

## Burlington Planning Commission

149 Church Street  
Burlington, VT 05401  
Telephone: (802) 865-7188  
(802) 865-7195 (FAX)  
(802) 865-7144 (TTY)

[www.burlingtonvt.gov/pz](http://www.burlingtonvt.gov/pz)

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



## Burlington Planning Commission

### Regular Meeting

**Tuesday, November 10, 2015 - 6:30 P.M.**

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

### AGENDA

Note: times given are approximate unless otherwise noted.

**I. Public Forum** - Time Certain: 6:30 pm

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

**II. Report of the Chair** (5 min)

**III. Report of the Director** (5 min)

**I. Agenda**

**II. Proposed CDO Amendment: Low Impact Design** (15 min)

The Commission will review a proposed amendment, recommended by the Ordinance Committee, which allows for an additional 10% lot coverage for pervious pavement on sites throughout the City.

**III. Proposed CDO Amendment: Off-Site Parking** (15 min)

The Commission will review a proposed amendment which seeks to clarify the provisions within the CDO for off-site parking. The Ordinance Committee has not provided a recommendation on this amendment.

**IV. Proposed CDO Amendment regarding City Market in the South End** (10 min)

The Commission will receive a recommendation from staff regarding the request from City Market to amend the Enterprise-Light Manufacturing district to permit grocery stores which are greater than 10,000 sq.ft.

**V. planBTV: South End Master Plan Draft Update/Revisions** (40 min)

The Commission will complete its discussion of housing as part of the draft plan. The Commission will continue discussing the draft, with a focus on the economic development and arts and affordability elements.

**VI. 2016 Meeting Calendar** (5 min)

The Commission will review and approve the proposed calendar of regular meetings for January to December 2016.

**VII. Committee Reports** (5 min)

**VIII. Commissioner Items** (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. Minutes/Communications (5 min)**

The Commission will review communications and approve minutes from the October 27, 2015 meeting.

**X. Adjourn (8:30 p.m.)**

**TO:** Planning Commission  
**FROM:** Scott Gustin  
**DATE:** October 6, 2015  
**RE:** Low Impact Development (LID) Amendment to CDO

---

Following three reviews by the Ordinance Committee, this amendment has been revamped to simply allow an additional 10% lot coverage for pervious pavement. On September 10, the Committee voted to forward the amendment to the full Planning Commission. In their recommendation to approve this amendment, the Committee agreed that it should apply citywide rather than just to the residential zones. The language below reflects that recommendation and depicts changes to Article 5: Citywide General Standards, rather than to just the residential section of Article 4. The purpose of the amendment remains to provide at least a small incentive for installing pervious pavement for improved onsite stormwater management.

Proposed CDO Language:

**Article 5: Citywide General Standards**

**Sec. 5.2.3 Lot Coverage Requirements**

Where a maximum lot coverage is specified pursuant to the requirements of Article 4, no building or part of a building or impervious surface or other form of coverage shall exceed such maximum allowable except as specifically authorized by this ordinance.

**(a) Calculating Lot Coverage:**

Lot coverage shall be calculated in the following manner:

1. Compute the square footage of all parts of the lot, or portion of the lot where split by a zoning district boundary, covered by all buildings including accessory structures, decks, patios, paved or unpaved walkways and parking areas, and any other paved surface;
2. Add the square footage calculated in subsection (1) above to obtain a figure for total coverage; and,
3. Divide the total coverage calculated in subsection (2) above by the square footage of the entire upland portion of the lot to derive the percentage of lot coverage. Lot area inundated by water including streams, ponds, lakes, wetlands, and other bodies of water, shall not be included.

