Burlington Planning Commission
149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7144 (TTY)
www.burlingtonvt.gov/planning

Emily Lee
Chip Mason
Andy Montroll, Chair
Joan Shannon
Max Tracy
Jennifer Wallace-Brodeur

Joint Planning Commission and City Council
Form-Based Code Committee

REGULAR MEETING
Wednesday, April 29, 2015 - 5:30 P.M.
Room 12, City Hall, 149 Church Street

AGENDA

Note: times given are approximate unless otherwise noted.

I. Agenda

II. Overview of tonight's meeting

III. Public Forum – (15 min)

IV. Future Meeting Dates

V. Downtown Form-Based Code Review

The committee will continue its in-depth discussion of Form District 6.

VI. Public Forum – (15 min)

VII. Adjourn

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Department of Planning and Zoning
149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)
www.burlingtonvt.gov/PZ

David E White, AICP, Director
Ken Lerner, Zoning Administrator
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, GIS Manager/Planner
Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Senior Planner
Anita Wade, Planning & Zoning Clerk
Elsie Tillotson, Administrative Assistant

MEMORANDUM

TO: Joint Form Based Code Committee

FROM: David E. White, AICP, Director of Planning & Zoning

DATE: April 13, 2015

RE: Form Based Code: Key Issues for Discussion

In follow-up to a meeting staff had with Andy today I wanted to share with you our "running list" of key issues that we think the Committee will need to be sure to discuss as you move forward. These items come from those raised by staff, Committee members and recurrent questions raised by the public. Our intent is to fit these into your discussion about each Form District where it makes sense. As you will see many of these are crowded under FD6, but once they have been resolved it will set the standard for how they work in the other applicable form districts.

As the Committee walks through the specific requirement of each section of the proposed draft, we encourage you to review that section in advance of the meeting and send any questions you may have to staff as they come up. In this way we know about them in advance we can be better prepared to discuss them with you in the meeting.

Form District 6:

- building height: base vs discretionary height, Special Height Areas (Regulating Plan), criteria for review of discretionary height (e.g. shadows) and exemptions
- fenestration, façade articulation and building massing standards
- building setbacks: more allowed under what conditions (e.g. to provide for public seating and gathering or Civic space)
- lot coverage and incentives for green on-site stormwater management
- allowed encroachments into ROW
- parking

Form District 5:

- lot coverage - waterfront in particular - and incentives for green on-site stormwater management
- building height: base vs discretionary height, where, criteria for review of discretionary height (e.g. shadows)
- building height setbacks/transition adjacent to FD4

Form District 4:

- mixed use buildings: where and what
- parking setbacks and allowed in the 2nd lot layer

Misc.

- roof reflectance
- glazing and transparency

Procedural:

- review process: pre-application, by-right and discretionary
- major impact triggers and criteria
- survey required and stamped plans by registered professionals (surveyor, architect and landscape architect) for certain applications. What
- Existing buildings: historic, conforming and non-conforming
- administrative and DRB relief: what and how

As you appreciate, this is a "running list" and we will add to it as issues some up.

April 29 FBC Committee meeting – Guide to discussion

Form District 6:

Intent – already discussed 4/1

Building Types – already discussed 4/1

Building Form

- building height:
    - base vs discretionary height (see p.35)
    - special height areas (Regulating Plan) (see p.13 for specific height regulations & p.15 for map)
    - criteria for review of discretionary height (e.g. shadows) (see new handout attached – Discretionary Height) and exemptions (see p. 74 Table 14.6.5B – Allowed Encroachments beyond height limit)
- façade articulation and building massing standards (see new handout attached)
- fenestration (see new handout – façade articulation b) iii.)

Lot Occupation and building placement

- building setbacks (see p. 35)
    - more allowed under what conditions? DRB Relief? – we need to define better and have a max limit (12'?)
        - provide for public outdoor seating or gathering space
        - provide Civic space pursuant to 14.6.13 h. (p. 103)
- lot coverage (see p. 35)
    - incentives for green on-site stormwater management – we are working with DPW Megan Moir on this – more to come shortly.

