

## Burlington Planning Commission

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Vacant, Youth Member



## Burlington Planning Commission

### REGULAR MEETING

Tuesday, January 14, 2014 - 6:30 P.M.

Conference Room #12, Ground Floor, City Hall, 149 Church Street

### AGENDA

Note: times given are  
approximate unless  
otherwise noted.

I. Agenda

II. Public Forum - Time Certain: 6:35 pm

The Public Forum is an opportunity for any member of the public to address the Commission on any relevant issue.

III. Report of the Chair (5 min) – Yves Bradley, Chair

IV. Report of the Director (5 min) – David E. White, Director

V. Public Hearing: ZA-14-07 (30 min) – Time Certain 7pm

The Commission will hold a public hearing on the following proposed amendment to the Comprehensive Development Ordinance:

- **ZA-14-07 – Residential Off-Street Parking Standards** - To change parking requirements calculations for residential uses, basing the calculation on the number of bedrooms instead of units. The change is intended to increase the affordability of housing units by reducing the required parking requirements in downtown and the shared parking districts, as well as incentivizing the creation of smaller units.

VI. Bike Parking Working Group Presentation (30 min)

The Commission will hear a presentation from the Bike Parking Working Group regarding possible changes to the parking requirements of the Comprehensive Development Ordinance.

VII. Form-Based Code Update (15 min)

VIII. Committee Reports (5 min)

*This agenda is available in alternative media forms for people with disabilities. Individuals with disabilities who require assistance or special arrangements to participate in programs and activities of the Dept. of Planning & Zoning are encouraged to contact the Dept. at least 72 hours in advance so that proper accommodations can be arranged. For information, call 865-7188 (865-7144 TTY). Written comments may be directed to the Planning Commission at 149 Church Street, Burlington, VT 05401.*

IX. Commissioner Items (5 min)

X. Minutes/Communications (2 min)

The Commission will review minutes from the November 26 and December 10, 2013 meetings.

XI. Adjourn (8:00 p .m.)

# ***Burlington Comprehensive Development Ordinance***

## **PROPOSED: ZA-14-07-Residential Parking Standards**

*As warned by the Planning Commission for public hearing on January 14, 2014*

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

Purpose: Change parking requirements calculations for residential uses, basing the calculation on the number of bedrooms instead of units. The change is intended to increase the affordability of housing units by reducing the required parking requirements in downtown and the shared parking districts, as well as incentivizing the creation of smaller units.

### **Sec. 8.1.3 Parking Districts**

The demand for parking is highly dependent on the context within which a given use or structure is located. Factors such as proximity to other related uses, availability of public transportation, the density of land uses, and the ability to share parking with nearby uses are all factors which influence the demand for individual and dedicated off-site parking. For the purposes of this Article, the following three (3) Parking Districts as illustrated in Map 8.1.3-1 are hereby created:

#### **(a) Neighborhood Parking District:**

This parking district establishes the baseline of parking requirements throughout the city where the demand for offsite parking is largely dependent on the needs and characteristics of an individual site or land use.

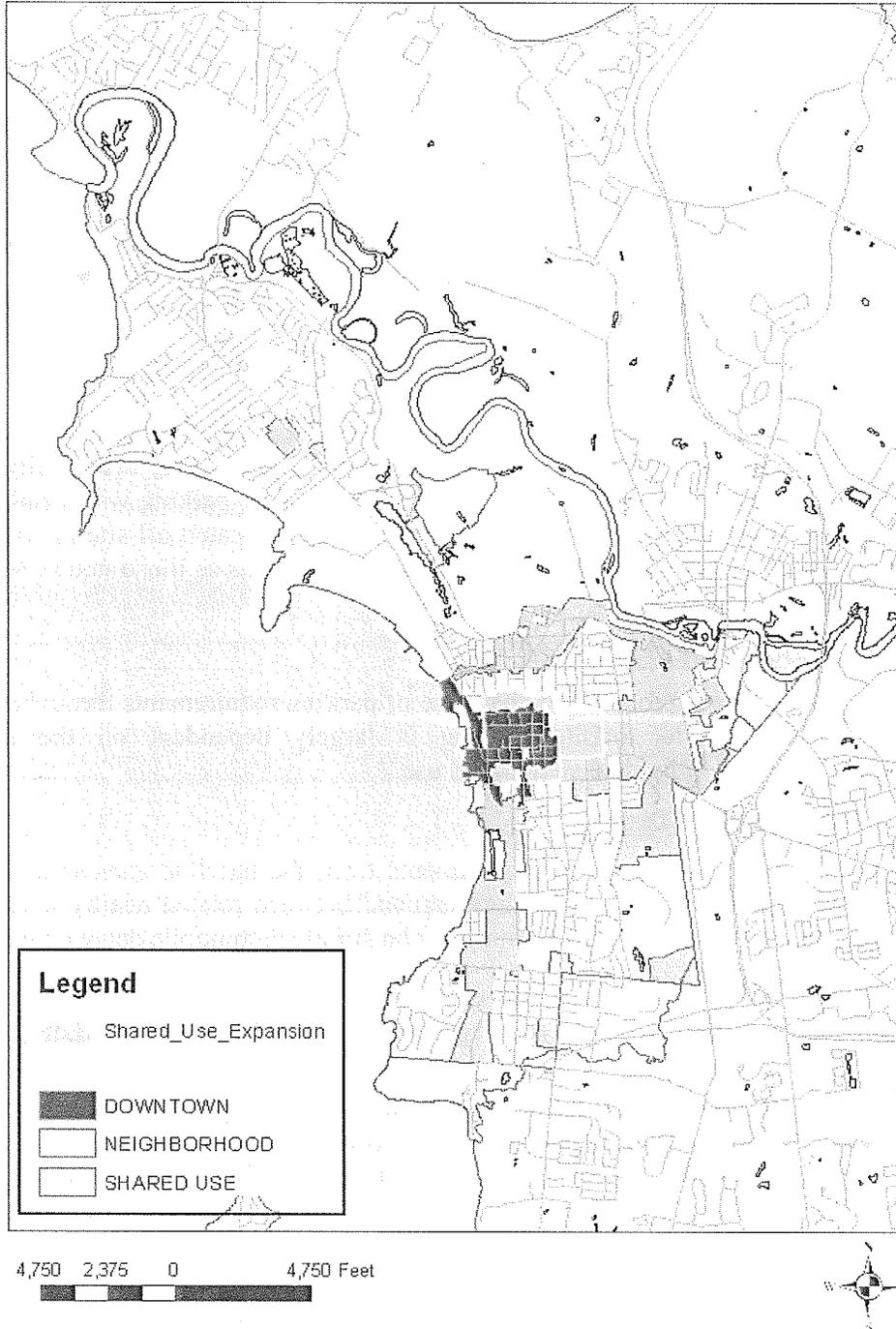
#### **(b) Shared Use Parking District:**