*For more information and a description of lot coverage calculations please see the City of Burlington, Department of Planning and Zoning's Design Guide for Site Plans.*

**(b) Exceptions to Lot Coverage:**

1. In all districts, the following shall not be counted as lot coverage:

1. A. Lawns, gardens and unpaved landscaped areas;
2. B. Drainage ways;
3. C. Open play structure without roofs, sand boxes, or swings, not located on a paved surface;
4. D. Fountains;
5. E. Swimming pools (Note: aprons, decks and walks adjacent to swimming pools shall be considered as lot coverage);
6. F. Fences;
7. G. Retaining walls less than eighteen (18) inches in width across the top surface; if eighteen(18) inches or greater, the entire top surface shall be considered as lot coverage; and,
8. H. Ramps for the disabled, for which the sole purpose is to provide access for the disabled, and which have no more than the minimum dimensions required to meet accessibility standards.

2. In all districts, pervious pavement designed and maintained to infiltrate the 1-year storm event onsite, subject to review and approval by the Stormwater Administrator, shall be allowed an additional ten (10) percent of lot coverage above the otherwise applicable limit.

## **Article 6: Development Review Standards**

### **Part 2: Site Plan Design Standards**

#### **Sec. 6.2.2, Review Standards, (i) Vehicular Access:**

Paragraph 1: as written.

Residential driveways shall be a minimum of 7 feet in width or consist of two 2' driveway strips made of pavement or pervious pavement. ~~Driveway strips shall be accompanied by a paved area for the parking and/or storage of motor vehicles.~~ The maximum width for single or shared access driveways shall be 18'. In a residential district, driveways and parking areas shall be set back a minimum of 5' from side and rear property lines. Driveways that have a slope of 5% or greater (towards the right of way) shall be made of a solid surface including conventional pavement, pavers or pervious pavement.

Paragraph 3: as written.

## **Article 13: Definitions**

**Stormwater Administrator:** The administrative officer of Chapter 26: Wastewater, Stormwater, and Pollution Control for the City of Burlington.

**Pervious pavement:** Pervious pavement is a permeable pavement surface with an underlying stone reservoir that temporarily stores surface runoff before infiltrating into the subsoil. Pervious

pavement includes porous asphalt, pervious concrete, grass pavers, and plastic grid systems, or their equivalents as deemed acceptable by the Stormwater Administrator.

**TO:** Planning Commission  
**FROM:** Scott Gustin  
**DATE:** September 8, 2015  
**RE:** Off-Site Parking Amendment to CDO

---

The purpose of this amendment is to clarify the existing provisions within the CDO for off-site parking. The maximum parking limitation is amended so as to not include required parking for an off-site use. The parameters around acceptable off-site parking arrangements are strengthened, and “off-site parking” becomes a defined term in the CDO. The term “accessory use” is not changed because it does not need to be. Off-site parking is presently enabled by the CDO and does not need to be construed as accessory versus primary use. Depending on the arrangement, off-site parking may be part of a primary use (i.e. within a parking garage) or part of an accessory use (i.e. within a multi-family parking area).

The Planning Commission Ordinance Committee discussed this amendment August 13, 2015. The Committee failed to come to consensus and moved it along to the full Planning Commission for discussion. The sticking point among Committee members was proposed item 5 of Sec. 8.1.9 (a). This provision would not include parking spaces used for an off-site use within that property’s overall maximum parking limitation. The maximum parking limitation would, however, continue to apply to the off-site use. Some committee members felt this provision would allow large amounts of parking to occur on a property if used to support an off-site use whereas, otherwise, it would not be allowed. Other committee members felt this possibility would be acceptable so long as standard limitations such as lot coverage, setbacks, and design review continue to apply.

Proposed CDO Language:

### **Sec. 8.1.9 Maximum Parking Spaces**

The total number of parking spaces provided in all parking districts shall not be more than 125% of the minimum number of spaces required for the Neighborhood Parking District for any given use as required in Table 8.1.8-1. In no case shall the maximum number of required spaces be less than one (1) per unit of measurement (beds, units, 1000 gross sqft, etc.) for the use.

