



RUTLAND CITY PLANNING COMMISSION

City Hall – 52 Washington St. – Rutland, VT 05701
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Meeting Minutes September 8, 2021

The meeting was held in person and by teleconference because of the new COVID-19 protocols.

Present: Patrick Griffin (PG), Alvin Figiel (AF), Rebecca Mattis (RM) and Sarah Roy (SR).

Absent: Dave O'Brien (DO).

Also Present: Andrew Strniste Planning & Zoning Administrator, Brandy Saxton PlaceSense, Dave Cooper, John Ruggiero and Barbara Spaulding recording secretary.

RM, Chair, called the meeting to order at 5:30 pm.

- I. ADDITIONS/DELETIONS – None.**
- II. PUBLIC COMMENT – None.**
- III. APPROVAL OF MINUTES – September 1, 2021.**

AF moved to approve the minutes of September 1, 2021. PG seconded. Motion passed unanimously.

- IV. OLD BUSINESS – RM asked the Commission to set a time to discuss both topics under Old Business. AF suggested allotting 15 minutes to the SameSun discussion starting at 6:45 pm. The Commission agreed.**

Zoning Bylaws Rewrite issues remaining for resolution.

Brandy suggested focusing on the design standards for Architectural Review and what the Commission sees as the outcome to be achieved through this review. She set up a whiteboard and asked the Commission to go around and state what is important under the design piece for Architectural Review and Gateways. RM said she would like to see something user friendly, clear, fair that leads to a more attractive city. PG agreed and would like the ARC emphasis to be in the gateways closer to downtown. He said architectural review is less important the more stringent site plan standards are in the outer gateways. AF said he agrees with the proposed map depicting the ARC review in the gateway districts, closer to Downtown and Historic districts, as a sensible compromise. He also agrees that more stringent site plan standards that include landscaping, parking and things like that come into play where franchises and commercial architecture are being built. SR agreed with the need to change 4 and 7 into what Rutland is going to be moving forward.

Dave Cooper said he agrees with the need for good standards as described by RM for the ARC, but he is concerned that the existing committee which focuses on helping the applicant to improve their project without making it insurmountable, may not continue. He is interested in crafting the provision in a way that maintains the current approach even after the existing committee is no longer there. He would not want a group of architects, who may seek to impose further regulations, and make the process more harmful than helpful.

AF asked whether it was appropriate for laymen to serve on the ARC or whether it should be filled with design professionals. He recommends that as an advisory body to the DRB, who can accept or reject the ARC advice like legal or engineering advice, that the ARC be made up of professionals with design credentials such as architects, landscapers, landscape architects, historic preservationists and graphic designers who may reside outside the city.

Brandy asked what types of projects should be reviewed from every modification to a building or only new buildings or something in between. She said it could be different in each district. RM said she thinks most projects will be existing buildings with smaller businesses that will be making modification and she would like to see architectural review on all those buildings. She is worried about negative impacts but how else will gateways be changed. PG said when something new is built it should have architectural review and not just when there is a change of use. AF said any new building, any building undergoing exterior renovation or an addition and demolition of an existing historic commercial structure should be reviewed within all the districts where architectural review is applied. SR agreed on new buildings and renovations but asked why demolition. AF said it deserves some discussion and he discussed the demolition of Royal's Hearthside. He added that there is a National and State Historic Register that incorporates all of the City. Brandy said currently there are two roles of the architectural review, the historic preservation piece and the design piece that applies to non-historic buildings or buildings that have been altered and no longer meet the determination. She added that some communities focus their review on the secretary of interior standards for historic preservation as a second review process.

Dave Cooper said including architectural review for a change of use might disincentivized landlords to do so. He is also concerned about reviewing paint colors unless there are clear and defined standards for paint. If the ARC had advised the DRB not to demolish the Royal's Hearthside building, the Starbucks project may not have happened.

Brandy said generally architectural review is triggered by exterior modifications but, signage could also trigger the review.

Brandy asked the Commission about the composition of the Architectural Review Committee and whether it should be comprised of professionals and whether the review could be administrative. She said within the Designated Downtown there is a requirement for design review as laid out in statute but, in the gateways, there could be more flexibility to have an alternate processes. Andrew discussed the Downtown mixed-use

District in Fargo where there wasn't a committee to review any proposed exterior changes but, they did have regulatory standards for exterior modifications in an outline that staff could review for compliance. This alleviated any burdensome process for the applicant. PG said it would be difficult to compile a specific list for each district. Andrew said it could be looped in with site plan standards for DRB review on a major site plan. There would have to be an analysis on the differences in the corridors. AF said he wrote up a one-page criteria for each district that was general but recognized that there were dramatic architectural characteristics in each that should be reinforced. He added that there is never a perfect formula for each situation. Andrew recommended that this would be reserved for Route 7 and 4 corridors.

RM said likes the idea of the ARC being made up of professionals with some kind of experience that can be applied. She added that they might also come from outside the City if it meant having a professional on the committee. Brandy said the statute does allow for people who reside outside of the community but whose workplace is in the community to serve on these committees. PG agreed with Alvin and suggested that 3/5 of the committee be some kind of design professional.

