scale

Scale relates to the size of buildings in relation to ourselves and the world around us. Human scale is what feels comfortable to people. Both short and tall buildings—like those pictured here—can be human scale, and having this variation is important. The proportions of doors and windows, the height of each story, and the relationship between details of the building all impact whether a building is at a scale that feels right to a person. It is important in the design of walkable places to create a sense of enclosure and human scale by pulling buildings closer to the street and minimizing large expanses of asphalt that can make a pedestrian feel exposed and out of place.





Accommodating a diversity of people, in different stages of life and with varying incomes, requires a range of housing options. Commercial blocks, live work units, small cottages houses, and rowhouses reflect additional building types that could be provided in Burlington to meet the needs of young professionals, students, entrepreneurs and retirees.

Diversity

Demographic diversity of people in age, income level, culture, and race provides a sense of interest and vitality within the most loved cities in the world. In order to attract this type of diversity to a community, the physical form must be conducive to the varied lifestyles of these groups. A key component to creating an environment where diversity thrives is the provision of a mix of housing options. There should be many different types, sizes and price points intermingled in close proximity, with a range of living experiences from urban to more rural.

The variety of dwelling types should include: different sizes of detached single family houses, rowhouses, apartments, and live-work buildings. In addition, small ancillary buildings with a living space above the garage should be permitted within the rear yard of each principal building for extended family, tenants, guests or students to stay or live. Residential units should be available either for leasing or for ownership. This allows young and old, singles and families, and residents having a range of income levels to find a dignified home that suits their preferences and lifestyles. An additional benefit of a mix of housing types is that workers can live within walking distance of offices and retail establishments, requiring less dependence on the automobile.

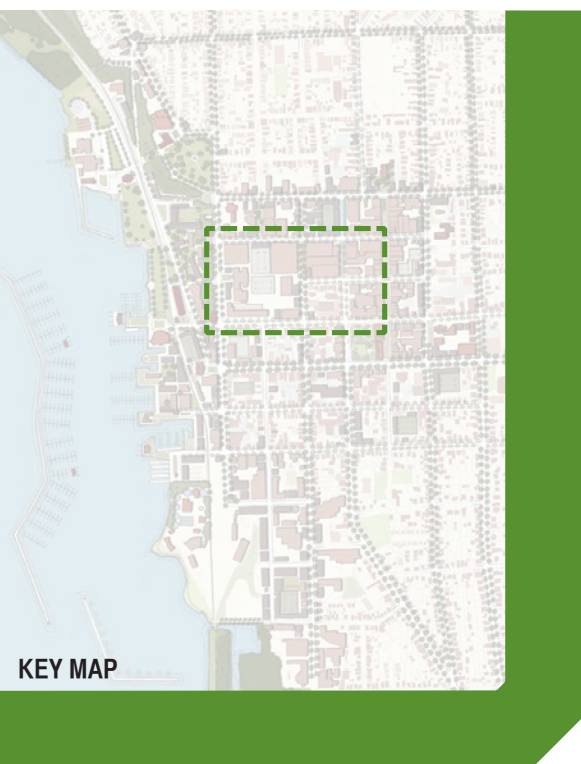


Mixed-Use

Whenever possible, neighborhoods should include a mix of commercial (retail, restaurants and offices), residential, recreational, and civic uses. This mix should be well-balanced, incorporating both vertical and horizontal mixed-use within the neighborhood, the block, and the building. An ideal mix would allow residents to meet all of their daily needs within a short walking distance. When this occurs, the number of automobile trips per household is substantially reduced. This mix of uses is optimized when commercial establishments have residential dwelling units above to help promote active streets.

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THE MALL



The Burlington Town Center Mall occupies much of the downtown between the northern waterfront and Church Street. The large superblocks created by its original layout can be punctuated and activated in order to enable pedestrian and vehicular flow, thereby restoring the urban grid.

ELEMENTS OF THE PLAN

1 DOWNTOWN HOUSING

There is a significant unmet demand for housing throughout the city (as discussed in the Housing Nut). This is particularly true for affordable and moderately-priced housing downtown. Downtown workers, young professionals, and empty-nesters all want to live close to where they work, shop and recreate. With undeveloped air space above the mall, and a relatively high and flat area of the City that has little impact on prominent views, this quadrant of the downtown is well suited for larger residential structures. The plan suggests the addition of larger residential, mixed-use buildings by redeveloping underutilized parcels, essential for addressing citywide housing needs, reducing traffic congestion and parking demand, and supporting the continued vitality of our downtown economy.