(a) **Exemptions:** The following shall reduce the maximum number of allowable spaces required by this section:

**1. Structured Parking:** Spaces provided within the footprint of a structure containing one or more other uses, including rooftop, at-grade, or below grade spaces shall not be counted towards the maximum, provided the floor area dedicated to parking is less than 50% of the total gross floor area of the structure;

**2. Public Parking:** Spaces provided and available for use by the public shall not be counted towards the maximum;

**3. Carpool, Vanpool, and Car-Share Parking:** Spaces dedicated for vehicles participating in a carpool, vanpool, or car-share program shall not be counted towards the maximum. Such spaces shall be reserved for such use and be signed or marked accordingly; and,

**4. Alternative Fueled Vehicle Parking.** Parking spaces dedicated for vehicles operating on primarily alternative fuels including but not limited to electric, natural gas, and hydrogen shall not be counted towards the maximum. Such spaces shall be reserved for such use and be signed and/or the space painted with the words “Alternative Fueled Vehicles Only.”

**5. Off-Site Parking Facilities.** Parking spaces for a use located on another parcel of land per Sec. 8.1.12 (a), Off-Site parking facilities, shall not be counted towards the maximum parking limitation of the parcel on which they are located. However, these off-site parking spaces shall be counted towards the maximum parking limitation of the parcel of land they serve.

**6. Waiver of Maximum Parking Limitations.** Parking in excess of the maximum parking limitation of this section may be waived by the DRB pursuant to the provisions of Sec 8.1.15 with the following additional requirements:

- A. The applicant requesting the waiver shall also provide a peak demand parking study for two similar uses in the area; and,
- B. The following additional review criteria shall be addressed regarding how:
  - (i) The need for additional parking cannot reasonably be met through provision of on-street parking or shared parking with adjacent or nearby uses;
  - (ii) The proposed development demonstrates that its design and intended uses will continue to support high levels of existing or planned transit and pedestrian activity; and,
  - (iii) The site plan indicates where additional parking can be redeveloped to a more intensive transit supportive use in the future.

### **Sec. 8.1.10 Off-Street Loading Requirements.**

As written.

### **Sec. 8.1.11 Parking Dimensional Requirements**

As written.

### **Sec. 8.1.12 Limitations, Location, Use of Facilities**

#### **(a) Off-Site parking facilities:**

Except for single and two-family dwellings, required parking facilities may be located on another parcel of land. The off-site parking area is within the same zone as the use it serves or is in a zone that allows parking lots or parking garages as primary uses. Parking that serves any use located outside a residential zone shall not be located within a residential zone. Off-site parking facilities shall be as follows:

1. Neighborhood Parking District: No more than 50% of the total required parking shall be provided at a distance greater than 600 feet from the use it is intended to serve. For residential uses, a minimum of 1 space per unit shall be provided on-site.
2. Downtown and Shared use Parking Districts: Any off-site parking shall be provided within 1,000 feet of the use it is intended to serve unless such parking is provided as part of a Parking Management Plan pursuant to Sec. 8.1.15 approved by the DRB.
3. The distance from the off-site parking to the associated use shall be measured in walking distance along a sidewalk or other pedestrian path separated from street traffic from the nearest parking space to the principle pedestrian entrance to the building housing the use. Such off-site parking shall not reduce the required parking for any other use utilizing the property on which it is located unless such shared use is approved by the development review board. The right to use the off-site parking must be guaranteed for the duration of the use as evidenced by a deed, lease, easement, or similar written instrument as may be approved by the City Attorney.

**(b) Downtown Street Level Setback:**

As written.

**(c) Front Yard Parking Restricted:**

As written.

**(d) Shared Parking in Neighborhood Parking Districts:**

As written.

**(e) Single Story Structures in Shared Use Districts:**

As written.

**(f) Joint Use of Facilities:**

As written.

**(g) Availability of Facilities:**

As written.

**(h) Compact Car Parking:**

As written.