Parking loading & service

- parking – we are waiting for the parking studies to be finalized

Encroachments

- allowed encroachments into ROW (see p. 36)

Signs

Uses

Joint FBC Committee – Addition to packet for 4/29

(To be included in the Urban Design Standards)

Façade Articulation

a. Building facades must be vertically articulated with the following standards:

i. Building facades must provide surface relief through the use of bay windows, cladding, columns, corner boards, cornices, door surrounds, moldings, piers, pilasters, sills, sign bands, windows, and other equivalent architectural features that either recess or project from the average plane of the facade by at least four (4) inches.

ii. Building facades must be vertically articulated with architectural bays between six (6) feet and fifty (50) feet in width to create an equal, central, and/or ends focused composition.

iii. Buildings greater than one hundred and fifty (150) feet in width must be designed to read as a series of smaller buildings with varied architectural design and fenestration patterns or include a change in vertical plane of the facade of at least two (2) feet (in depth or projection) for at least one (1) bay in width for every one-hundred feet of total facade width. This change in plane applies to the entire height of the facade.

b. Building facades must be horizontally articulated with the following standards:

i. Buildings or portions of buildings (distinct massing elements) four (4) stories or less:

a) The raised foundation, basement, or first story of a building must be must be visually differentiated from the stories above by a horizontal expression line and change in color, building material, or pattern of fenestration.

b) The top story of a building must have a cornice, parapet, or pitched roof form as an expression of the buildings top.

ii. Buildings or portions of buildings (distinct massing elements) five (5) stories or more:

a) The bottom one to three stories of a building must be visually differentiated from the stories above by a horizontal expression line or cornice and include a change in color, building material, or pattern of fenestration across a majority of the facade.

b) The top story of a building must have a cornice, parapet, or pitched roof form as an expression of the buildings top.

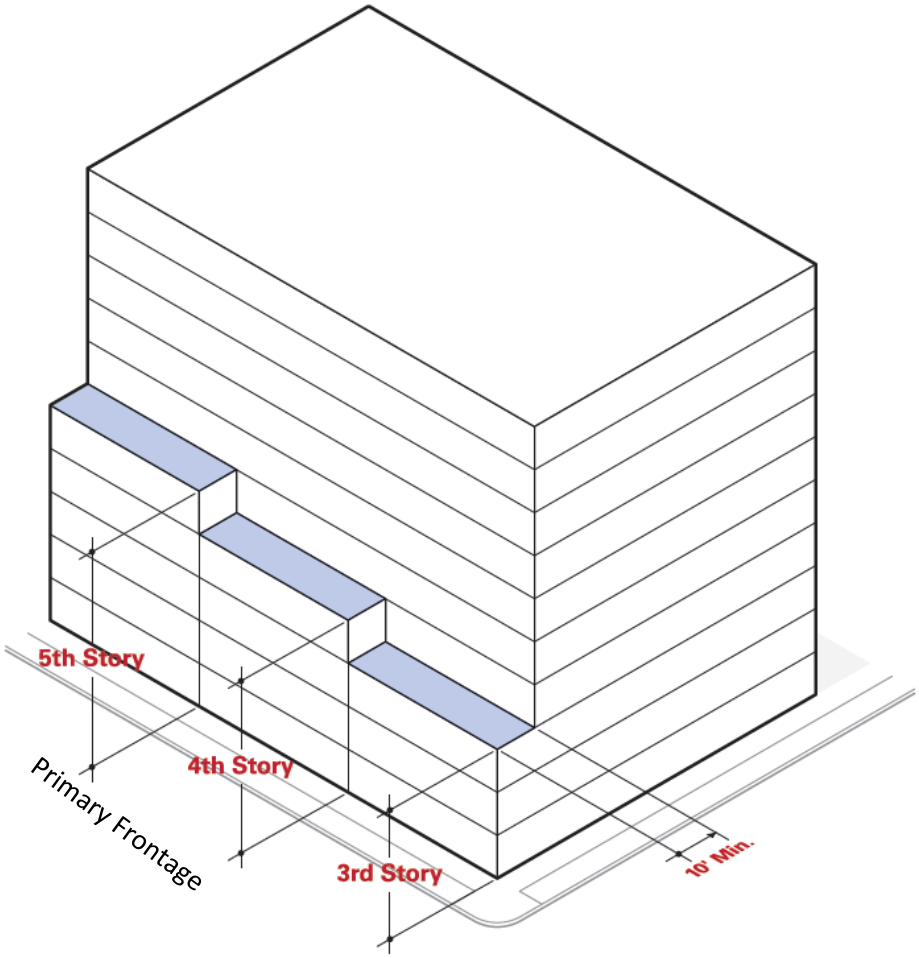
iii. Each horizontal element of a building must have a fenestration pattern that is aligned vertically and horizontally to provide order and structure to the composition. The fenestration pattern may differ between the base, middle, and top, and from bay to bay.