This parking district reduces the requirements from the baseline standards recognizing that opportunities exist to share parking demand between related nearby land uses, and that travel to and between these uses may not be strictly automobile dependent.

#### **(c) Downtown Parking District:**

This parking district further reduces the requirements from the baseline standards recognizing that extensive sharing of parking demand between nearby land uses occurs; that a majority of travel to and between land uses is independent from an automobile; and that an array of public parking facilities and frequent transit service greatly reduces the need for independent parking for individual land uses.

# Burlington Comprehensive Development Ordinance Parking Districts



Map 8.1.3 - 1 Parking Districts

**Sec. 8.1.4 Existing Structures**

Any structure or land use lawfully in existence prior to the adoption of this ordinance shall not be subject to the requirements of this Article as long as the kind or extent of use is not changed, and provided further that any parking facilities now serving such structures shall not in the future be reduced below such requirements. In the event that the kind or extent of use is changed, current parking requirements shall apply if the change results in a greater parking requirement than existing.

**Sec. 8.1.8 Minimum Off-Street Parking Requirements**

Parking for all uses and structures shall be provided in accordance with Table 8.1.8-1.

- (a) Where no requirement is designated and the use is not comparable to any of the listed uses, parking requirements shall be determined by the DRB upon recommendation by the administrative officer based upon the capacity of the facility and its associated uses.
- (b) When the calculation yields a fractional number of required spaces, the number of spaces shall be rounded to the nearest whole number.

Table 8.1.8-1 Minimum Off-Street Parking Requirements		
	Neighborhood Districts	Shared Use Districts
<b>RESIDENTIAL USES</b>	<b>Per Dwelling Unit except as noted</b>	
Multi-unit attached dwelling units, studio units or 1-bedroom dwelling unit.	2	1
Single Family detached and Duplex	2	2
Studio/1 Bedroom	1	0.33
2 Bedrooms	2	1
3 Bedrooms	2	1.5
4 Bedrooms	2	2
5+ Bedrooms <sup>1</sup>	2	3 + 1 per additional bedroom >5
<b>RESIDENTIAL USES - SPECIAL</b>	<b>Per Dwelling Unit except as noted</b>	

<sup>1</sup> 1 parking space per additional bedroom shall not apply to an affordable housing unit or a dwelling unit occupied by a family as either are defined in Article 13: Definitions.



## MEMORANDUM

**To:** City of Burlington Planning Commission  
**From:** Bike Parking Working Group  
**Date:** January 14, 2013  
**RE:** On-Site Bike Parking Requirements



The purpose of this memo is to provide the Planning Commission with an overview of issues related to zoning code requirements for bicycle parking and offer some recommendations for next steps. We hope that this discussion will be a useful addition to the ongoing reconsideration of the City's approach to parking generally.



Burlington is in the process of a comprehensive review and action on its parking regulations based on information gathered as part of the Plan BTV process. At the same time, the City has made a strong commitment to "Go For Gold" and achieve gold-level bicycle friendly community status. Given this context, it is an apt time to review bicycle parking. Burlington first adopted bicycle parking standards in 2008, and the Association of Pedestrian and Bicycle Professionals (APBP) recommends that communities review bicycle parking standards every five years.

We compare Burlington's requirements to those of three "gold level bicycle friendly" cities somewhat similar in either size or character and with APBP recommendations. The cities that we looked at include:

- Corvallis, Oregon (2012 pop: 54,663)
- Cambridge, Massachusetts (2012 pop: 106,456)
- Missoula, Montana (2012 pop: 68,386)

This memo specifically addresses *on-site bicycle parking* and excludes *bicycle parking in the right-of-way*. Both types are important, and represent different transportation needs. On-site bike parking includes *short term* and *long term* parking types, and is applied as part of the development process and governed by standards in Article 8 of the zoning regulations. Bike parking in the "right of way" refers to bike racks and corrals that are in the street right-of-way and installed and maintained in areas governed by public works.

### **Biking on the Rise In Burlington**

The number of people who get around by bike in Burlington is on the rise. Burlington's bicycle mode share increased significantly between 2007 (2.9%) and 2008 (4.0%). This reflected a national "Bike Boom" where mode shift occurred, among other things, as a result of the overall economic downturn. As shown below, this trend has been sustained even though economic recovery has occurred.