**Sec. 13.1.2 Definitions.**

For the purpose of this ordinance certain terms and words are herein defined as follows:

Unless defined to the contrary in Section 4303 of the Vermont Planning and Development Act as amended, or defined otherwise in this section, definitions contained in the building code of the City of Burlington, Sections 8-2 and 13-1 of the Code of Ordinances, as amended, incorporating the currently adopted edition of the American Insurance Association's "National Building Code" and the National Fire Protection Association's "National Fire Code" shall prevail.

A-O, As written.

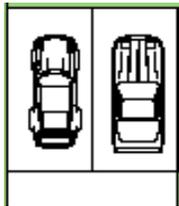
**Park:** Any area designated by the City as a park pursuant to Section 22-1 of the Code of Ordinances of the City of Burlington, Vermont.

**Parking Garage/Structure:** A structure containing parking facilities, below or above grade.

**Parking, Surface/Lot:** Parking facilities that are at grade and uncovered or not within a structure.

**Parking, Stacked:** The parking of more than two (2) cars in a parallel line, one behind the other.

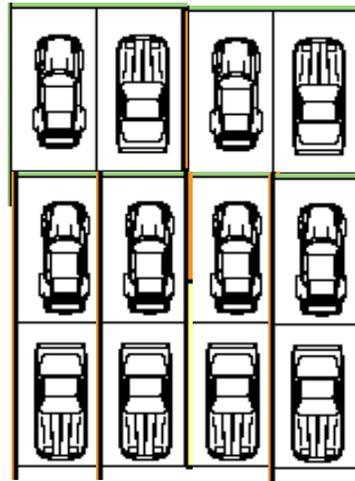
**Parking, Tandem:** The parking of up to two (2) cars, one behind the other.



Normal

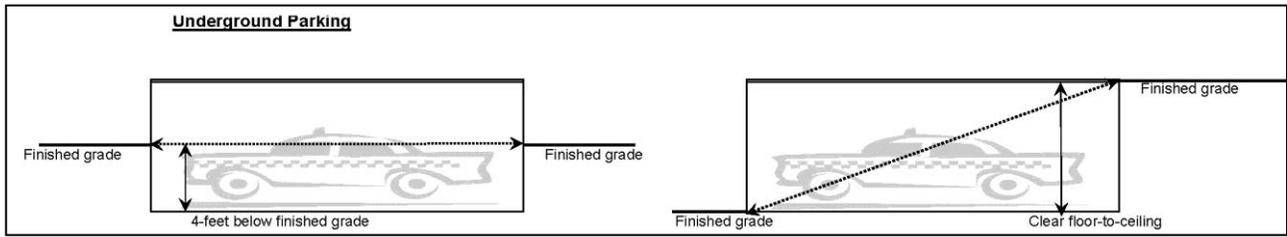


Tandem



Stacked

**Parking, Underground:** Parking spaces within a covered structure where either: fifty percent of the volume of the parking space is below the finished surface of the ground adjacent to the exterior walls of the building; or, the floor of the parking space is four (4) feet below the finished surface of the ground adjacent to the exterior walls of the building, whichever is greater.



**Parking, Off-site:** One or more parking spaces on one parcel of land providing parking spaces for a use on another parcel of land.

Continued as written.

## Department of Planning and Zoning

149 Church Street, City Hall  
Burlington, VT 05401  
[www.burlingtonvt.gov/pz](http://www.burlingtonvt.gov/pz)  
Phone: (802) 865-7188  
Fax: (802) 865-7195

*David White, AICP, Director*  
*Meagan Tuttle, AICP, Comprehensive Planner*  
*Jay Appleton, Senior GIS/IT Programmer/Analyst*  
*Scott Gustin, AICP, CFM, Interim Chief Administrative Officer*  
*Mary O'Neil, AICP, Senior Planner*  
*Elsie Tillotson, Department Secretary*  
*Anita Wade, Zoning Clerk*



**TO:** Planning Commission  
**FROM:** Planning & Zoning Staff  
**DATE:** November 5, 2015  
**RE:** CDO Amendment request from City Market

---

In a letter dated September 22, 2015 and during the Planning Commission's public forum on October 27, 2015, John Tashiro expressed City Market's plans to open a second location along Flynn Avenue in the South End. City Market has requested that the Planning Commission consider an amendment to the Enterprise-Light Manufacturing zone to permit grocery stores larger than 10,000 sq.ft.

