



RUTLAND CITY PLANNING COMMISSION

City Hall – 52 Washington St. – Rutland, VT 05701
Mailing Address: P. O. Box 969 – Rutland, VT 05702
Phone: 802-773-1800

Minutes June 23, 2021

The meeting was held by teleconference and in-person in the VISION conference room at the Rutland Police Department.

Present: Patrick Griffin (PG), Alvin Figiel (AF), Rebecca Mattis (RM), Sarah Roy (SR) and Dave O'Brien (DO).

Also Present: Andrew Strniste, Planning and Zoning Administrator, Brandy Saxton, Brennan Duffy, Dave Cooper, Aldermen Doenges and Neary, John Ruggiero and Barbara Spaulding, recording secretary.

RM, Chair, called the meeting to order at 5:35 pm.

- I. ADDITIONS/DELETIONS** – RM moved to add discussion of both the hybrid meeting style and scheduling a basic zoning concepts meeting under Old Business. DO seconded. Motion passed unanimously. DO asked if time limits should be added to the agenda. RM agreed it was a good idea when there is more than one item on the agenda for discussion.
- II. PUBLIC COMMENT** – None.
- III. APPROVAL OF MINUTES – June 9, 2021.**

AF moved to approve the minutes of June 9, 2021. RM seconded. Motion passed unanimously.
- IV. OLD BUSINESS –Draft Zoning Bylaws Review with Brandy Saxton.**

Brandy picked up the discussion with the Gateway and Architectural Review Overlay districts. She gave an overview of the proposed full draft of Chapter 2 which includes those districts and language. Brandy said the 2018 zoning draft consolidated 10 districts that included the Gateway Business districts, Main Street Park and Courthouse District into 2, Gateway Business (GB) and Gateway Mixed Use (GMU) with each having the predominant characteristics of the development that exists. The GB district is auto oriented built form with bigger lots and more commercial properties; while the GMU district has a more residential built form and discourages the further conversion to a more auto-oriented pattern but with flexibility to adapt the older buildings for different compatible uses. The GMU also serves as a buffer between the residential district and busier streets.

Brandy proposed contracting the Architectural Review Overlay district closer to Downtown. In this district there is an importance to quality design and materials.

Currently the districts included in Architectural Review are the Downtown Business District (DB), Courthouse, Main Street Park and all of the Gateway Districts. DO asked Brandy to clarify that the proposal is to reduce the area subject to Architectural Review. Brandy responded yes. Brennan added that Mayor Louras had discouraged Architectural Review outside of the DB district. DO said he would be reluctant to agree to reducing the Gateway Districts from Architectural Review. Brennan added that without standards it has been difficult to review outside of the historic districts. Alderman Doenges agreed that we need specific standards and guidelines for the Gateways to address design as do other towns around the country. Andrew said there are strategies to address the Gateways with beefing up the site plan standards or look at form-based codes without subjecting a large portion of the City to Architectural Review. AF asked why the sections from North and South Main Streets to the City limits have been removed from the design review district. Brandy said to bring the district closer to the Downtown core. She added that regardless of the practice, the current adopted ordinance states that all design control districts are subject to Architectural Review, but she doesn't think it makes sense to go out to the full extent of the Gateway Districts. The purpose of Architectural Review is around urban design issues and the relationship to Downtown and the preservation of buildings as built in the core. She continued that the further away from the core the more it makes sense to use the site plan standards. Alderman Neary spoke in favor of reducing the Architectural Review Overlay district as he is concerned with implementing something abutting Rutland Town which has a different character. He cited a 2015 Strongs and West Street Gateway Plan that recommends what to include in a bylaw revision including walkability, lighting and trees in the built environment. He said specifics are important while still allowing for flexibility but focusing on the core closer to Downtown. Brennan said the proposal makes sense to him but asked about the residential "island." Brandy explained that the island is residentially zoned and was never in the review district because the overlay district was built off the downtown and gateway districts. It could be added to design review because it has a fair number of historic homes or those homes could be exempt from review. Brennan did not think it should be considered in the Gateway. AF said it is a registered historic district.

Brandy said there are a lot of administrative boundaries in the Downtown that do not align and especially the new sign districts should line up with the boundaries of the Overlay area.