## On-Site Bicycle Parking Requirements

Bicycle Commuting Data			
	2010	2012	Change
Burlington	4.1%	5.5%	1.4%
BTV Metro Area	1.3%	1.5%	0.2%
Corvallis	10.6%	12.3%	1.7%
Cambridge	7.1%	6.9%	-0.2%
Missoula	6.0%	5.9%	-0.1%

Source: American Community Survey – S0801

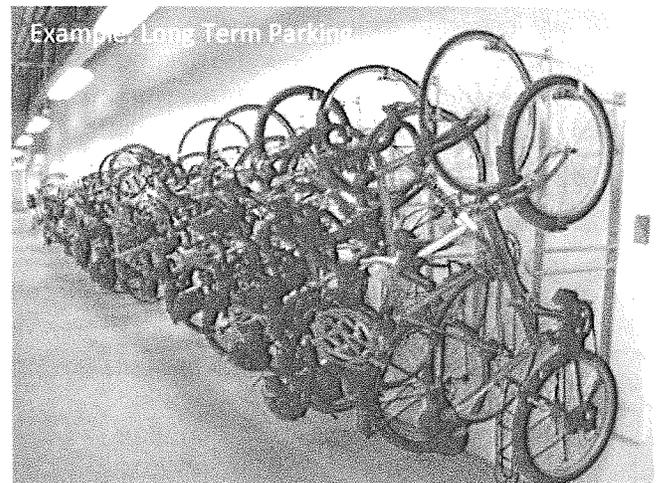
### Supporting Biking is Essential to Burlington's Future

Providing adequate and well-located *short term* and *long term* bike parking is a key to creating a more sustainable city. Having a place to safely leave one's bicycle upon reaching a destination for the *short term* encourages more people to use bikes for short trips; to ride to the store, a restaurant, school or a friend's house. Providing secure, long term parking encourages employees to ride to work. In Burlington, ample anecdotal evidence indicates that there is often a shortage of bike parking available, necessitating riders to lock their bikes to signs and parking meters (see photo on first page). While more bike racks and bike corrals are being installed in the right of way, it is only part of the overall need...

*Short term bicycle parking* is typically located outdoors, within convenient access to (approximately 50 feet) a building's main entrance for visitors to the site. *Long term bicycle parking* is typically meant to serve employees or residents at the site that need more secure, overnight or off-season parking options with a higher level of protection from theft and inclement weather. Long term bicycle parking is often located indoors in a bike storage room but can also be located outdoors in a secure space such as a gated corral or lockers.

### Bikes Are Good for Business

There is more and more data to support the assertion that *bikes are good for business*. While the Burlington is not currently collecting data about business owners' perception of or desire for bike parking, BBA and CEDO have offered anecdotal evidence that businesses would like more of it. Furthermore, according to the 2012 study "Economic Impact of Walking and Biking in Vermont," bicycling and walking support over 1,400 jobs and adds more than \$80 million annually in economic activity statewide.



## On-Site Bicycle Parking Requirements

Nationally, recent studies in New York City and Seattle show that businesses benefit from the installation of bike lanes along the corridors where they are installed, *even if automobile parking spaces are removed to accommodate them*. When a road diet including 160 new bike parking spaces was recently implemented on Magnolia Street in Ft. Worth, TX total restaurant revenues increased by 179%. This is significant, as the North Avenue and Pine Street corridors are currently being rethought in Burlington. Special consideration should be given to making these corridors especially bike friendly as both are the right distance from downtown to make biking an ideal transportation choice. Providing abundant bike parking is just one way to do this.

In addition, a 2013 study of consumer spending by mode share in Portland, Oregon showed two interesting findings. The first is that bicyclists and pedestrians are competitive consumers, meaning that bicyclists, pedestrians and transit users spent more on average per month than those who drive (for all surveyed business types except for supermarkets). The second is that the built environment matters in predicting mode share: the more bike parking and bike corrals located at an establishment, the more patrons arrived by bicycle.



Finally, a 2008 master's thesis in Melbourne, Australia, looked at parking equity for bikes and automobiles. Given that a parked car takes up roughly the same space as six parked bikes, the report postulates that it would be economically beneficial to reallocate parking spaces from cars to bicycles. This conclusion was reached by estimating that parking for one automobile generates \$27 of economic activity per hour, whereas parking for six bikes generate \$97 per hour.

The above information is all food for thought as we consider bicycle parking in Burlington. The conclusion is that bikes are good for business, and that many consumers consider bike parking to be an amenity. Bicycles (and bike parking) should be an integral part of our planning and economic development strategy – as we consider redevelopment of our corridors and elsewhere, it is essential that bike parking is provided as part of new development and triggered by remodeling, expansions, and changes in use.

The following are some recommendations for next steps that Planning Commission could direct the working group to pursue. The table on the next pages provides specific information comparing bike parking requirements of Burlington and three "gold level bicycle friendly cities."

### Findings and Recommendations:

- 1. Review zoning code requirements for minimum bicycle parking:** Burlington's minimum on-site bike parking requirements are significantly lower than the "gold level" bike friendly communities that we reviewed in most categories, including residential, commercial and civic uses. We recommend that city review existing requirements *for all uses* and consider increasing the minimum zoning code requirements.

## On-Site Bicycle Parking Requirements

- 2. Review zoning code applicability for bike parking requirements:** The current threshold for triggering bicycle parking requirements for changes in use and for expansions to existing development is quite high (double that of comparison communities). The effect is that bicycle parking often is not required for major building additions or when a building is converted to lofts from a warehouse, for example.
- 3. Investigate how zoning code incentives could encourage more bike parking:** Other cities allow for bicycle parking to replace a small amount of the minimum required motor vehicle spaces on site (sometimes up to 10%) This would encourage property owners to increase the amount of bicycle parking on site above the minimum requirement.
- 4. Continue to work with the business community.** The city should continue its work with the business community to provide information about the economic benefits of biking and walking. Planning & Zoning, CEDO, BBA, and community partners should work together to collect information about patrons' mode share, bicycle parking needs and other bicycle related data.
- 5. Continue to explore opportunities for bicycle parking outside of zoning code requirements.** Work with partners including the BWBC and Local Motion to develop more bicycle parking opportunities citywide through bike parking and corrals in the right of way, bicycle transit hubs, and secure bicycle parking, and bicycle friendly business districts.