The ICV building is a great example of meeting a. i. & ii. above with the different bays. It also meets b. i. as it has a defined base with the first floor and the top of the building is well defined by a cornice and/or the step back on both ends.

Hotel Vermont also meets all the requirements above with the presence of separate bays (4 of them). It has a distinct base and as a top cornice.

STEP-BACKS

a. The upper stories of any building exceeding six (6) stories in height must step-back at least ten (10) feet from the primary plane of the façade below at either the 3rd, 4th, or 5th story and must be defined from the stories below by a parapet or cornice.
b. The upper stories may be differentiated from the stories below by a change in color, building material or pattern of fenestration in order to reduce the actual or perceived massing of a building.



DISCRETIONARY HEIGHT

a. Discretionary Height Standards

i. In its discretion to approve or deny a building over 65 feet tall, the Development Review Board shall consider the following, in addition to the major impact criteria:

i) Advances the intent of the Municipal Development Plan

ii) Advances the intent of the Form District

iii) Shadow impacts cast on adjacent sites and on-site uses shall; (1) limit the scale and height of the base of the building to appropriately frame the public realm, while maintaining access to at least 5 hours of sunlight on the opposite side of the street at the equinoxes; and, (2) provide slender, point tall buildings with generous separation distances, and limit or vary the height of tall buildings, to retain sky view between buildings and reduce the size of shadows and length of time they are cast on a particular area. Consider the cumulative effect of multiple tall buildings on resulting shadowing.

a) Shadow impact shall be analyzed through a Sun/Shadow Study, which demonstrates how the proposed tall building protects access to sunlight and seeks to adequately limit shadowing of the adjacent public realm and Civic Spaces. Required Sun/Shadow studies shall focus on the equinoxes – March 21 and September 21 – to emphasize the importance of access to sunlight during these seasons.

iv) Enhances the city's skyline and promote visual interest with a variety of roof forms and/or architectural elements.

Definitions

Architectural Bay: An area of a facade between two buttresses, pilasters, columns, piers, or other equivalent architectural features.

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Wednesday, April 29, 2015 - 5:30 P.M.
Room 12, City Hall, 149 Church Street

Meeting Notes

I. Agenda

No changes

II. Overview of tonight's meeting

Code for Form District 6

III. Public Forum – (15 min)

5:38 pm, no participants.

IV. Future Meeting Dates

Every Wednesday in May and two meetings in June are scheduled. Next week's meeting will be at 7:00 pm.

V. Downtown Form-Based Code Review

A. Montroll: The discussion will work through allowable building types including questions about height and windows.

D. White: There is a guide in the packet about these items which addresses the Downtown district which is included in Form District 6.

A. Montroll: Is the height measured in feet rather than stories, is there a base amount and criteria to change?

D. White: There is a minimum height, a maximum height, and discretionary height. This section refers to generically 11 stories, 105 feet, with a lower height limit along Church Street. It also anticipates the area around the mall and urban renewal area where buildings could be taller.

B. McGrew: The Church Street face is four stories. Is the Church Street area four stories not more than 45 feet? Area C, with urban renewal area in the rear, is this a vehicle for taller height allowance?