Ensure that zoning regulations render the development of housing easier, reducing barriers and costs.



Planning & Zoning Department

2 RESTORING CONNECTIVITY OF THE URBAN GRID

The large, contiguous footprint of the mall is out of character with the intimate and finer grained urban fabric of the City. When it opened in 1982, the Burlington Town Center Mall clipped both Pine Street and St. Paul Street, inhibiting north-south movement in this quadrant of the City. The Mall acts as a barrier that forces additional vehicular traffic onto Battery and South Winooski, which lessens their attractiveness to pedestrians and bicycles. Today, older malls around the country are redefining themselves by embracing the surrounding urban environment and becoming less insular. In Burlington's case, this presents an opportunity to open the street level of the mall at Pine and St. Paul streets to create a public plaza and re-establish north-south traffic flow for pedestrians and bikes. These spaces could become activated by street-level retail and cafes, as well as community events with pop-up stages for Discover Jazz or Festival of Fools. Additionally at Pine Street, the underground ramp that provides access to the Burlington Town Center (BTC) parking garage could be continued through to Cherry Street, thereby re-establishing north-south traffic flow for vehicles and reducing congestion on Battery and Winooski.



Amend the Official Map to re-establish those connections in the street grid.



Planning & Zoning Department

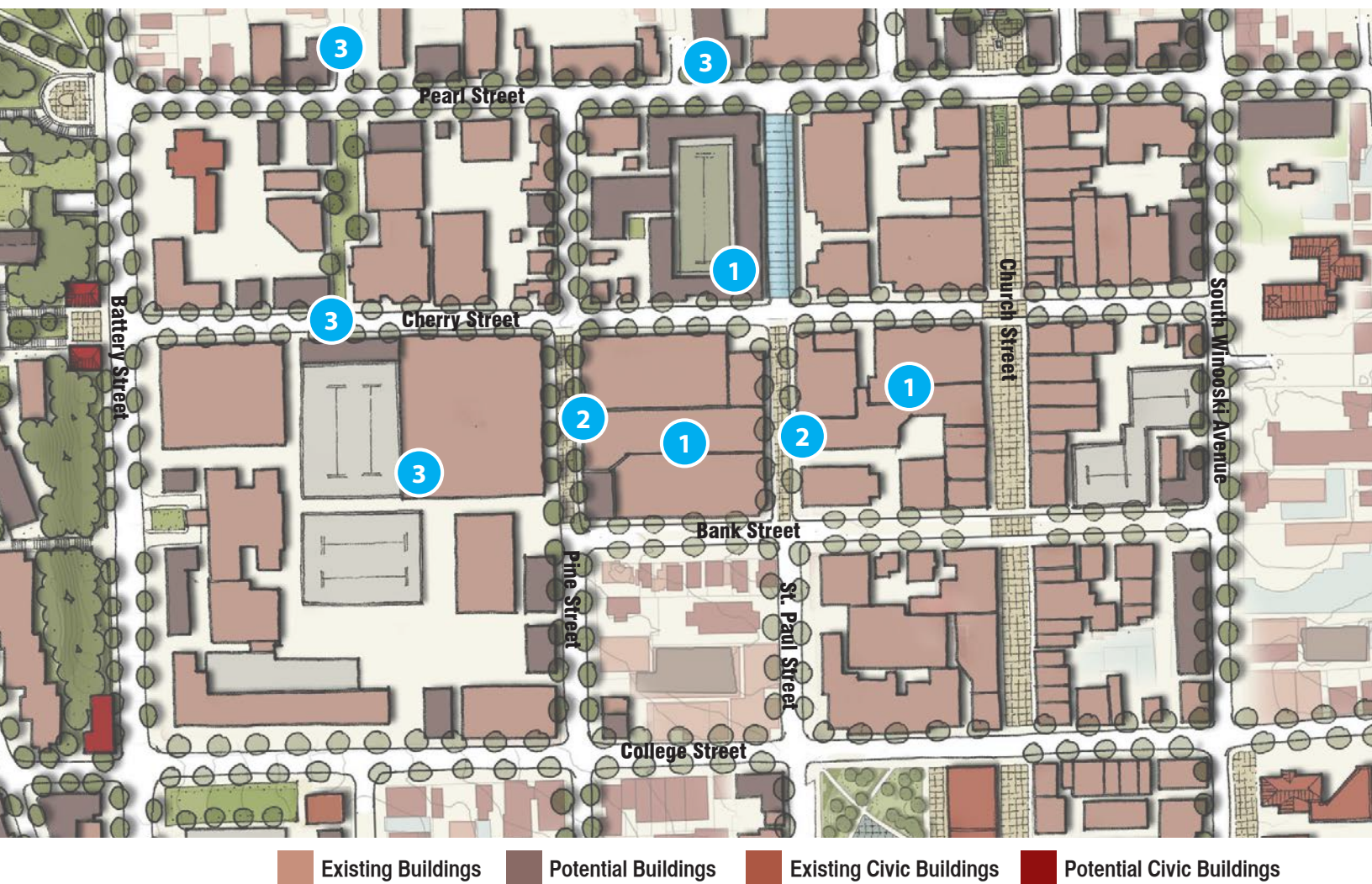


Work with Burlington Town Center to re-imagine how the potential design intervention can work.



Planning & Zoning Department

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3 STRATEGIC URBAN INFILL AND LINER BUILDINGS

The BTC occupies a significant footprint in this quadrant of the City. Yet numerous opportunities exist for strategic infill and liner buildings along Cherry, Pine and Pearl Streets. Such structures should be designed to reinforce the urban street wall and provide active ground floor uses to promote a vibrant streetscape.



Develop zoning regulations that emphasize building form, facilitate infill, and activate the streetscape for pedestrians.



Planning & Zoning Department

4 STREET LIFE

Walking along Cherry Street and parts of Bank Street between Church and Battery Streets, you may have experienced a sense of urgency and desire to move quickly past the desolate, bland, and non-inviting building facades and dark unprogrammed spaces. All along Cherry Street there are numerous opportunities for activating the street by turning the mall inside out and bringing retail and other activity back to the street. Strategic infill development, innovative building renovations, and streetscape improvements (such as trees and outdoor seating) would make for a more inviting, vibrant, and safer-feeling street. Expanding the Church Street experience to the side streets and the rest of the downtown and waterfront will ultimately help generate additional economic vitality, create new jobs, and draw more visitors to Burlington.