Brandy reviewed the GMU Dimensional Standards and how a building in excess of 55 ft. or 4 stories would be prohibited, as well as, larger than 9,000 sq. ft. maximum building footprint on the ground. AF said the proposed standards duplicate the residential scale currently in the district with a little extra. Brandy said these limits create a scale that is compatible with what exists. Brennan asked why the City would discourage investment in the GMU larger than 9,000 sq. ft. and cited Sheldon Towers as an example. Brandy said there are exemptions such as schools, community facilities or hospitals which are allowed by VT state statute and waivers would only allow for an additional 200 sq. ft. She added that there is a minimum footprint for a 4-story multi-unit building that is typically being built in Vermont and they tend to be large enough for under building parking which gets closer to the 11,000 sq. ft. which is allowed in the Gateway Business District. There is a change in the building code for a 5th story that presents a cost

challenge. AF said that allowing for a larger footprint in GMU would drastically change the character of the district and there are other locations throughout the City where something like Sheldon Towers could be constructed. Brandy said there are techniques to mitigate the look of taller buildings in respect to the built environment.

PG asked whether the gaps in the proposed GMU and GB districts could be considered "spot zoning" and the impact if the uses for both districts were combined. Brandy explained that it is a policy issue for the City to either re-zone it to not be an auto oriented zone with change over time, or reflect what is currently there with the belief that the use will continue as an auto-oriented corridor. Dave Cooper asked if a larger footprint building could be located in any district other than in the Industrial District. Brandy said there is not a foot print limit in the Downtown, Neighborhood Business, Industrial or Gateway Business District. The foot print limits are in the two mixed use and residential districts. DO asked why the Gateway Business District includes residential. Brandy said that is another policy choice because residential units exist currently and provides the ability for multi-unit housing without worries about impacts to the neighborhood, and the area is served by transit. The City could decide to make it just for commercial.

Brandy continued with regard to the Gateway Mixed-Use uses saying that some things are mandated by Vermont Statute. Dave Cooper asked if retail store is a conditional use in the Gateway Districts. Brandy said currently it shows up in some gateway districts and not others. Brennan asked about §217.A (1) which prohibits new 1-2-unit residences in the DB and Gateway Business districts. Brandy said new 1-2-unit residences are not allowed because they are not an efficient use of the district but does accommodate for existing residences. DO said there is some ambiguity with regard to §216. Brennan added that 1-2-unit residences are allowed in the GMU. Brandy discussed §217.A (3) in relation to GMU as a typical provision to continue mixed residential use if it previously existed by requiring at least 1 dwelling unit on the property. Dave Cooper said A (3) is a bizarre provision and one of those provisions that is a "gotcha" provision and gave an example. He found a lot of those type provisions throughout the document and feels it is an organizational issue. AF agreed. Brennan said it is too restrictive to personal property. Alderman Doenges agreed that it is too restrictive and proposed striking 217.A(3) and the majority agreed. There was consensus to keep 217.A (2) that prohibits residences on the ground level in the DB district.

Brandy suggested picking up with Gateway Business District and the Architectural Review Overlay district at the next meeting. Brandy also had Andrew distribute Chapter 3 Development Standards which includes the site plan standards and specific use standards. She encouraged the group to think creatively through those standards.

In-person/Hybrid Meeting.

RM asked the Commission and Advisory Group if they should continue to meet both online and in-person in the VISION conference room as long as needed. SR suggested using the teleconference phone instead of the screen. The consensus was to continue to hold the hybrid meeting.

Working Meeting.

RM asked who would be interested in either a walking tour of the districts and/or a Zoning 101 workshop with Andrew. The consensus was that there was interest in both and RM would create either a Doodle poll or email suggested times to get together. Discussion continued regarding the deadline for the draft zoning bylaws. Alderman Doenges said there will be a draft to satisfy the grant but that additional work on the zoning bylaws will continue and that funding for Brandy's continued services will be sought.

- V. **ADJOURN** – DO moved to adjourn. AF seconded. Motion passed unanimously. The meeting ended at 7:09 pm. The next meeting will be held July 14, 2021.

For the Commission: Barbara Spaulding, Recording Secretary