

Burlington Planning Commission

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Yves Bradley, Chair
Bruce Baker, Vice-Chair
Lee Buffinton
Emily Lee
Andy Montroll
Harris Roen
Jennifer Wallace-Brodeur
vacant, Youth Member



Burlington Planning Commission

Tuesday, October 27, 2015 - 6:30 P.M.

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

MINUTES

Present: B. Baker, H. Roen, L. Buffinton, Y Bradley, A Montroll, E Lee, J Wallace-Brodeur

Absent: None

Staff: D White, M Tuttle

I. Agenda 6:34

No Changes

II. Public Forum 6:35

Martha Lang, 138 Colchester Avenue: Distributed a handout regarding the UVM Medical Center zoning request. Ms. Lang challenged content on page 5 of the handout from a presentation on September 22, 2015 stating that the information is false. She stated that the zoning overlay does not only impact height, as stated in the presentation, but also impacts density and use as well.

John Tashiro, General Manager, City Market: Mr. Tashiro discussed City Market's intentions to open a South End location in 2017 and provided details to the Commission about the completion of the Phase I EIS and the progress on Phase II. City Market hopes to break ground on the project in June 2016. Mr. Tashiro expressed his understanding of the planBTV South End process, but stressed the importance of progress on the site in the South End. He reminded the Commission that City Market is not currently permitted in the Enterprise Zone, and noted that he felt that he had the Commission's support at his last appearance to consider an amendment to the ordinance. The Planning Commission requested a standalone item on the November 10 agenda to discuss this issue.

Ibnar Avilix: Mr. Avilix proposed a process for public input similar to joint planning committee meetings and following a suggestion by Councilor Shannon to introduce an additional public forum at the end of meetings. Mr. Avilix felt that this could be helpful for the public to be able to provide input after they have heard the discussion of the Commission on agenda items.

III. Report of the Chair

Y Bradley: Reported that he had a discussion with Jane Knodell about a joint work session with the Council regarding Form Based Code, and potentially for planBTV South End, before delivery to Council. They also discussed a potential work session with Council's ordinance committee regarding historic building materials. Mr. Bradley also discussed the importance of Planning Commission meetings clearly having a middle and end to respect the time commitments of the volunteer members as well as to the public. He suggested that the Commission needs to consider ways to stick to the times indicated on the agenda, and if large groups are present have protocols for taking comments, such as asking the public not to reiterate each other's points and setting time limits for comments like Council does.

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J Wallace-Brodeur: Asked D White if the Commission has protocol for public forum. If not, something that we should consider. Stressed that written comment is also a good way to weigh in. Maybe have protocols for certain situations if they're needed.

H Roen: Appreciate Yves flexibility at meetings. If stick to time limits, will want to look closer at the agenda before it is published to make sure there's adequate time for issues.

L Buffinton: Don't want to limit public comment. This really becomes an issue when one person dominates public comments. We should try to avoid a back and forth, but allow some public comment during agenda items if necessary.

Councilor Bushor: Council may not be a model. Public forum is frustrating for the public because it is not always a dialogue that they're looking for. When Council has controversial items, sometimes have a separate meeting or public forum to allow for dialogue.

A Montroll: Don't think the Council model is appropriate for Planning Commission because not usually as many people here to manage. Wants a dialogue and process for when it gets out of control. If people come out, we should listen because they're probably there for a reason.

E Lee: Heard from many people that don't feel heard at public forum. Suggested that people come to the Planning Commission's committee meetings for dialogue. Commission needs to be careful to give people time to be heard so there's more support when items go to Council.

B Baker: Maybe the best approach is to empower the chair to determine how to handle situations based on what is happening.

D White: Meeting management needs a toolbox of options to be able to address the situations that come up in meetings. Maybe the committee meetings are the right idea for engagement outside the bounds of the meeting.

Y Bradley: Suggestion to switch the Agenda item from the first item on each agenda to after the Chair and Director's reports. Ask residents at the beginning of public forum whether or not they will speak on an item on the agenda. If so, gives the Commission an option to add time or delete topics from the agenda.

D White: Perhaps this is something the Executive Committee could discuss.

Motion made by E Lee to refer issue of creating procedures for Planning Commission's public forum to Executive Committee. A Montroll second; all in favor.

IV. Report of the Director

D White: Council approved the reorganization of the Planning & Zoning Department. When city administration gives approval to fill the position it will be advertised.

V. CDO Amendment Request: Short-Term Kennel/Dog Day Care Downtown

Megan Sterns requested that dog day care be a permitted conditional use in the Downtown, Downtown Transition, Downtown Waterfront or Battery Street Transition zones. Has spoken with the dog-friendly hotels downtown, Jesse Bridges, Director of Parks, Recreation and Waterfront, and the Church Street Marketplace. All agree that this could help make Burlington a more dog-friendly place and could benefit things like the Boathouse. Vermont is the most pet-friendly state, and this could help with Burlington's tax revenue, tourism and City image. Ms. Sterns provided a list of best practices that the City could use to consider regulations on noise, odor, etc.

A Montroll: In favor of the concept. How should we go about this? Can we create a conditional use?

D White: Conditional use is a possibility, but there could be some other strategies. Suggested that this be referred to the ordinance committee with staff preparing a summary of what might be included in an ordinance.

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Motion made by A Montroll for staff to develop a recommendation regarding zoning changes for this use and forward to the Ordinance Committee. B Baker second.

E Lee: Is this a licensing issue that the City should consider, perhaps something that can be renewable. Don't necessarily think that this is a good neighbor to everyone. A renewable license could be a way to ensure that they're a good neighbor.