Continue to implement the Complete Streets Design Guidelines adopted as part of the 2011 Transportation Plan.



Develop zoning regulations that emphasize building form, facilitate infill, and activate the streetscape for pedestrians.



Department of Public Works



Planning & Zoning Department

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THE MALL



The above rendering shows a view looking southeast of Burlington as it exists today, with the Burlington Town Center Mall in the center of the image. City Hall is in the top center of the rendering and Battery Street in the foreground. Currently Pine Street and St. Paul Street dead end at the mall, forcing traffic onto Battery Street and South Winooski Avenue. The mall superblock also makes it difficult for cyclists and pedestrians to navigate through this area.

POTENTIAL



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Aerial photograph
of Town Center
Mall looking
southeast, with
City Hall Park in
the distance.



PHOTO BY BRIAN DROUERR PHOTOGRAPHY

The illustrative plan for the mall area suggests reopening Pine Street and St. Paul Street, preferably as complete streets that would accommodate all modes of transportation and parking, repairing the street grid and relieving pressure from Battery Street and South Winooski. In lieu of the complete street option, the mall could be more surgically modified to allow for a plaza to pass through that would be open to pedestrian and bicycle traffic. Both alternatives would greatly enhance the connectivity within the City while also updating the mall to more actively interface with the City and benefit from the additional visibility.

The rendering also shows redevelopment and infill within the urban renewal area, which is an area of the City where the pedestrian realm could be greatly enhanced by filling in large gaps in the street wall.





June 2, 2016

Burlington Planning Commission
Department of Planning & Zoning
City Hall
149 Church Street
Burlington, VT 05401

RECEIVED
JUN - 6 2016

DEPARTMENT OF
PLANNING & ZONING

Re: BTV Mall Redevelopment Process

Dear Commission Members,

The redevelopment of the Burlington Town Mall into a downtown city center sets a critical and positive precedent for future statewide development and growth. The plan for a mixed use space containing offices, apartments and commercial spaces embraces Vermont's social and environmental priorities, and creates more choices for housing and transportation. If we are not able to continue to grow our most developed city, it will negatively influence similar projects in other communities that need the added jobs and revenue.