E. Lee: Will the Burlington mall project fit into FBC?

D. White: Right now it is hard to tell, but FBC needs to anticipate this kind of development.

A. Montroll: The area along Pearl Street seems as if the maximum height is too high.

J. Shannon: Cherry Street feels narrow.

D. White: There are no exact details about a proposed mall height yet.

A. Montroll: Proposes that the two upper c areas retain the height limit while the lower c level could be open to more height.

M. Tracy: The increase should be more gradual from Pearl Street to the mall.

A. Montroll: The mall section c should have the potential for greater height, greater than the 105 feet maximum?

E. Lee: Yes.

J. Shannon: Is willing to increase to 125 feet with caveats.

D. White: In general, in the lower c area, you are comfortable with greater height this area.

A. Montroll: The lower c area could be considered as a place holder and the upper c areas between Cherry Street and Pearl Street could be conventional form 6.

D. White: Massing is in the urban design area but it will be changed to occur it earlier in the document.

A. Montroll: The height in general, in this form district would be 65 (administrative) to 105 (discretionary). Are all comfortable with this? Yes.

D. White: Massing in FBC is more detailed and affects building type section of the zoning ordinance. Vertical and horizontal articulation are the elements to evaluate. There needs to be a clear path through the process but it should also be a discretionary path.

A. Montroll: Is the concept ok?

J. Shannon: Conditionally.

E. Lee: Suggests an architectural consult about the vertical plane. It feels fake as a series of smaller buildings but it does need to read as a series of smaller buildings.

J. Shannon: Additional articulation has improved recent building projects.

M. Tracy: Agrees with JS that prescriptive requirements spell out anticipated results initially.

D. White: The preface is intentionally is not about architectural styles, but about urban design.

Architect suggests that language in i and ii are adequate; iii is not necessary.

A. Montroll: The language is not clear.

E. Lee: To give the impression of a series of smaller buildings, etc, a more substantial break is necessary.

J. Shannon: Perhaps some other language?

M. Tracy: Feels that also, that architectural interpretation would help.

J. Shannon: Review by architects is a great idea, feedback will help.

D. White: Has anticipated the question of limiting creativity.

D. White: A progression of step backs as buildings increase in height, suggests flexibility in schedule.

A. Montroll: Feedback?

D. White: The setback schedule is related disproportionately to the width of the right of way. Setbacks are measured by story not height.

A. Montroll: The concept of setback predicts what range and is measured in feet, stories or what?

D. White: Setback range generally, (three to five stories).

To think about for next meeting:

D. White: What is the role of the discretionary review? Shadow impacts iiii (or iii?) requires sun/shadow study. There should be at least five hours of sunlight at the equinox. Taller buildings add to the skyline.

VI. Public Forum – (15 min)

B. McGrew: The c zone shown on maps indicates that the Baptist church will be closed in. Right now there are clear views, and if there is new building up to over 100 feet, it will look like the Matterhorn in downtown Burlington. The quality of life for downtown residents, establishments such as A Single Pebble, etc, might end up looking into a civic center. She suggests that the Committee think about view corridors, a clear view to College Street. Westlake would not now meet FBC. This height will overwhelm the neighborhood.

B. Goblik: Is there a memo which addresses removing arts from the code? He would suggest reducing heights to existing present limits.

D. White: This information is on the website, and there will be printed handouts for the next meeting. Studies seem to show that 50 feet enough setback for a 100 foot building. It seems we want big buildings to retain a small town scale, using architectural techniques. There is dispute about what actually works, but a visual reference might be helpful. More architects to help develop the language is good. Successful examples are helpful.

E. Morrow: These are excellent topics, and might include articulation at the top of a building, time element. The FBC is good, there may be some conflict with glazing and the current energy code. The proscriptive nature of FBC, the AIA should be studying in larger swaths of the city. A City Architect, as administrator, it would be appropriate to have that level of review.

D. Gayer: There is irony in proscriptive nature, requiring larger buildings to look like smaller, it might be better not to be too proscriptive.

J. Shannon: Do we have Q & A addressing what is the role of the DAB in FBC.

D. White: It is scheduled to be discussed.

E. Lee: The glazing conflicts with FBC and DPW should be resolved.

VII. Adjourn

7:40 pm.