

## Burlington Planning Commission

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Emily Lee  
Andy Montroll  
Harris Roen  
Jennifer Wallace-Brodeur  
vacant, Youth Member*



## Burlington Planning Commission

**Tuesday, September 22, 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 J Wallace-Brodeur, A Montroll, E Lee

**Absent:**

**Staff:** D White, E Tillotson

#### **I. Agenda 6:33**

No Changes.

#### **II. Public Forum 6:35pm**

Martha Lang, 138 Colchester Avenue: Wishes to address the UVM Medical Center request. She is not opposed to the sale of an acre of land, or the height of the proposed building. UVM sold the hospital one acre of land not zoned for hospital use. Section 4.5.2.b of the CDO does not permit hospital use. During the process of a height change amendment there should be a use change as well. It is important to incorporate the use change now. A presentation is not necessary for the current inpatient building. Planning and Zoning and the UVM Medical school have known for over a year that this change would need to happen. She filed an appeal six weeks ago, and the zoning overlays need to be changed.

Sharon Bushor, City Councilor: Tonight expressed concern about requested zoning change for Colchester Avenue and Fletcher Place to change to the zoning to residential low density. Notification has gone out to residents, one resident has sold their house, it is sad that they felt pushed out. Did the meeting go forward? She was not able to make meeting? Has there been any action? And as a neighbor of UVM Medical Center and an employee, as well, how will green roofs be considered as lot coverage. She doesn't feel as if it should count as an allowance to offset coverage. Run off and stormwater issues still exist. How are the Planning Commission considering this? What position are they taking? She would caution as using this as an incentive. This has nothing to do with the hospital. The Downtown mall is considering parks and other green spaces in their proposal. She doesn't see that as a huge open space advocate, balance is needed.

B Baker: Speaks as a member of the Ordinance Committee. At the meeting when the proposed zoning change on Colchester Avenue and Fletcher Place were presented, no one came forward except F von Turkovich. No action was taken, the Committee is hoping for action on future agenda.

#### **III. Report of the Chair**

Y Bradley: Wishes to thank the Commission on an exemplary job working with people from the south end and listening. The Planning and Zoning Department and the Commission take what they do very seriously, they are doing a fantastic job. Kudos! There are a few fairly large projects coming to the Commission. There was discussion of bringing planBTV South End to the LRPC, but the Executive Committee feels that the whole Commission should look at it since it is so important and the public wants transparency, so it will go to the whole Planning Commission.

*As approved by the Planning Commission on October 27, 2015*

B Baker: The process is beginning to address major issues, we must be sure to give ample notice to the public.

A Montroll: It is likely that there will be a handful of major issues and likely to be some changes to be made in the document. A revised draft, and more review is forthcoming, he suspects housing will not be a part of the document. D White will put together a list of major issues, for discussion.

B Baker: Major things are going on at the mall, the Commission needs to commit to the importance of the process and needs to streamline the process and make it efficient.

Y Bradley: When I was a Police Commissioner, we encouraged people not to be repetitive, there is such a need to be efficient. We have FBC coming, we need at least four meetings for planBTV South End, and we need an opportunity for everyone to weigh in. I have been asked "Are you in conflict?", in this case with City Market, I am their broker, and completely conflicted. On the October 6<sup>th</sup> meeting there will be discussion of the North Avenue Burlington College/Eric Farrell property and I am chair of the Burlington College Board, and involved with the college and selecting E Farrell as a developer could be a perceived conflict, so therefore will not participate so there is no question of a conflict of interest.

#### **IV. Report of the Director**

Was out last week with a family celebration in Colorado, where there are interesting land use challenges.

Our new comprehensive Planner, Meghan Tuttle is due in office October 5<sup>th</sup> and we are excited to have her joining us.

FBC Joint Committee will meet next week.

The front office is swamped, during this period of short staffing, the development review staff is out straight.

The Planning Commission work right now is high priority and high pressure; it will be a busy fall.

The next Planning Commission will be October 6<sup>th</sup>, not the 13<sup>th</sup>.