In addition to reinforcing a smart growth precedent for development, the economic impacts will be felt on a statewide level. Per the economic projections done by the University of Vermont, the project is estimated to support 1,296 new jobs and contribute as much as \$194.09 million per year to the regional economy from commercial activity. As lawmakers continue to grapple with a State budget gap year after year, the potential for new rooms, meals and sales tax revenue cannot be ignored.

Additionally, the project offers nuanced opportunities to help retain and attract young professionals and support our strong entrepreneurial culture by providing space for startups and expansions. The Vermont Futures Project (www.VTFuturesProject.org) has identified upcoming workforce demographic challenges as population growth slows and young people continue to leave the state. Adding new vibrancy to the Burlington downtown is one way to take action and appeal to those who desire an urban lifestyle without compromising the quality of life Vermont offers.

For all of the above reasons, the Vermont Chamber of Commerce strongly supports the redevelopment of the Burlington Town Mall. The opportunities presented by this project are not only for Chittenden County, but for Vermont at large.

Best,

Betsy Bishop, President

Meagan Tuttle

From: Carolyn Bates <cbates@burlingtontelecom.net>
Sent: Saturday, June 04, 2016 11:18 PM
To: Carolyn Bates
Subject: Parking Downtown Mixed Use Core Overlay p. 11

"from PROPOSED: ZA-16-?? – Downtown Mixed Use Core Overlay p. 11
DRAFT - 5/4/2016

5. Parking

a. The required setback between the parking and the public street at the **ground level must be occupied by an active use (such as, but not limited to, residential, retail, office, recreational or services)**. This requirement shall not apply to parking along a secondary street frontage or located either entirely below-grade or above the ground floor where parking may come right up to the building's perimeter. "

NB

Sinex has floors **2-3-4 fully occupied by parking** in the massive structure between pine/stpaul/bank/cherry st where you are allowing 100% of the floor to be fully built out. He has slots, not windows, and they look silly. NB in all of his illustrations, lots of work has been put into making these look like windows. When they are merely slots, not windows, and illustrations are NOT giving you a true example of what these floors look like on the exteriors of the building.

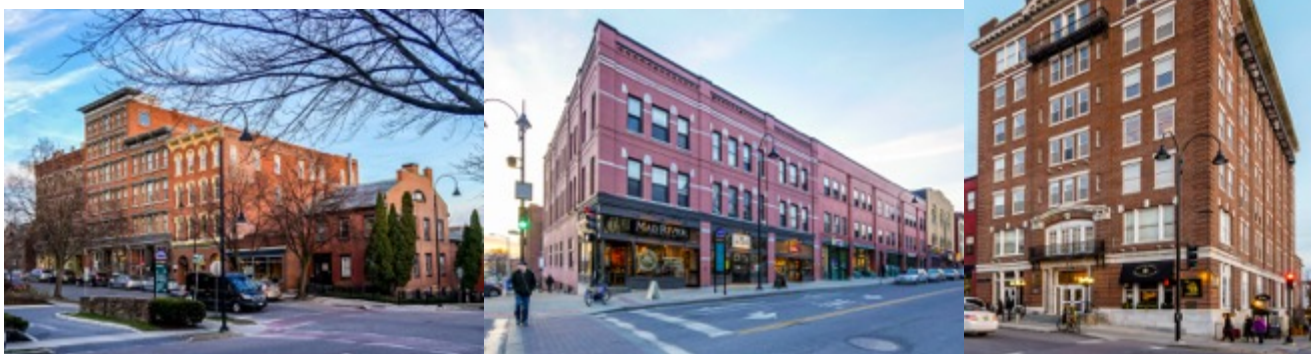
And I ask that the above rule I have noted is changed to read something like this:

All floors of parking in the first five floors must be occupied by an active use, and fronted with real windows, like every other occupied, non straight parking lot building in the Downtown Burlington area.)

Furthermore:

Sinex can put parking underground. He is speculating that the cost will be xyz. But he has NOT done a core sample, nor has he given you a real print out from a real contractor to prove is estimate is correct.

See enclosed images of some beautiful buildings in downtown that Sinex should emulate.



Thank you for your time.