Planning and Zoning staff has discussed this request, and believes that the best course of action will be to amend the E-LM district to permit grocery stores larger than 10,000 sq.ft., but not to exceed a maximum size of 30,000 to 40,000 sq.ft. Additionally, the amendment should reflect planBTV South End by considering the change in the character of the uses throughout the E-LM zone. To do so, the amendment could limit the area in which larger grocery stores are permitted to between Flynn and Home Avenues.

Staff recommends that the Planning Commission refer these suggestions to the Planning Commission's Ordinance Committee to draft a proposed amendment.

## Department of Planning and Zoning

149 Church Street, City Hall  
Burlington, VT 05401  
[www.burlingtonvt.gov/pz](http://www.burlingtonvt.gov/pz)  
Phone: (802) 865-7188  
Fax: (802) 865-7195

*David White, AICP, Director*  
*Meagan Tuttle, AICP, Comprehensive Planner*  
*Jay Appleton, Senior GIS/IT Programmer/Analyst*  
*Scott Gustin, AICP, CFM, Interim Chief Administrative Officer*  
*Mary O'Neil, AICP, Senior Planner*  
*Elsie Tillotson, Department Secretary*  
*Anita Wade, Zoning Clerk*



### Summary of Public Comments on Draft Plan

The **Draft planBTV South End** document was released at two events on June 16 and 17, 2015. The Draft Plan was available for public comment online and around the community until October 1, 2015. The comments received on the Draft Plan during this period have been posted in their entirety on the planBTV South End website at: <https://www.burlingtonvt.gov/planBTV/planBTV-South-End-Draft-Public-Comment#overlay-context=> This document provides a summary of these comments for the Planning Commission's use in its upcoming discussions of the Draft Plan. The comments are organized topically, according to the sections of the Plan.

Over the next several meetings, the Planning Commission will review sections of the draft Plan, public comments on these sections, and receive staff recommendations, if any, on modifications to these sections. The Planning Commission, following discussion, will instruct staff on items that they feel should be updated in a final draft of the Plan. Staff proposes the following schedule for reviewing the Plan's topical sections:

- October 27, 2015: Housing
- November 10, 2015: Economic Development & Arts and Affordability
- November 24, 2015: Mobility
- December 8, 2015: Open Space, Stormwater & Brownfields/Superfund Site

The second part of the Plan applies these topics to specific locations within the focus area. During each topical discussion above, the geographic location in which the recommendations apply will be noted.

### General Comments on the Plan

- The draft Plan is titled "planBTV South End;" however, the Plan seems to focus its physical and policy recommendations on the focus area defined by the Enterprise Zone. Questions were raised on whether the Plan should either 1) expand the focus to be more explicit about recommendations for the entire South End area, or 2) be renamed to reflect that the Plan is primarily for the Enterprise Zone.
- The Plan is too "glitzy," with colors, fonts and layouts that make the Plan's recommendations difficult to read and interpret. Additionally, it was felt that the draft Plan lacks a strong Executive Summary and Conclusion.
- There was some desire to slow down the adoption process and establish a multi-disciplinary working group including stakeholders from the South End to make revisions to the draft Plan and bring it to completion.
- Concerns were expressed that the Plan is not a reflection of public input, but rather a statement of the City's agenda. In particular, the public process demonstrated that the opinions of the community vary widely on important elements, such as housing and the Champlain Parkway, but the policy recommendations in the

The programs and services of the City of Burlington are accessible to people with disabilities. For accessibility information call 865-7188 (for TTY users 865-7142).

draft Plan do not necessarily reflect the degree to which these opinions vary. Others, however, note that the Plan has done a good job of balancing the polarized opinions regarding the future of the South End.