On-Site Bicycle Parking Requirements

Comparison of Bike Parking Requirements

\*\*Note: Corvallis combines short and long term bicycle parking requirements and states that 50% be covered.

Burlington		Comparisons		Comments
Minimum Bike Parking Spaces				
Short Term Bicycle Parking				
<i>Retail</i>	1 space per 5000 s.f.	<ul style="list-style-type: none"> <li>Cambridge: 0.6 spaces per 1,000 s.f</li> <li>Corvallis: 1 space per 400 s.f.</li> <li>Missoula: 1 space per 10 vehicle parking spaces (2 space minimum)</li> <li>APBP recommendation: 1 space per 2,000 s.f. of floor area for general food sales and groceries</li> <li>APBP recommendation: 1 space per 5,000 s.f. for general retail.</li> </ul>	<p>Cambridge requires 3x as many short term bike spaces for retail.</p> <p>Missoula requires 10% of vehicle parking to be bicycle parking.</p>	
Restaurants and Bars	6% of occupancy load	<ul style="list-style-type: none"> <li>Corvallis: 1 space per 4 fixed seats and 1 per 50 s.f. with no fixed seats</li> </ul>	Different measures	
<i>Single Family attached</i>	Exempt	<ul style="list-style-type: none"> <li>Corvallis: 1 or more space per d.u.</li> </ul>		
<i>Multi family</i>	1 space per 10 units	<ul style="list-style-type: none"> <li>Corvallis: 1 to 4 spaces per d.u. (depending on the number of bedrooms)</li> <li>Missoula: 1 per 5 dwelling units - min 2 spaces</li> <li>APBP standards: 0.1 spaces per bedroom with a minimum of 2 spaces</li> </ul>	Missoula requires 2x the bike parking for multifamily as BTV	
<i>Religious</i>	1 space per 40 seats	<ul style="list-style-type: none"> <li>Corvallis: 1 per 4 fixed seats</li> <li>Missoula: 1 space per 10 mv parking spaces - 2 spaces minimum</li> </ul>	Local Motion has had lots of interest from churches for bike racks.	
<i>Elementary School</i>	2 spaces per classroom (elem)	<ul style="list-style-type: none"> <li>Corvallis: 8 spaces per classroom</li> </ul>	2011-12 enrollment:	

On-Site Bicycle Parking Requirements

Burlington		Comparisons	Comments
	4 spaces per classroom (middle)	<ul style="list-style-type: none"> <li>APBP recommendations: 1.5 spaces per 20 students of planned capacity.</li> </ul>	IAA: 296 (22 spaces) SA: 204 Edmunds Elem: 350
<i>College and universities</i>	3 spaces per 5,000 SF (excluding dormitories)	<ul style="list-style-type: none"> <li>Missoula: 1 per 10 motor vehicle spaces; 2 spaces min.</li> <li>Corvallis: 6 per classroom</li> <li>APBP recommendations: 1 space per 10 students of planned capacity</li> </ul>	Three different calculations UVM has approximately 11,000 FTE students (1,100 spaces)
<i>Parking</i>	5% of mv parking spaces	<ul style="list-style-type: none"> <li>Corvallis: For all civic, commercial and industrial use types requires min bike parking to be 10% of vehicle parking, or 2 spaces, whichever is greater (unless noted otherwise).</li> <li>APBP Recommendation: 6 spaces or 10% of vehicle parking spaces</li> </ul>	Burlington's requirement is half that of the APBP recommendation.
<b>Long Term Bicycle Parking</b>			
<i>Multi-family</i>	1 space per 4 d.u. (or .25 spaces per unit)	<ul style="list-style-type: none"> <li>Cambridge: at least 1 space per 1 d.u.</li> <li>APBP recommendation: 0.05 spaces per bedroom and a minimum of 2 spaces.</li> </ul>	Cambridge requires 4x (long term) bike parking as BTV for MFR
<i>Retail</i>	1 space per 20,000 sf	<ul style="list-style-type: none"> <li>Missoula: 1 space per 5 employees (1 min)</li> <li>APBP recommendation: 1 space per 10,000 s.f.</li> </ul>	Different calculation but APBP minimum is double that of Burlington
<i>Restaurants and bars</i>	1 space per 10 employees	see above	Missoula requires 2x long term
<b>Location</b>			