Sincerely,
Carolyn L. Bates

June 3, 2016

Carolyn L. Bates Photography

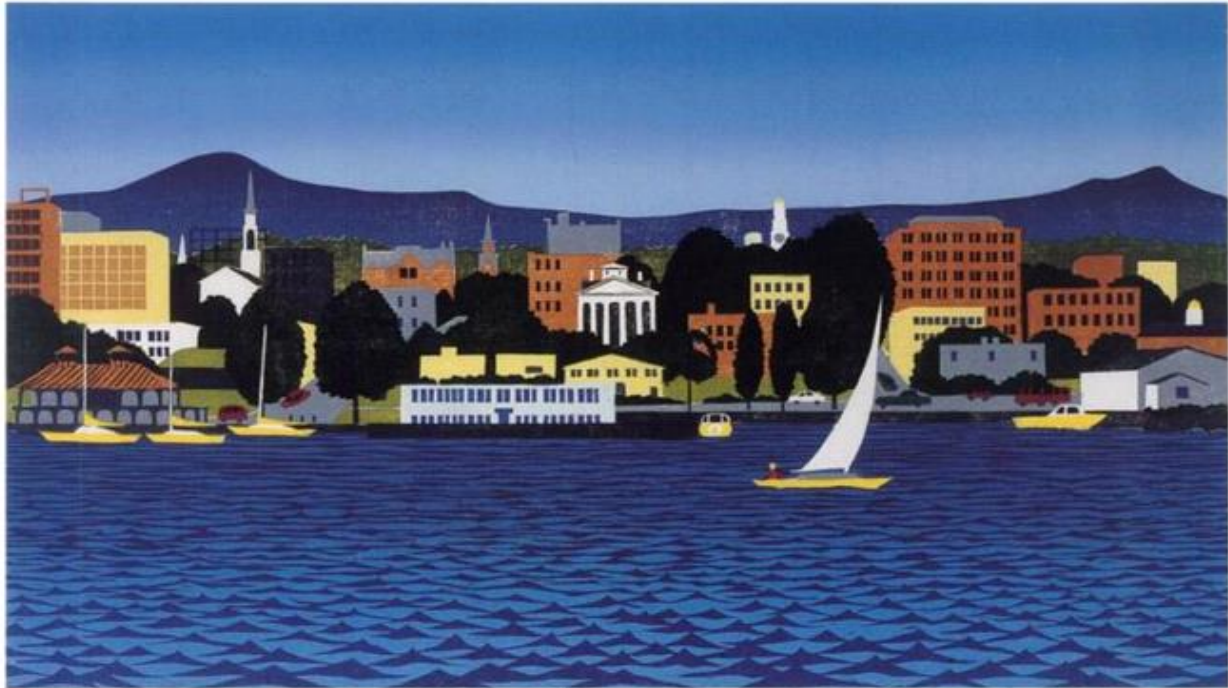
Email: cbates@carolynbates.com
ADDRESS: PO Box 1205, Burlington, VT 05402
Phone: (802) 238-4213
Web: [www carolynbates.com](http://www.carolynbates.com)

To: Burlington Planning Commission members

From: Robert Herendeen, 83 Nottingham Lane, 862-5017, raherendeen@yahoo.com

Date: 6 June 2016

Re: Burlington Town Center Redevelopment Proposal: Rezone to greater building heights?



- Sabra Field, "Burlington from Lake Champlain", 1988. This was the logo for the conference "Sustainable Communities 2004" held in Burlington in July, 2004.

MIDWEST PLANNERS ADMIRE BURLINGTON.

Over 12 years ending in 2005 I taught a course called "Ecological Numeracy: Quantitative Analysis of Environmental Issues" at the University of Illinois. The home department was Urban and Regional Planning. Also during that time I met regularly with planners from Urbana and Champaign, IL as part of the doctoral work of my student Rumi Shammin. So although I'm a physical scientist, I am quite familiar with the challenges and pressures planners must deal with.

In Urbana and Champaign the planners wanted to implement good planning practice, which-to me-seemed somewhat formulaic. My sense was that they would have done the same things and reached similar conclusions almost anywhere-at least anywhere in the Midwest. During our sessions several cities were frequently mentioned (with sighs) as being different: buzzy, lively, with inspiration from-and care for-their natural scene. Those cities were Portland, OR; Boulder, CO; and Burlington.

GETTING TO BURLINGTON.

This clicked with my New York State background, so I participated in the Sustainable Communities 2004 conference in Burlington, and looked and biked around...and my wife Ann and I came here in 2006. We remark every day on our good fortune to be in this wonderful place, and I have responded to the Vermont challenge to become engaged locally and regionally.