Andrew distributed copies of a proposed §217. B Gateway Design Standards. Brandy said this is proposed language that could be added to the District Standards (Mixed Use and Business Districts) and applied to the Gateways as an alternative to the architectural review overlay districts for the gateways. It would also be an alternative to full blown architectural review of the gateways by including design and architectural standards to the site plan review. These would be guidance and standards for the DRB to review and would allow some control over what buildings would look like in the gateways. PG asked if this would eliminate all of §Section 234 in the district standards. Brandy said it would eliminate the overlay district as it applies to the gateways, but it would leave it for the downtown, so the city still complies with statute for their downtown designation.

Brandy further explained that the draft in §Section 230 has an architectural review overlay district with two parts, Designated Downtown and the Gateways. The review standards in the overlay district §Section 234 would be replaced by the proposed §217.B for the gateways. RM asked if the pictures in the overlay section would only be for the Downtown and §217.B would be all that applies for the gateways. Brandy said yes. AF said the proposed text for the gateways was taken from §Section 234 so what would be the advantage to getting rid of the pictures. Brandy said this is in response to Commission's request to split the chart in §Section 234 which would add 5 pages to the draft regulations with very little benefit. Brandy discussed the themes that ran through §Section 234 for gateways and how those were repeated in § Section 217.B. Andrew said this approach is like the approach taken in Fargo where the photos help the ARC's process and simplifies the gateways review by allowing projects to be reviewed administratively or with the DRB. The photos help the applicant have the conversation with the advisory committee and are not as important for administrative approval or a public hearing and site plan review. Brandy asked if Rutland has the capacity for the level of review over a larger area, at the level it should be done, and whether it makes sense to contract the focus of the ARC and use a simpler route to address the design concerns in the gateways. She said the proposed §217.B is a different way to deal with the regulatory

process and addresses the desired outcomes. RM asked if this would provide some design standards in the Gateways that are not subject to architectural review. Brandy said that could be a third option by keeping what was originally proposed in the map but using these standards for the outlying portions of the gateway districts which could easily be done by adding language in §230-234.

AF said the proposed map abbreviates the gateways in the ARC overlay and he feels this is manageable considering how many projects come before the ARC in the city and wouldn't be a burden. Brandy said it depends on where the bar is set and historically the ARC has not reviewed all projects in the proposed area. She said the question is whether if implemented how the workload would change for the ARC as well as the administrative component. The alternative option offered gives the Commission another way to get to the desired outcomes. The takeaway is there are options to address design and architectural issues outside of the downtown. AF feels the ARC could take on the workload now that the gateways have been reduced to where the buildings are more likely to involve historic preservation comments and concerns.

Brandy said if the Commission prefers the originally proposed she could reduce the complexity of the design standards by grouping some of the individual standards

Brandy said she is going to work with Andrew to create a next steps and work plan for the final meeting. AF suggested that Andrew ask the mayor for additional funds for Brandy's services in the future and he asked if she is available. Brandy said it is not impossible, but she thinks the Commission would benefit from time working alone with the draft and doing neighborhood walks. PG asked about the list of multi-unit housing in residential districts that Brandy sent to the Commission. He said it looked like they were in the R-5 or R-7 districts, and he was looking for R-10. Brandy confirmed all the multi-unit housing listed was in the R-10 district, there are no 3+-units in the Northeast neighborhood. The benefit of the list is to see what works best for a conversion and how they match what is on the ground.

SameSun of Vermont solar net metering project at 34 North Main Street.

RM referred to the aesthetic report that was distributed to the Commission after the last meeting and suggested responding to the list of positives in the study and adding the Commission's concerns in a letter to SameSun.

AF agreed with all the concerns the Commission has but also thinks the applicant has a reasonable idea that should be endorsed. SR asked if the properties are owned by one person why aren't they going into the vacant Walgreens parking lot and making the project bigger. She also shared her concerns of the non-accessibility of the site. RM said the City Engineer will review the traffic issues and make a report to the DRB.

Andrew suggested a letter to the PUC saying the project does not conform with the Master Plan. RM said it is a gamble to negate the proposed project when there is nothing else being developed for the site. PG said it is unlikely this site will ever be developed to its best use, but this will be the best it will be for a while. RM added that this might act as

a catalyst for other development in the area. Andrew said it sounds like the Commission has a reluctant yes for the proposed project and comments to the PUC would be irrelevant other than sharing the Commission's concerns as they relate to the Master Plan. RM asked if concerns nonrelated to the Master Plan should also be incorporated in the draft letter. Andrew said yes and he offered to review the draft letter.

PG moved to have RM draft a letter to SameSun and cc: PUC, RRA, Mayor, Board of Aldermen listing our support and discussing the Commission's concerns for the proposed project including a recommendation for egress through Walgreens. AF seconded. Motion was approved. RM said she would provide the draft letter within a week and asked Commissioners to get her their edits prior to the next meeting.

- V. **ADJOURN** – AF moved to adjourn. PG seconded. Motion passed unanimously. The meeting ended at 6:58 pm. The next regular meeting will be held September 23, 2021.

For the Commission: Barbara Spaulding, Recording Secretary