

## 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 24, 2015 - 6:30 P.M.**

**Present:** L Buffinton, A Montroll, H Roen, Y Bradley,

**Absent:** B Baker, E Lee

**Staff:** D White, M Tuttle, E Tillotson

### I. **Public Forum** - Time Certain: 6:35 pm

Y Bradley: Opened the public forum, 6:50 pm

Ibnar Avilix: Mr. Avilix shared that he is hoping for mobile home park participation later when the amendment is presented. He attended the Long Range Planning Committee meeting and is aware that economics will be discussed within the context of planBTV South End later in the evening. He stated that the economic development portion of this plan is just beginning to be discussed now, and that the South End Alliance is just becoming aware of the possible business impacts. The pace of planning is fast in his view and he hopes that businesses will be contacted to participate. He feels that there are a lot people yet to tune in.

### II. **Report of the Chair**

Y Bradley: Mr. Bradley shared that the Executive Committee meeting went well, and agreed to continue to focus on planBTV South End until it's done. But there will be some major items such as FBC coming along, perhaps ready for the City Council action in January.

A Montroll: There are two more meetings in December, and two meetings for wrap up in January, and then the committee is hoping for more public involvement in the meetings.

Y Bradley: There have been a lot of emails coming in. Mr. Bradley wished everyone a nice Thanksgiving.

### III. **Report of the Director**

D White: Mr. White shared that there is a lot of activity in the department, particularly in the development area. Many big projects needing process and there has been no diminishment in the level of permitting activity as is usual this time of year. Last Thursday the Associate Planner position applications closed; HR is reviewing and hope to fill the position as soon as possible. November 30<sup>th</sup> there will be a public meeting on the Champlain Parkway. December 15<sup>th</sup> there is a joint meeting of the DRB, DAB, PC, and Conservation Board; updates on current project will be shared.

### IV. **Agenda**

Y Bradley: Suggested amending the agenda to present planBTV South End ahead of the public hearings.

D White: With one caveat, time certain is 7:00pm for the hearings.

Y Bradley: Is anyone in the public in attendance to speak at the hearings that cannot wait if the hearings are postponed until later in the meeting?

After a brief discussion, Mr. Bradley asked to move ahead with the planBTV discussion.

## V. planBTV: South End Master Plan Draft Update/Revisions

M Tuttle: Economic development is the meat of the South End plan. The current draft plan is not as comprehensive as it should be for these topics. Currently, three economic development recommendations, which are: expand financial resources, provide technical assistance, and advance policy changes to advance the value of the South End. Arts and affordability recommendations discuss how to preserve and create affordable artist space using a toolkit, support existing arts organizations, and bring arts into the physical fabric of the neighborhood.

D White: Similar to inclusionary housing, the recommendation about policy changes would incentivize new arts spaces.

M Tuttle: public input on the draft included: not enough emphasis on the industrial past and the continued need for industrial employment; preserve enterprise zoning; provide money to the arts for business growth, signage and promotion; make sure that changes in the Enterprise Zone don't undermine the primary uses; South End is already becoming unaffordable and the Enterprise Zone should have more strict requirements; focus on art should include all disciplines when considering space needs.

Because these sections were not very comprehensive in terms of economic development staff provided a few thoughts on additions to the plan that the PC can discuss and potentially recommend to LRPC. The goal is to retain the current character, recruit new participants, and provide a platform for innovation.

L Buffinton: Have we had input from CEDO?

M Tuttle: We are asking City Departments to provide comments; CEDO did comment on the industrial aspect, but we have not discussed all of these recommendations with them yet.

D White: This section comes down to the key strategies we want to pursue, other than money, to get at the essential element of plan, which is economic development, arts and creativity.

L Buffinton: Is glad to see the plan being beefed up.

M Tuttle: Staff considered the three areas of economic development, what is included in the plan, and what could be added. For retention of character, one strategy to consider adding is to consider policies for zoning and land use that are more nuanced and reflect the changing character of the area.

D White: The enterprise zone itself is very long linear district with a variety of character features. One size fits all doesn't work, the plan doesn't articulate that there could be differences in each of the four areas. There are solutions around that.