- Some felt that the Plan needs bigger goals and smaller first steps. In particular, concerns were shared that the Plan does not seem visionary enough when considering climate resiliency, green infrastructure, alternative transportation, and community health in the 21<sup>st</sup> Century. Suggestions were shared that a model like Energy 2030 Districts or Eco-Districts should be the focus of the future, rather than New Urbanist principles.
- Concerns were expressed regarding the intent and scientific validity of the artists' survey from Phase I, and comments were shared that statistics in the draft Plan do not accurately represent artists' demand/desire for housing and workspace in the South End.
- There were general comments about missing references throughout the Plan to items such as artists' role in the industry sectors, public health, and Burlington Electric Department as an employer in the South End.

### **Economic Development**

- Many comments were shared that the key to economic development in the South End is through the preservation of space exclusively for industry and the current zoning which protects this area.
- The draft Plan does not place enough recognition on the continued presence and significance of manufacturing/industry in the South End. In addition to resources to support the growth of the arts and maker industries, there should also be resources and tools available to support existing manufacturing jobs and ensure the South End's sustainability as a location for this industry. Additional research is needed on what "messy/noisy" jobs could be brought to the South End to replace businesses as they leave.
- Money should be allocated to assist with arts and entrepreneurship as a business growth opportunity, as well as to use as an incentive to attract/support industry.
- Some felt that a better job could be done with marketing and signage to promote the South End to tourists much like the activities downtown and on the waterfront.
- General support for the location of City Market in the South End, but a caution about any zoning changes that emphasize retail so that 1) the character of the district for industry is not jeopardized and 2) the area does not become an "entertainment district" with such unintended consequences on the surrounding residential areas as noise and parking.

### **Preservation of Arts & Affordability**

- Concerns were expressed that the area is already becoming unaffordable and difficult to find space for arts and industry to grow, and that the market pressure introduced by allowing housing in the Enterprise Zone will drive out the presence of these uses. In fact, some felt that the recommendations to introduce housing in the Enterprise Zone directly contradicted the state goals/policies in this section of the Plan.
- Some shared the idea that perhaps the Enterprise Zone's regulations could be stricter.
- Some supported the Plan's recommendations for preserving affordability, such as the incentives to property owners to improve spaces without raising rents; others offered ideas for alternative ownership models, such as a Champlain Housing Trust model for arts space.
- A general comment was made that it needs to be recognized that needs for art space includes all forms of art- including performance spaces.

## **Mobility**

- In general, there were mixed reactions to the Plan’s recommendations for vehicular and alternative transportation improvements, new street and bike path connections, and new parking resources in the South End.
- Opponents of the Champlain Parkway feel that the connection will increase traffic congestion on Pine Street and other streets throughout the South End. Many comments referred to the Parkway as “20<sup>th</sup> Century” transportation planning, and expressed frustration that the design of the Parkway was not open to discussion in the South End planning process. Furthermore, the comment was made that any references to the Parkway should indicate “proposed” rather than “future.”
- Supporters of the Champlain Parkway feel that the connection, while it might impose some challenges in the short term, could be a long-term solution to traffic congestion on Pine Street, and that if planned properly, bike, pedestrian and vehicular safety elements could become a critical benefit of the connection.
- Still others felt that the Champlain Parkway may not provide significant enough a benefit to justify the expense, but provided input on its design should it continue to move forward. These comments were primarily regarding bike and pedestrian facilities and neighborhood street connections.
- There was generally support for recommendations that will make the Pine Street corridor more like the “complete street” proposed for North Avenue and that will promote traffic calming throughout the South End. Some comments suggested that the Plan should do more to emphasize transportation improvements not related to single occupant vehicles (SOV) and advocated for improved bicycle facilities along the length of Pine Street.
- Opponents of new parking facilities in the South End cited these facilities as encouraging SOV use and not being forward thinking for the future of transportation. Additionally, some felt that the Plan should give more consideration to shared parking lots rather than new parking structures and that parking structures shouldn’t be built on valuable lots in the South End. Supporters felt that this could help attract businesses in the South End, and that the garages could utilize solar power to provide electric car charging stations.
- Many comments were shared about improving the access to and frequency of transit in the South End. Several ideas were shared about a South End shuttle to connect the furthest extents of the South End to downtown and the waterfront. This was also tied to suggestions about a Park & Ride station either on a lot in the South End or on the improved area that is intended to become the Champlain Parkway.
- Some felt that elements of mobility were missing or underrepresented in the Plan, such as ADA improvements and access to transit for the elderly and disabled, and the future of the railyard and the potential to reestablish rail service to Montreal.