#### **V. City Market in the South End**

Chair Y Bradley, is representing one of the parties to this possible acquisition and therefore recused himself. Vice Chair, B Baker leads the discussion.

John Tashiro, the new general manager at City Market: He is here to seek support, consideration, and guidance to allow a grocery store at 208 Flynn Avenue. He is very mindful that the City is working through South End planBTV. City market would need a zoning amendment to pursue project as they have planned it. The Coop has positive support from stakeholders in the area, but it is mindful that proper procedures must be followed, and they are willing and able to go through the process. They would like a way to be considered in conjunction with planBTV South End Master Plan.

L Buffinton: Is the property all in one zone?

D White: Yes the enterprise zone.

H Roen: The presentation seems great; he was exposed to the proposal at the NPA Ward 5 meeting which was well attended and supportive. It appears to be a win-win situation and a good direction to go.

J Tashiro: The downtown store at 12,000 square feet would be retained. Proposed is 16,000 square feet with a larger parking lot. The space to be used is about two acres, and two acres will be undeveloped.

B Baker: Any comment from staff?

D White: It is great timing, considering the current conversation with the south end. Our zoning ordinance has to comply with the City municipal plan and we want to be sure that this possibility is included in the drafting of the South End planBTV and encourage the zoning amendment at the same time.

B Baker: And what about the current MDP?

D White: It leaves a lot of areas in question. It would behoove us if the Commission supports it, grocery stores over 10,000 square feet are not currently encouraged.

J Wallace-Brodeur: How about access via public transit?

J Tashiro: Passes out a proposed layout, Pat Burns will be the project manager/clerk of the works.

P Burns: We are exploring several ways to arrange transportation and want people on Flynn Avenue to have easy access. We are just beginning the conversation with CCTA.

A Montroll: When would this discussion happen?

D White: As part of the next PC meeting, it is a topic of conversation in the south end plan already, in anticipation. Similar to the downtown and waterfront, there were some amendments previous to adoption of the plan.

L Buffinton: Is very excited about the project. Transportation enhancements with improvements.

J Tashiro: Part of our hope and planning is to be about a mile away from downtown. We want to increase the impact that we have in the community. This coop is the single highest selling coop in the nation. We hope to continue to enhance our impact in south end. Streamlining the process is very appealing to the coop since we are working against the clock

H Roen: This project is fairly non-controversial, an amendment should be possible once we have checked with the MVP to be sure there are no contradictions.

D White: The change is necessary to be sure that it is incorporated in south end plan, then figuring what part of the enterprise zone should be affected. He has not heard anyone voicing concerns about this proposal.

A Montroll: This proposal is still a lot smaller than chain supermarkets. Medium size could be considered.

L Buffinton: That is a great idea.

B Baker: The question is getting into the how to structure it.

J Wallace-Brodeur: Could we get some language at the next meeting?

D White: It is worth thinking about size, and then thinking about four different portions of the enterprise zone. It should be possible to do this pretty quickly.

B Baker: Could this be a next agenda item?

P Burns: The Barrett truck traffic would relocate to another area.

D White: Yes, he will return with recommendations and ideas.

## **VI. UVM Medical Center Zoning Amendment Request**

Gail Henderson-King, David Keelty, Jason Williams.

G Henderson-King: Presents the proposed amendments to the CDO in the Commission packet and discusses overviews and updates to address change to the signage ordinance to enhance illumination of the UVM Medical Center signs, especially to the emergency department.

1 The hospital and the university have instituted a global name change.

2 The institutional campus core overlay district adjustment results in no change in use or density.

3 The adjustment to the signage ordinance which is something that was allowed before the 2007 rewrite, trying to make signage more effective.

4 Lot coverage is silent on green roofs/stormwater incentives. They would suggest partial credit depending on access and other circumstances.

D Keelty: Proposes a hearing about green roofs since the current ordinance appears to be contradictory and there is a lot of incentive for this type of approach. They have installed a green roof for radiation/oncology which is designed for rainfall/stormwater. This is a good means to mitigate heat island effect.