On-Site Bicycle Parking Requirements

Burlington	Comparisons	Comments
<ul style="list-style-type: none"> <li>Burlington has no requirement for location of bike parking, only that it must be "as convenient to cyclists as auto spaces". Bike Parking Guidelines are not clear and objective.</li> <li>Burlington has no Minimum dimensional and access standards</li> </ul>	<ul style="list-style-type: none"> <li>In Corvallis 15% of required spaces are to be "shared" that is, available for use by anyone. The rest can be located inside the building.</li> <li>Missoula: 50% short term spaces must be located within 50-ft. of main entrance and the rest within 100-ft.</li> <li>For minimum dimensional and access standards see Cambridge and Corvallis</li> </ul>	<p>The city should mandate a clear and objective standard for the location of short term parking (such as "within 50-ft. of a pedestrian entrance."</p>
<b>Applicability</b>		
<ul style="list-style-type: none"> <li>Bike parking requirements apply to new development (SFR and duplex are exempt).</li> <li><i>Also exempt: changes in use and expansions where the proposal requires &lt;4 additional bike parking spaces.</i></li> </ul>	<ul style="list-style-type: none"> <li>Cambridge and Corvallis have much broader applicability for bike parking in general.</li> <li>Corvallis only exempts single family detached.</li> <li>Standard for exemption from new bike parking in Cambridge and Corvallis is where &lt;2 spaces are required.</li> </ul>	<ul style="list-style-type: none"> <li>Current regulations only require significant expansions and changes in use to put in bike parking (20,000 s.f. for retail or 40 units for residential).</li> <li>Twice as easy for expansions and changes in use to be exempt from bike parking requirement in BTV than in Cambridge and Corvallis.</li> </ul>
<b>Flexibility</b>		
<ul style="list-style-type: none"> <li>Allows waivers by DRB approval</li> <li>Allows joint use for bike parking</li> <li>No flexibility with long term/short term spaces</li> </ul>	<ul style="list-style-type: none"> <li>Cambridge: Some required long term spaces can be designed as short term spaces.</li> </ul>	<p>Waivers and joint use do nothing to incentivize or increase bike parking.</p>
<b>Incentives</b>		
<p>Burlington has no zoning incentives to encourage properties to provide more than the minimum amount of bike parking (outside of the city bike rack</p>	<ul style="list-style-type: none"> <li>Corvallis allows up to a 10% reduction of automobile parking with the provision of bike parking (4-8 bike spaces = 1 parking space)</li> </ul>	<p>Burlington should allow incentives to encourage properties to increase the amount of bike parking through reductions in minimum required vehicle</p>

On-Site Bicycle Parking Requirements

Burlington		Comparisons	Comments
	program).	<ul style="list-style-type: none"> <li>Cambridge allows for substituting 5 additional bike spaces for 1 required mv parking space</li> </ul>	<ul style="list-style-type: none"> <li>parking.</li> </ul>
<b>Installation</b>			
	<ul style="list-style-type: none"> <li>Proper installation in BTV is an issue</li> <li>Consistency in rack type and design</li> <li>Indoor long term parking is defined as an "alternative facility" in bike parking guidelines.</li> </ul>		<ul style="list-style-type: none"> <li>See City Hall Park photo</li> <li>Indoor parking is one of the most useful applications for long term bike parking and should be encouraged.</li> </ul>

# Burlington Form-Based Code

## *Timeframe for completion & Public Process*

January 30, 2014	Discussion Draft (P&Z version) ready to be submitted to HUD for grant closing purposes
February-March 2014	Internal Staff Review with P&Z, Attorneys, DPW, Parks, Mayor's Office, CEDO Think Tank Review (beginning mid-February)  Planning Commissioners see this DRAFT.
March 2014	Public process – mostly for education purposes – Visit to: <ul style="list-style-type: none"><li>• Neighborhood Planning Assemblies</li><li>• Burlington Business Association</li><li>• Chamber of Commerce</li><li>• Other groups as needed</li></ul> Public meetings at City Hall or other locations
April-May 2014	Public Final Draft available (TPUDC version) Planning Commission and City Council Education & Review
Summer 2014	Adoption



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## Burlington Planning Commission Minutes

Tuesday, November 26, 2013 - 6:30 pm

**PC Present:** L. Buffinton, H. Roen, J. Wallace-Brodeur, Y. Bradley, B. Baker

**Absent:** A. Montroll, E. Lee

**Staff:** D. White, S. Thibault, E. Tillotson

### I. Agenda

No changes.

### II. Public Forum

Y. Bradley – Opened the public forum at 6:34 pm.

J. Hyman: Vermont Community Garden Network, addresses the Planning Commission on the subject of the urban agriculture task force report. Thanks to the Planning Commission and Zoning Staff. Since this has been finished, she believes it should rise to the top of the pile. The Urban Agriculture Task Force report was approved a year ago and the next step is to get these approved plans into action. Action takes time and the higher priority issues are pertinent for the next planting season. She will be meeting with S. Gustin, Senior Planner, and would like to speed up the process a little.

H. Roen: Is glad J. Hyman is here. He has reminded the Commission that the urban agriculture work should be a priority. Some of the more simple changes should be straight forward and possible to incorporate quickly into the ordinance. Is the Ordinance Committee the next step?

D. White: Staff has gone over issues that fall into the zoning basket. There might be some issues where small modifications are needed, and he would like to flesh out ideas. He has shared emails with J. Hyman and others from the task force. S. Gustin will now have time to work with them since the Open Space plan is done. The Zoning staff is very interested; it has just been very busy in the office.

H. Roen: So first to S. Gustin and then the Ordinance Committee.

J. Hyman: She does appreciate the time and the care invested.

Y. Bradley – Closed the public forum at 6:39 pm.

### III. Report of the Chair

The Chair presented the following report:

- He wishes to highlight the work that D. White and S. Thibault have done on the FBC (form based code) workshops reaching out to professionals and other members of the public. Input has been rather good, there has been some push back, and it has been a good process.
- He wishes to thank the Commissioners such as H. Roen, who have made it a point to share emails, etc. with all of the Planning Commission members as well as D. White and S. Thibault who have done the same. It results in a better Commission and better group functioning.

*As approved by the Burlington Planning Commission on, 2013.*

- He wishes to inform the Commission that as a trustee of Burlington College, he will recuse himself when there is discussion of the college master plan.

#### IV. Report of the Director

The director presented the following report:

- There will be one more set of meetings with the think tank and staff group on FBC. It has been very useful to the Zoning Staff to have feedback. Some items may not go forward, they may be too onerous or buried in other portions of the code.
- Last week, Dan Burden was here in conjunction with the AARP office to discuss the North Avenue study.
- The Downtown Parking amendment is on the City Council Ordinance Committee agenda for next week and he will be present for discussion.
- There is a meeting next week to discuss bike parking requirements.
- December 11 will be a discussion of the Railyard Enterprise Project in the Enterprise Zone which will be a vetting process for alternatives.
- The first quarter of FY 14 has just ended, but the City CFO has just asked for expectations for next year, including an honest assessment of needs.