MY QUESTION: How is “standard” planning modified to recognize, maintain, and enhance the connection with our unique, stunning, and powerful natural scene?

MY ANSWER: Streetside visual connection is necessary.

The details of appropriate development are complicated and daunting, with lots of room for creative solutions (and for mistakes). To me a clear necessity is to have a streetside visual connection, not the view from a 10th story observation deck. For almost of downtown today, the connection is there. I don’t always have a straight sight line to Lake Champlain and the Adirondacks, but I have frequent glimpses of that and of green things in general, and an inspiring, liberating exposure to open sky.

HOW DOES THE PROPOSED BURLINGTON TOWN CENTER STACK UP?

Below are images “before and after” completion of the proposed project, which has a height of 160 feet, 52% higher than the present maximum. To me these show a large scale deterioration of the visual connection I’ve mentioned-an assault on it, actually.

UPSHOT.

This all means setting and holding a limit on building height. In particular, it means not raising the present limit at all. This is a constraint, but also is an opportunity to live up to our reputation to be creatively green. And to engage and celebrate our place...in this place.

“BEFORE AND AFTER” IMAGES.

The Burlington images are all accessed through the City’s website; internet addresses are given. I also include two images from Champaign County, Illinois, for comparison.

THANK YOU.



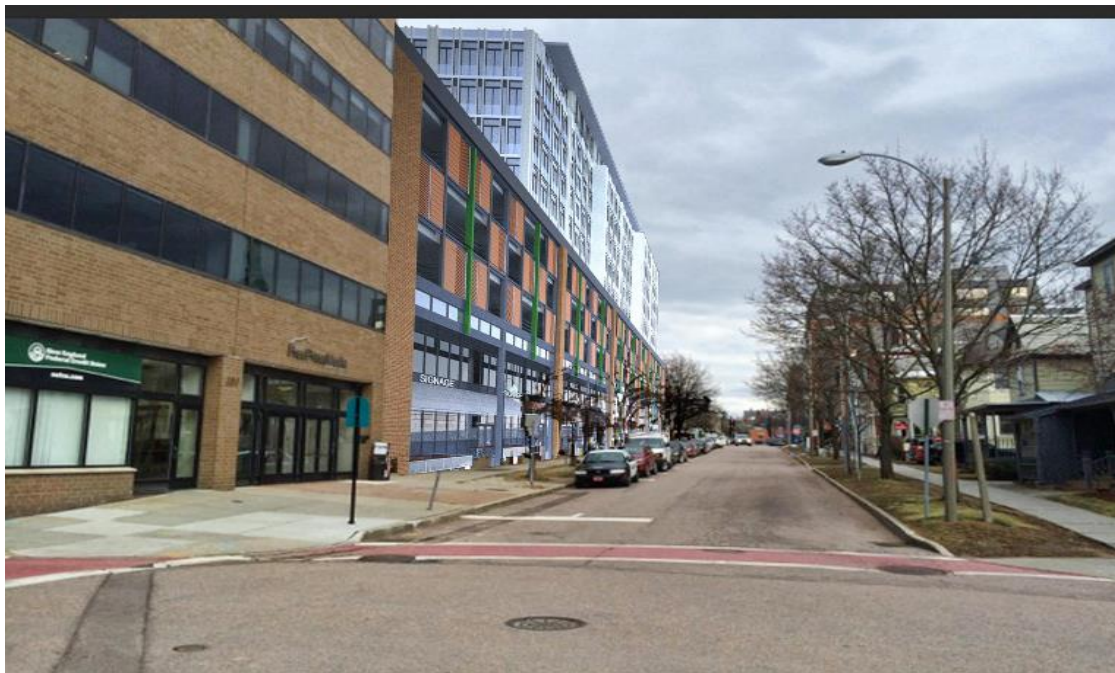
From Champlain College...before (top), after (bottom).

<https://www.burlingtonvt.gov/sites/default/files/CEDO/Files/btvmall/all%20views%20combined.pdf>



From Lake Champlain...before (top), after (bottom).

<https://www.burlingtonvt.gov/sites/default/files/CEDO/Files/btvmmall/all%20views%20combined.pdf>



Looking E on Bank St. from Pine St....before (top), after (bottom).