## **Public Open Spaces & Connections**

- In general, comments supported the Plan’s recommendations for preservation of existing open spaces and locations of new ones, such as a new open space on the Barge Canal site and on part of the Blogett Factory site.
- Many users submitted comments about a community center, like the Miller Center, for the South End. This was especially desired by residents living in units operated by the Housing Authority, who felt that the community spaces and programs in their residential communities weren’t sufficient. Some comments mentioned that kids want a pool in a park in the South End.

- There were several comments submitted that the Plan should put more emphasis on sustainable/green infrastructure and demonstration projects in the South End.

### **Brownfields & a Superfund Site**

- There were mixed reactions to the consideration of the Barge Canal site for anything other than an urban wild area. Opposition stated that the superfund site should not be disturbed for anything more intensive than a potential bike/pedestrian connection to the lake. Supporters felt that the site could be a key location for infill to achieve some of the Plan’s goals without taking industrial properties for redevelopment.
- One comment indicated that resources like the CSWD Drop-Off Center and Resource should be preserved somewhere in the South End, while things like the Flynn Ave mini-storage and the tank farm could be removed.

### **Managing Stormwater**

- A comment was shared that the recent stormwater/streetscape elements in St. Albans could be used as a model for the South End.
- Comments reiterated concerns about the health of Lake Champlain due to stormwater runoff and incidents of flooding near the Pine Street/Lakeside Ave intersection.

### **Housing**

- In general, reactions to housing in the South End and the Enterprise Zone were mixed. While there was recognition that the City needs more housing, reactions to the recommendations to selectively introduce some of this housing into the South End were wide-ranging. Regardless of whether or not comments supported or opposed housing in the Enterprise Zone, comments all referenced the need for affordable/workforce housing and housing for families and professionals in the “middle”—making too much to receive housing assistance, but not enough to afford market rate.
- Opponents agreed that there is a need for housing, but are specifically opposed to housing in the Enterprise Zone. These comments cite statistics about the small percent of the city’s land area to which this zoning applies, and expressed the concern that the introduction of housing will drive up the costs of land and space, pushing out industrial and arts uses. Furthermore, many comments questioned the actual demand for housing in the Enterprise Zone, stating that the results of the artists’ survey were misrepresented to make a case for housing, and that some employers stated housing was not a concern in their ability to recruit employees.
- Proponents note that a mix of uses is vital to a healthy neighborhood, that nearly all employers cite a lack of quality, affordable housing as an obstacle to attracting qualified employees and that housing where jobs are located can help support other Plan goals for economic development, alternative transportation and sustainable development. Some shared comments that instead of saying “no” to housing in the Enterprise Zone, there should be a careful, strategic discussion about sites that make sense for housing—such as near bus stops and bike routes.
- Other shared comments in the middle, that housing in the South End was a good thing outside of the Enterprise Zone, and supported recommendations for multi-family housing behind Champlain Elementary

and other infill sites outside the district. Some comments even suggested potential housing on underutilized sites along Shelburne Road and in South Burlington.

- Some comments were shared that it seems the City is focusing too much on “big development” and that an analysis of sites currently zoned for residential use with the capacity to be redeveloped should be completed, prior to entertaining any changes to the Enterprise Zone.