J. Wallace-Brodeur: She appreciates that the Planning & Zoning staff was at the North Avenue/Dan Burden presentation, it was very helpful, especially comments about the shopping center.

L. Buffinton: Will there be a vehicle for regular public input for the North Avenue project?

S. Thibault: She is on the steering committee, and is aware that there will be more public meetings in January and at that time alternatives will be examined. There will be one or more public meetings and there is work presently under way on a web tool for public comment. She can ask that the transportation consultants or staff come to the Planning Commission when further work is done.

J. Wallace-Brodeur: A transportation corridor can transform a neighborhood according to the consultant. This is an opportunity and she hopes the neighborhood embraces it.

L. Buffinton: What is the scope of the project?

S. Thibault: From North Street to Plattsburg Avenue, it includes most of North Avenue.

#### V. Public Hearing: ZA-14-05 & ZA-14-06

##### **ZA-14-05 – Neighborhood Mixed-Use (NMU) District Boundary Adjustment**

D. White: This is a proposed amendment to expand the NMU zone on Bright Street which will amend the zoning map and change the parking district map as well. The proposed redevelopment plan presently has a setback requirement which cuts the parcel in half and the proposed amendment will change the setback.

Y. Bradley: This is promoting what we have been espousing which is to develop fully to maximum density.

D. White: It was his recommendation to the applicant to ask for this amendment because it makes sense.

**On a motion by B. Baker, seconded by H. Roen, the Commission unanimously approved ZA-14-05 and sent to City Council for adoption.**

B. Baker arrives, 7:01pm.

*As approved by the Burlington Planning Commission on , 2013.*

**ZA-14-06 – Parking requirements for cafes in Shared Use District**

D. White: This is the proposal to remove the parking requirements for cafes in the shared use parking district.

H. Roen: This is the Enterprise zone? Pine street primarily?

Y. Bradley: There areas where large number of employees work and where the City wants to encourage cafes and other services.

**On a motion by Y. Bradley, seconded by L. Buffinton, the Commission unanimously approved ZA-14-06 and sent to City Council for adoption.**

**VI. Burlington College Master Plan**

Y. Bradley recused himself for discussion on this item as he is a board member for Burlington College.

C. Plunkett, President of Burlington College announces that the presentation will be E. Farrell's show tonight. Burlington College is fine and growing; this process began nine months ago with Truex Cullins, represented by Richard Dean, engaged on the project. Architect Dean interviewed staff, alumni, and numerous others in an attempt to be sensitive to the historic elements of this ten million dollar purchase.

Some of the suggestions were extremes, 30 high end single family homes, and the college for instance. But this did not fit the mission of the college which is to have mixed family housing, so they looked for a partner. Five developers came forward. The College did not want to sell the land and walk away. Three developers remained engaged and presented their plans to trustees. The College Board of Trustees decided to enter into partnership with E. Farrell. In the wooded area behind their large building, they were looking for development where residents are naturally involved with the college. They looked at examples from the rest of the country, of which there were really vibrant examples. The College is now closely associated with the City high school also.

E. Farrell: Early in their conversations, it became obvious that the College needed to generate a ton of income to grow the college which would not work with a traditional deal, so there was need for great collaboration. The College needs to receive the lions' share of benefit. He has been doing business with nonprofits for twenty years and pieces of this proposal here are similar, and also have some similarity to the project which he is now working on with 22 individual lots. The developed plan will incorporate dorms, parking, single family homes, public walkway, a lakeside pavilion, outdoor amphitheater, a college green, a student center with library, maintenance building, sustainable agriculture facility with agricultural fields, and other attributes. They decided that they would put forth a plan that best utilized the space, ignoring present zoning, and deal with that later if it was an issue. The focus was to find a plan to use the 32.5 acres that would be good for the complete community.

B. Baker: This is conceptual and there will be further discussion.

E. Farrell: He is looking forward to going to the Technical Review Committee for feedback.

C. Plunkett: The College is always open to visitors any time.

D. White: This is an opening conversation. At purchase, the college campus was not zoned for institutional. He agrees that the premise to think of this as what makes the most sense, how does zoning accommodate the need.

J. Wallace-Brodeur: This development will add a lot of people in the neighborhood, we need to think how to structure activity around this area, little commercial, café, food, how to potentially accommodate and to provide for the larger neighborhood.

C. Plunkett: They have already been in conversation with persons would like to open a café, an artist space, and lots of public venues.

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J. Wallace-Brodeur: There is a lot of potential, perhaps it needs to be thought of more broadly than just institutional. Another question, the main building is gorgeous, how are the new buildings designs going to relate to the current ones?

C. Plunkett: There will be market rate apartments, there has to be a partnership, design in keeping with the present architectural style. They expect to maintain the historic aspect of the orphanage building; the improvements must be conducive to the orphanage building. The proposed pavilion building will provide for many public activities and should be a striking public space.

H. Roen: The public path, if it is now proposed to be controlled by the homeowners association, he would like there to be an easement or right of way.

E. Farrell: That is a two edged sword and he would be reluctant to give up control to the city. There will be a considerable investment in the built environment and there will be a need to control behavior on the path.

H. Roen: How would that be different? It is his understanding that the field has had much of its soil surface removed.

L. Buffinton: Expresses thanks to the College for not selling off the property for mansions. As a neighbor, she does use the path to the beach and appreciates the access.

E. Farrell: The rules are not made for people who are well behaved.

L. Buffinton: Would encourage looking at the big picture considering housing, use, density, and height changes. She urges consideration of the building proposed to be demolished.