<https://www.burlingtonvt.gov/sites/default/files/CEDO/Files/btvmall/all%20views%20combined.pdf>



Looking N on St. Paul St. from Main St....before (top), after (bottom).

<https://www.burlingtonvt.gov/sites/default/files/CEDO/Files/btvmall/all%20views%20combined.pdf>



Looking N on St. Paul St. from Bank St....after

https://www.burlingtonvt.gov/sites/default/files/CEDO/Files/btvmall/Presentation%202016_01_05_BURLINGTON.pdf



Looking E on Bank St. at corner of Pine....after

https://www.burlingtonvt.gov/sites/default/files/CEDO/Files/btvmall/Presentation%202016_01_05_BURLINGTON.pdf



Champaign County, Illinois



Champaign, Illinois

MEMO: BURLINGTON PLANNING COMMISSION

FROM: STEVE GOODKIND



6/7/2016

RE: MALL PARKING AND HEIGHT OPTIONS

One of the first promises made and subsequently broken by mall redevelopers was to replace their existing above ground 600 car parking structure with a 900 space below ground facility. Citing the cost of excavation, the project now includes a three story parking facility entirely above grade with a footprint that takes up almost the entire block of Cherry, Bank, Pine and St. Paul Streets.

Making matters even worse, this garage increases the height of the buildings that rest on top of it by three or four stories and pushes the "open space" on the site up to the fifth story above street level.

Up until now, the city administration has championed this plan for mall redevelopment by supporting "**spot zoning**" changes that will accommodate the above ground garage and the 150+ foot buildings rather than zoning changes that would allow a redevelopment more in character with our downtown. What is really needed is a zoning approach that allows/encourages parking to be provided off site, while retaining all the other requirements of our existing laws.

The concept is simple. The mall would provide some, but possibly even none of the required parking on site in an underground facility and/or above grade with buildings rapped around it. The remainder would be provided by increasing the capacity of existing parking lots and structures by adding decks and/or constructing a new facility on the Superblock. The developer would pay for this.

This can be done many ways. For illustrative purposes, here is just one example of the four elements of this concept:

1) The developer will provide half of the parking (450 spaces) onsite in an underground garage. This would require considerably less excavation and construction than 900 spaces.

2) The developer would participate in the construction of 450 offsite parking spaces at no cost to the city. Offsite candidates for expanded capacity could include the garage behind the Hilton, the Marketplace Garage, the Library lot, the lot behind Boves and the Superblock. Because these new spaces are above ground, they should be relatively economical to build.

3) The top elevations of buildings on the redevelopment site would be lowered by three or four stories because of the garage changes. They will be further reduced by spreading the building footprints over the entire site.

This gets things closer, however, other changes may be required to get the top elevations to fall within the existing zoning limit. Eliminating two floors of student housing might help. The developer would have to do whatever is required to earn height bonuses up to the limit of the existing ordinance.

4) The only zoning amendments needed are to allow the offsite parking options and closing the loophole that allows a small buyout option in lieu of inclusionary housing. (The parking piece may already be allowed without a zoning change).

This could work. To turn a phrase, we don't have to throw the entire bathtub out with the bathwater for this development. A good project can be accomplished within the rules and vision that we have in place.

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

Present: Y Bradley, L Buffinton, E Lee, A Montroll, H Roen, J Wallace-Brodeur, M Weinberger

Absent: B Baker

Staff: D White, M Tuttle

I. Agenda

No changes to the Agenda.

II. Public Forum

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

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

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

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

III. Proposed CDO Amendment- Downtown Mixed Use Core Overlay

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

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

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

Boundaries

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

D White: Yes.

Official Map

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

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

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

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

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

Y Bradley: Adding width comes at a cost.

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

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

Height & Mass

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

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

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

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

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

L Buffinton: How was 160 feet determined?

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

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

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

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

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

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

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

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

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

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

J Beck: Not at all.

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

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

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

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

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

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

J Campoli- How does exterior treatment impact cost?

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

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

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

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

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

D White: Reiterated design standards for parking.

H Roen: Amendment exempts parking from the design standards.

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

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

Urban Design

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

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

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

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

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

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

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

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

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

Y Bradley: Void language seems to be problematic.

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

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

Other Elements

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

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

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

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

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

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

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

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

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

A Montroll: Urban design standards are important, too.

IV. Adjourn

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



Y Bradley, Chair

Signed: 08.15.2016



E Tillotson, Recording Secretary