D White: Could ask the City's attorney to rule in on this issue, but zoning enforcement could be a mechanism.

Y Bradley called the vote with all in favor.

VI. City Parking Initiatives- Downtown, TDM and Residential

Chapin Spencer, Director of Public Works for the City, provided a presentation which summarized the three parking study drafts that have recently been published for public review. These include the Residential Permit Parking, Downtown Parking and Transportation Management Program and the TDM Action Plan. Mr. Spencer thanked the CCRPC, the Advisory Committee and the Burlington Police Department for their support and work on these plans. Announced that Burlington will begin using Park Mobile as a mobile payment option for downtown parking and that the City has ended its relationship with the consultant team for the Residential Parking Program. The plans are available online at www.parkburlington.com

L Buffinton: How does DPW get the \$9M for capital improvements that had been deferred?

C Spencer: Simplest answer is decrease expenses and increase revenues. Combination of more automation at exits in garages so that staff time can be used differently. Changes in enforcement that are being considered, such as Sunday enforcement, to increase parking revenues. Trying to manage garages like a business. Will go to Board of Finance to ask for first \$2.2M and will ask to activate TIF to start the process.

E Lee: Thanks for the update. Thinks the right decision was made to work without the consultant. Important step is to agree to and rank the objectives for the Residential Parking Program. Will always have a challenge in accommodating parking, but want to steer clear of the direction the public process took for planBTV South End.

H Roen: More bike parking is key, but need to have better bike infrastructure for getting into downtown.

VII. planBTV: South End Master Plan Update/Revisions

Meagan Tuttle, Comprehensive Planner for the City, provided a brief presentation on the strategies for housing in planBTV South End as well as a summary of the public comments received on this theme.

D White: Council approved its resolution to removing housing from the Enterprise Zone at this time. However, the Commission has the responsibility to consider how and if the Plan should recommend housing now or in the future.

H Roen: Initially in favor. Now, believe Enterprise Zone is an important place of enterprise and it makes sense to have an area of the city that doesn't permit housing. Support removing recommendations that include housing in the Enterprise Zone.

A Montroll: Plan is confusing as to whether it refers to the South End or the Enterprise Zone. Need more focus on whole South End and how it is already a desirable place. Strategies for housing in Enterprise Zone on page 59 are clear, people aren't confused about what the plan says. If housing is in the Enterprise Zone, it will get rejected by Council, so don't think the Planning Commission wants it there.

J Wallace-Brodeur: Plan doesn't discuss the relationship between the residential neighborhoods and the Enterprise Zone, and how this contributes to a walkable, mixed use neighborhood today. There is a benefit and a conflict to this mix, and Pine Street can't be treated as an island. When we recognize the interconnectedness of these areas, then we can have a larger housing discussion.

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L Buffinton: Believe that work-live housing could have succeeded in the Enterprise Zone.

E Lee: Housing has been a very polarized issue. Sorry to see Council and the Mayor weigh in before the Planning Commission did. Not including housing in the Enterprise Zone is a missed opportunity for preserving artists space and helping the South End become more economically viable in a way that's not currently available. These things can be mixed in a well-done development. We are seeing artists space leave today because of high-end restaurants. A proposal as part of the plan that showed how all of these things could have worked may have received support.

J Wallace-Brodeur: The nature of this discussion is strategy vs. policy, which is difficult to weigh. How can we effectively bring our voice to the table when the decision has already been made?

A Montroll: Could send a communication with the Plan that recommends housing in the future. Personally, don't believe housing will work there and will push out uses already there. However, must look at the broader context of the neighborhood for housing and think about strategies for preserving affordability without introducing housing.

Y Bradley: Agree with Andy. South End is an economic engine that Burlington does not yet realize the potential of. Comfortable with Council's resolution, and it seems loud and clear that housing in the Enterprise Zone is a non-starter. However, housing on the periphery could be an indirect way to support the growth of space in the Zone. Need to look at how to promote dense infill on the peripheral sites without destroying character of the neighborhood. The Commission's message should be that we aren't saying "no" forever, but we hear you and it's off the table for now.

H Roen: The City has no other area where maker and industrial uses are supposed to happen. The plan does not reflect the intensity of the opposition to housing in the Enterprise Zone.

A Montroll: This is not the first time the City has discussed housing in the Enterprise Zone and won't be the last. It's very controversial. It would have been easy to leave it out of the planBTV South End discussion, but it was important to put it in. This is an issue that should be discussed every 5 or so years, because Burlington is always changing.

L Buffinton: If we take housing out of the Enterprise Zone, need to encourage creative housing on periphery that supports uses within the Zone. And if it works, then future discussions should consider micro units, accessory dwellings, live-work units, etc.

D White: Andy's comments are exactly on point as to why housing was introduced into the plan. Housing outside of the Enterprise Zone in the South End is largely single family, so diversity of housing types in the area is important.

Y Bradley: Clear that there isn't a consensus, so we should revisit this at the next meeting.

VIII. Committee Reports

There were none.

IX. Commissioner Items

There were none.

X. Minutes/Communications

On a motion by A Montroll, seconded by H Roen, the minutes of September 22, 2015 and October 6, 2015, with corrections, were unanimously approved and communications from Martha Lang and Maggie Standley were accepted.

XI. Adjourn

On a motion by A Montroll, seconded by L Buffinton, the Commission unanimously adjourned at 8:37 pm.



Y. Bradley, Chair

December 10, 2015



E. Tillotson, Recording Secretary

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