E. Farrell: He would hesitate to say unequivocally that he would not move the house, but it is not sitting in the right spot and will involve a Herculean effort to retain the original structure.

L. Buffinton: Perhaps it could be incorporated in the proposed housing.

S. Thibault: Her first reaction, since this is a part of the North Avenue Corridor, presently the subject of an ongoing study, is that there should be more street presence along North Avenue, and perhaps that could be fleshed out a little more. She would love to see the proposed buildings closer to the street.

E. Farrell: Our thought would be that the two larger buildings along North Avenue need to be near street, and to encourage the land trust to build the largest possible building?

L. Buffinton: Champlain Housing Trust typically constructs buildings that are three or four stories high. Street parking is visible to North Avenue, it could be shielded, by the café perhaps.

D. White: The mixed use building in the back could be on the Avenue.

E. Farrell: We are not proposing to build parking garage on day one, and could do substantial screening,

L. Buffinton: Would suggest using a building to screen parking.

J. Hyman: Likes so much housing, it is a nice mix. In building a community, one element to consider is losing a long established community garden.

C. Plunkett: The College expects to continue the community garden; it is viewed as part of the community.

## **VII. Proposed Amendment – Residential Parking requirements (5 min)**

D. White: At the Commission's last meeting the action taken was premature, but it is now appropriate to warn the public hearing for the Commission.

**On a motion by J. Wallace-Brodeur, seconded by L. Buffinton, the Commission unanimously warned ZA-14-07 for a public hearing on January 14, 2014.**

*As approved by the Burlington Planning Commission on , 2013.*

**VIII. Committee Reports**

Y Bradley: The Executive Committee has met in last few weeks, composing an agenda. Staff could let the Commissioners know when they need to be present at City Council Ordinance meetings if needed.

J. Wallace-Brodeur: It can be really helpful to make calls to Council members.

L. Buffinton: It gets tricky when only a Commissioner is present. It's better to attend as a group.

Y. Bradley: He will ask delicately to prod the Council to action.

D. White: Next weeks' Council Ordinance meeting is at the Fletcher Free Library and he believes it would be helpful for the Council to hear from Commissioners.

J. Wallace-Brodeur: Suggests that the Commission respond so it's known who will attend.

L. Buffinton: Could staff send out an email to this effect to the full Planning Commission?

H. Roen: Assigning one Commissioner to be liaison with the City Council Ordinance Committee could be a good idea.

Y. Bradley: The Planning Commission actions would carry more weight if several Commissioners were at the Council meeting.

H. Roen: Could D. White be the liaison for this project?

**IX. Commissioners Items**

H. Roen: What is the status of the Director's review?

Y. Bradley: Nothing has yet been done.

**X. Minutes/Communications**

**On a motion by J. Wallace-Brodeur, seconded by B. Baker, the Commission unanimously accepted the minutes, with corrections, and placed them on file.**

**XI. Adjourn**

**On a motion by L. Buffinton, seconded by H. Roen, the Commission unanimously adjourned at 8:08pm.**

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Y Bradley, Chair

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Date

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E. Tillotson, recording secretary

*As approved by the Burlington Planning Commission on \_\_\_\_\_, 2013.*



# Burlington Planning Commission

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Bruce Baker, Vice-Chair  
Andrew Saba  
Lee Buffinton  
Harris Roen  
Andy Montroll  
Jennifer Wallace-Brodeur  
Vacant, Youth Member



## Joint meeting of the Burlington Planning Commission and Development Review Board Minutes

Tuesday, December 10, 2013 - 5:30 P.M.

Conference Room #12, Ground Floor, City Hall, 149 Church Street

**PC Present:** Lee Buffinton, Harris Roen, Jennifer Wallace-Brodeur, Andy Montroll, Emily Lee

**PC Absent:** Yves Bradley, Bruce Baker

**DRB Present:** Austin Hart, Jonathan Stevens, Brad Rabinowitz, Bob Schwartz, Jim Drummond, Michael Long, Missa Aloisi, Alexandra Zipparo, Israel Smith

**Staff:** D. White, S. Thibault, Ken Lerner, Mary O'Neil, Scott Gustin, Nic Anderson

### I. Food & Drink!

### II. Agenda

Added Public Forum. No other changes.

### III. Public Forum

Norm Williams. Handed out packet of papers for all board members based on 81-83 Adams Street. Detailed exhibits. Recommended planning commission look at parking, driveway strips, coverage 10% bonus.

D. White – Issues for planning commission mainly.

A. Hart – Was a difficult decision and encouraged Planning Commission to look into issues noted in exhibits.

### IV. Discussion Items

#### 1. PlanBTV

- a. Key policy points
- b. Implementation
- c. Form based zoning code

Presentation of PlanBTV by D. White.

#### 2. Parking Waivers

- a. Parking management plans
- b. Success or failure of parking management plans
- c. Status of CDO parking amendments
- d. Offsite parking

S. Gustin detailed the differences between the current Planning Commission position vs. the DRB enforcement of parking.

B. Rabinowitz - no data on the effectiveness of Parking Management Plans.

A. Zipparo – Huge class issue.

E. Lee – Shifting cost from developer to the public.

Wide ranging discussion on parking.

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**3. Infill Development and Adaptive Reuse**

- a. Policy guidance
- b. Neighborhood opposition

S. Gustin presented/opened.

Open discussion about reuse of outbuildings.

Bill Ward - Should have multiple avenues to address management.

**4. Bianchi & Enforcement**

- a. What the statute says
- b. Related case law
- c. "Clean hands" policy

Kim Sturtevant Presentation.

**5. Accessory Structures and Uses**

- a. Accessory versus primary and thresholds between the two

L. Buffinton – concern about character issues when accessory buildings remodeled on the same site as a primary historic building. Discussion of information available to board members, site visits, modeling and elevation studies.