L Buffinton: Hospitals are permitted uses in overlays.

D White: They are allowed uses in both overlays.

L Buffinton: Green roofs makes sense in terms of underground use, they read as open space. Some rooftop open space is available only for people who have access into those buildings. Another issue is maintenance of trays for green roof.

A Montroll: What about height overlays?

G Henderson-King and D Keelty: Are not looking for any change in height.

A Montroll: Is open to see some proposed language on the first three items but feels similar to E Lee on the 4th proposal. He would like to begin looking at the first three proposals.

Y Bradley: Agrees with both. Green roofs should be encouraged, they represent high cost and maintenance. Some sort of incentive should be considered.

H Roen: There is an incentive now for stormwater enhancements.

D White: There is, now a LID (low impact development) proposal for the Commission. The question is does it or does it not count as lot coverage.

J Wallace-Brodeur: Wants to see green roofs. If they are allowed as credit toward coverage, it is an incentive for the owner.

D White: Ultimately green roofs are very important tools which provide a myriad of benefits to manage stormwater, heat island effect, HVAC systems, etc.

A Montroll: The pattern of development and lot coverage should be considered. Green roof coverage allowance may or may not be appropriate.

S Bushor, City Councilor: A Montroll just said what I was going to say, we need a policy for the entire city, not just the hospital.

J Wallace-Brodeur: Any other ideas about incentives?

H Roen: The Conservation Board might be helpful.

Y Bradley: Basically there is agreement on the first three items; we need a presentation with options and benefits.

## **VII. Mobile Home Parks**

D White: We ran out of time to discuss this previously. Farrington Mobile Home Park has formed a cooperative, they have a purchase and sale agreement. Our zoning ordinance is silent about mobile home parks. There is nothing that conforms to anything in our zoning ordinance. We have worked with the cooperative consultant and have created an amendment which is patterned off language in a model ordinance from the state to some extent, as well as what is actually occurring on the ground.

The amendment has two parts:

- first as if establishing a new park, with basic requirements.
- second to recognize an existing non-conforming park with definitions from HUD. This likely doesn't apply to tiny houses and would also incorporate state definitions.

**On a motion by J Wallace-Brodeur, seconded by A Montroll, the Commission unanimously voted to warn the proposed amendment for public hearing.**

## VIII. Committee Reports

### Long Range Planning Committee:

H Roen: Will meet next week with a discussion of moving planBTV South End forward, and does not necessarily agree that people are satisfied with response.

Y Bradley: We are going to need to have opportunity for people to speak.

H Roen: Some public meetings have tended to shut out other people. David, can we have summary of web tool?

D White: That's the plan, to compile the items that people are most concerned about into two or three major issues.

A Montroll: There is a lot of passion about planBTV South End, he suspects the process will address concerns.

L Buffinton: Could we have visuals, since they speak volumes, especially of the four areas of the Enterprise zone? In the draft could we have the four areas delineated? And discussion of what are the distinctions? It is important that we speak about other aspects of the plan, traffic, etc.

Y Bradley: We need to hear the public on these issues, and then get the contentious issues addressed and off the table so we can deal with the remainder.

A Montroll: Geographic areas extended to Howard Street in FBC proved contentious so that area was removed, and were able to move on. Second were heights in Center City, both were big issues, which have been dealt with and then the process was able to move on and make progress.

Y Bradley: It's a discussion we will have.

**Executive Committee:** Has just met.

**Ordinance Committee:** Will address the Fletcher Place rezone, only the developer was present at the hearing so there will be further meetings.

**FBC Joint Committee:** Meets next Tuesday, they anticipate five or six more meetings.

## IX. Commissioner Items

There were none.

## X. Minutes/Communications

There were no minutes/communications.

## XI. Adjourn

On a motion by L Buffinton, seconded by B Baker, the Commission unanimously adjourned at 8:19 pm.



Y. Bradley, Chair Signed: December 10, 2015



E. Tillotson, Recording Secretary