Y Bradley: The economic piece needs to be recognized. The costs of redevelopment are staggering; opportunities exist, but we have to caution not to hobble properties, so that adaptive use can be incorporated. Land use policy and economics have to fit together. Introducing arts space like inclusionary zoning will not work; inclusionary as it is now is not a bonus, but a penalty. The economic model doesn't work.

D White: In the South End Enterprise Zone there is opportunity to get more out of development using incentives given the current low density permitted by right. In the downtown zone, not so much, but more flexibility exists in the South End.

J Wallace-Brodeur: Understands the point about distinct districts, but could staff further develop particulars about the four districts? It is important to the conversation.

## VI. Proposed ZA-16-01: Major Impact Review Public Hearing

Y Bradley: It's 7:00 pm. Is there anyone here to speak to major impact?

I Avilix: Is there a vote tonight?

D White: Yes.

I Avilix: How many times has this been discussed in Commission meetings?

D White: Four or five times.

Y Bradley: Let's take this up later along with the mobile home park hearing, so it can be included in the proposed amendments.

I Avilix: Major Impact projects go to the DRB. Is the community is aware of these projects? Have the City Councilors and NPAs weighed in?

A Montroll: Amendment changes usually start with the Planning Commission and then move forward.

I Avilix: The proposed amendments have scared a fair amount of people. It is difficult to decipher what it actually meant, but it was explained thanks to S Gustin, Planner, via email. Mr. Avilix encourages a statement/paragraph to explain the essence of a proposed amendment to accompany the zoning language so that the general public understands what is involved.

Y Bradley: The public is invited to weigh in at all times. The Commission has to propose something that the City Council can review. Staff attends so that they can help the Commission and the public understand what is being proposed.

I Avilix: Maybe this is something to be discussed with the Council.

D White: The purpose of the discussion at this present time is to determine whether or not we will open public hearing on this issue, or continue with the planBTV discussion. When the issue is discussed, staff will provide an overview to explain the amendment.

A Montroll: A lot of these amendments percolate at the Planning Commission level and when one arrives at the City Council, that's when the public gets engaged.

I Avilix: May talk to the City Council and NPAs. Thanks for the explanation.

## **VII. planBTV: South End Master Plan Draft Update/Revisions**

Y Bradley: Let's move on with the planBTV discussion.

L Buffinton: Would like to see better distinction between South End and Enterprise Zone in this section.

Y Bradley: That sounds great, it needs more fleshing out.

D White: The second part of planBTV South End will address this. It may or may not be the right areas, but it is in the plan, which can be redefined, and differentiated. It will require a more focused discussion.

A Montroll: Is encouraged by the Enterprise District discussion, but what about the whole Shelburne Road corridor, is there enough consideration of this area in this section? What is our vision for the Price Chopper area and the Subaru dealer area? Shelburne Road is very important as an economic contributor.

Y Bradley: The Shelburne Road corridor is entirely separate from the South End, it is purely commercial.

A Montroll: But it is part of the boundary of the South End plan area.

J Wallace-Brodeur: They are not that far apart physically, the South End plan is very focused on Pine Street. Maybe we should be looking more broadly at how does it relate to South End plan?

H Roen: He has submitted some comments, believes that it should be part of conversation. Five years ago Shelburne Road was redone, but there was not much improvement.

M Tuttle: In the housing discussion, we used this rewrite as an opportunity to recognize both the Enterprise Zone and the residential areas surrounding it. Likewise, if the Commission thinks it is appropriate, this can opportunity to address economic development concerns outside of the Pine Street corridor, by perhaps speaking to the Shelburne corridor.

D White: At the beginning of the process, there was a lot of feedback about Shelburne Road specific to traffic. This is a joint corridor with South Burlington and we need to work with them. Planning between the two towns is not well integrated; this is an important element to explore.

Y Bradley: The treatment of the two areas is highly different.

A Montroll: Incorporating this element is fine if we are clear that the focus is the enterprise zone and periphery surrounding.

L Buffinton: Perhaps we should not take on a new piece now, but consider that the Shelburne Road area deserves its own study.