**6. Historic Materials**

- a. Current versus proposed standards

D. White outlines origination, evolution of discussion. Proposed amendment changes design criteria. Currently the CDO follows the Secretary of the Interior's Standards. Proposed – less specific TYPE of material – more concerned with the "look." Design more important than materials. Strip reference to materials out of those criteria; definition of how you treat old and new. There should be some measure of distinction between old and new. Commission's feeling was there are lots of situations where the property owner or the community would like to see something that leans more on the sympathetic; leans upon, remove that part of the criteria and open to the applicant to decide how sympathetic they might be. The proposal is a departure from the SIS. Currently in the City Council ordinance committee. Intent to take it up before the council membership changes. March/April anticipated.

A. Hart – a specific project that spurred this policy; distinguish between old and new?

D. White – materials – the initial impetus was to remove the reference to materials in the standards. Opened the door to further conversation.

M. Long – consideration of vinyl, aluminum siding, fiber cement board?

D. White – Philosophically, no. Inferior products. But if you don't reference what can and cannot, opens up argument. Defers to Planning Commission members.

A. Montroll – looking to Planning and Zoning for material information.

D. White – our staff would develop information material about materials.

J. W. Brodeur – and when to keep what is there.

D. White – not when to replace – but what to replace it with.

H. Roen – Three year discussion. Not a distinction between buildings on the state, national, and what is eligible. So many properties.

E. Lee – There are a lot over very important properties that are not listed.

A. Montroll – Finite life of building materials. We want to leave it up to the property owner, while retaining the character of the building.

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E. Lee – Huge face lift, house corner of North Union and North Street. Completely changed the character. Replaced all the windows, removed ornate trim, changed reveal of clapboard dimension in replacement siding. Completely “MacDonald=ized” the building.

Loud discussion...

K. Sturtevant – stricken out part relative to distinction between old and new.

D. White – conflict with tax credit, federal projects.

A. Montroll – there are more opportunities under our “new ordinance” than under the SIS; but you can do alterations per the SIS and still meet our ordinance.

E. Lee – Some homeowners will want to follow the SIS. But the City won’t tell me I have to follow the SIS to do renovations.

D. White – right.

E. Lee – So there goes our community character. I have a big problem with that.

H. Roen – people don’t want this to be a barrier to be listed.

B. Rabinowitz – not having criteria about maintaining the character is a problem.

A. Montroll – It’s in there. Has to look the same.

D. White – “visually the same....similar reveal of the original material... and shall be durable.”

E. Lee – we don’t know how long cement board siding will last. It hasn’t been around that long.

A. Montroll – Can’t get the same life out of new clapboard as old growth.

I. Smith – No. I draw the line here. If something is listed, there is an effort. We as a society have said this is important enough to preserve. A pretty great document. Once you list the building, it’s not just about the look. You can walk up to it, touch it. I am fine with it on “eligible” buildings. But when something is listed, we need to follow the SIS.

H. Roen – I was fine about draft policy. But not practical.

I. Smith – Why not practical?

J. W. Brodeur – Former permitted alterations, less than historic feature, former Mayor’s house...

E. Lee – Horrible failure...

J. W. Brodeur – What does it look like!

I. Smith – I deal with it all the time, for many years. I come down, if it goes forward, I will speak publically to draw the line.

H. Roen – people don’t want to have a state listed requirement.

D. White – Additional regulatory requirements.

J. W. Brodeur – We didn’t get rid of the SIS standards. We changed some language. We needed a policy that would function, and we could live with.

I. Smith – I am a liberal when it comes to these things most of the time. If this is what is going to be put out there, I will have a very hard time.

B. Rabinowitz – throwing eligible in with listed properties has brought a lot of concerns. Look at Five Sisters.

**7. Communication**

a. Methods for ongoing Board/Commission communications

S. Gustin – seems to make sense to do this every year or two years. Cross pollination with ordinance committee, discuss policy issues. Is that sufficient.

A. Hart – We often ask for policy direction. Addresses J. Stevens about ordinance committee.

J. Stevens – Ken is at ordinance committee; Mary attends deliberative meetings. We can bring up items.

A. Hart – We like to hear how the process is working. We are told things all the time (affordable housing doesn't need as much parking, for example.) We need to get the same type of information you have, in the context that is appropriate. We would like to make decisions on better information.

J. W. Brodeur –to David – is data collected by BTV shared with DRB?

D. White – Housing Needs, affordability, transportation, relative to downtown. We can share; it is on our website. More educational.

A. Hart – When pertinent to an application, it would be useful to know facts. We would love it if somebody would show up at the hearings and say ... you ought to know.

K. Sturtevant – For specific application?

A. Hart – It needs to be presented to us.

K. Sturtevant – Staff would point out conformance or non-conformance with MDP. Something would need to come in as evidence.

S. Gustin – We can't be making decisions myopically, especially in gray areas. I can only remember one policy question – what do we meet my "job attraction." And the chair came to discuss at the next hearing.

J. Stevens – how to initiate conversation with the Planning Commission?

A. Montroll – problematic for us to give testimony. We may get to the same place, but have gotten there at different times. City Council adopts, not us.

B. Rabinowitz – Piecemeal world. We have gotten testimony from DPW.

D. White – Staff report gives an interpretation. Typically that is where it starts.

Bill Ward – passes out document. A lot of Certificate of Occupancy activity, based on your permits. The second document annual report on See-Click-Fix.com.

**V. Adjournment**

D. White – Thank you everyone. Meeting adjourned 8:41 pm.

\_\_\_\_\_  
Andy Montroll, EC At-large member

\_\_\_\_\_  
Date

\_\_\_\_\_  
N. Anderson, Zoning Clerk

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