### **Reinforced Arts Hub: Maple Street to Locust Street**

- Several comments regarding the use of the Barge Canal were shared—primarily regarding leaving the site untouched.
- A comment cautioned against infill development just for the sake of development without first knowing what uses will be accommodated.
- A comment was shared that some of the new street connections didn’t seem to be a good resource, and stated that part of the appeal of the South End is exploring it on foot and by bike.

### **Maker’hood Center: Locust Street to Sears Lane**

- Comments acknowledged that many of the uses allowed in the Enterprise Zone today aren’t allowed elsewhere in the City, so the preservation of that area is important. Instead of encouraging higher end uses, the focus should be on helping the traditional industries in the area thrive/regenerate.
- There was some support for the use of parking lots as locations for new buildings or parks, but there was concern that it would be too expensive to be feasible.
- Some supported recommendations for sidewalks on Sears Lane and the proposed emergency connection into the Lakeside neighborhood. Others shared support for City Market opening a new location in this area.

### **Eclectic Ecosystem: Sears Lane to Home Avenue**

- If the Parkway gets built, need to make sure that a connection to the lake is maintained.
- Should add a crosswalk at the intersection of Home Ave & Wells St.

### **R&D- Room to Grow: Home Ave to Queen City Park Road**

- Concerns were shared that if the Parkway is going to be designed as more of a neighborhood street, with lower design speeds, then a cul-de-sac at the end of Pine Street doesn’t make sense. It was suggested that a traffic light could be included, potentially as a traffic calming strategy.
- There was some opposition to locating a parking structure on the last unused plot of land on Industrial Parkway.
- A comment was made that there should be a reference to Red Rocks Park, even though it is located in South Burlington.

**PLANNING COMMISSION**

January - December 2016  
Regularly Scheduled Meetings

<b>Date</b>	<b>Day</b>	<b>Time</b>	<b>Location</b>
January 12, 2016	Tuesday	6.30pm	Conference Room 12
January 26, 2016	Tuesday	6.30pm	Conference Room 12
February 9, 2016	Tuesday	6.30pm	Conference Room 12
February 23, 2016	Tuesday	6:30pm	Conference Room 12
March 8, 2016	Tuesday	6.30pm	Conference Room 12
March 22, 2016	Tuesday	6.30pm	Conference Room 12
April 12, 2016	Tuesday	6.30pm	Conference Room 12
April 26, 2016	Tuesday	6.30pm	Conference Room 12
May 10, 2016	Tuesday	6.30pm	Conference Room 12
May 24, 2016	Tuesday	6.30pm	Conference Room 12
June 14, 2016	Tuesday	6.30pm	Conference Room 12
June 28, 2016	Tuesday	6.30pm	Conference Room 12
July 12, 2016	Tuesday	6.30pm	Conference Room 12
July 26, 2016	Tuesday	6.30pm	Conference Room 12
August 9, 2016	Tuesday	6.30pm	Conference Room 12
August 23, 2016	Tuesday	6.30pm	Conference Room 12
September 13, 2016	Tuesday	6.30pm	Conference Room 12
September 27, 2016	Tuesday	6.30pm	Conference Room 12
October 12, 2016	<b>Wednesday</b>	6.30pm	Conference Room 12
October 25, 2016	Tuesday	6.30pm	Conference Room 12
November 9, 2016	<b>Wednesday</b>	6.30pm	Conference Room 12
November 22, 2016	Tuesday	6.30pm	Conference Room 12
December 13, 2016	Tuesday	6.30pm	Conference Room 12

## 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

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.

*As approved by the Planning Commission on .*

*Tuesday, October 27, 2015*

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.

Tuesday, October 27, 2015

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](http://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.

Tuesday, October 27, 2015

L Buffinton: The plan has no images or articulation of what housing could look like in the Enterprise Zone, so each person's idea of housing in the Enterprise Zone is their own image of housing. 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 plan BTV 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.

Tuesday, October 27, 2015

**XI. Adjourn**

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



Y. Bradley, Chair

, 2015



E. Tillotson, Recording Secretary

DRAFT