Y Bradley: As we move to Form Based Code, we will need discussion with South Burlington.

J Wallace-Brodeur: Looking at land use now it is a transportation corridor. We need to understand how the design of the road impacts the neighborhood and how the road functions.

Y Bradley: Is what fronts Shelburne Road treated differently that what is immediately behind it?

A Montroll: It is an important transportation link, but important as shopping area.

Y Bradley: Like a Neighborhood Activity Center, maybe a large NAC.

D White: The road needs the focus of both municipalities.

I Avalix: The Housing Action Plan refers to a regional housing plan and housing along transportation corridors.

**A Montroll left at 7:30 pm.**

M Tuttle: This might be a good segue to the next topic regarding economic development; we can note a study of the Shelburne Road corridor as part of the suggested strategy to rebuild critical transportation infrastructure to incentivize economic development.

L Buffinton: Our discussion needs to be forward thinking about transportation alternatives; the South End plan needs innovative transportation strategies, such as light rail or rapid transit.

D White: If we are not looking for significant residential growth, the plan can't support these types of transportation alternatives. It would be possible to justify traffic calming in the corridor as a means to get commuters out of cars.

Y Bradley: Burlington really is a small community; the economic model of CCTA could work a lot better.

M Tuttle: Regarding transportation as an economic development tool, we need to coordinate with the mobility element, in future discussions. We need to look at ways to enhance and improve infrastructure while communicating the character of the South End. For recruiting new participants in the South End, we need to inform potential companies of the character of the South End in an effort to have a good fit.

D White: There has been a lot of conversation about the arts aspect as well as the manufacturing, innovation, place making strategy. Economic development is largely through the Lake Champlain Chamber, the city doesn't have a promotion, just the Better Business Bureau.

D White: SEABA could provide guidance.

M Tuttle: Partners like SEABA could certainly help in this area, particularly in the idea of having an overall economic development strategy for the City, so that the South End knows how they will contribute. We should also look at expanding resources, land use policy, and innovation to help and support that interest, such as through Innovation Districts.

D White: Innovation Districts move from a lone wolf mentality to a pack mentality to create synergies including physical space, and a marketing and development strategy. How to distinguish a specific land area as appropriate will have to be defined.

L Buffinton: It's important to incentivize not penalize activities that will be complimentary, which is something to consider if we treat these four different areas separately. This aspect could be more creative, needs fleshing out.

Y Bradley: Some business now in the South End that is focused on cross-collaboration, business happening in common areas where nothing is proprietary. Somerville, Massachusetts is an example of the type of creative businesses that want to be in the South End and inspire other creative synergy.

M Tuttle: Some companies are breaking down traditional "office business," such as a software owner that once shared that all of his business deals were initiated in a coffee shop.

Y Bradley: Need to think outside of the box. Another piece could be an incentive for adaptive reuse, since the State DEC keeps raising the bar and enacting regulations and monitoring small details that are causing redevelopment to be really expensive.

J Wallace-Brodeur: Are we going to have a discussion of redevelopment policy along Pine Street, in terms of the form of new infill or determining which buildings are worth adapting and which could be redeveloped?

Y Bradley: The Commission can't have a preference, it will influence the market. There are old buildings which have been repurposed, improved. The property owner has to decide how to manage old into new.

M Tuttle: There is certainly a question about form and urban design in addition to use. If we accept a strategy to look at the varying character of the district and create sub-districts, this is something that can also be reflected.

D White: Need to think about where new development will happen. In empty spaces development will be different. There will be differences in the character of buildings likely, adaptively using them as affordable working spaces.

Y Bradley: They demand the creative approach, the other factor is parking.

D White: The South End plan could set the stage for types of use, and distinguish differences in four sub-districts.

I Avilix: I believe there is a state study about bringing commuter rail to Burlington.

D White: The passenger rail is Amtrak, with intercity service, not frequent stops in Burlington.

H Roen: The LRPC discussed issuing a Planning Commission draft before the final draft. So many changes need to be made that an interim draft seems to be a good idea.

D White: The text is being written and the design of the plan will change.

M Tuttle: Focus of the Planning Commission draft will be to discuss with the community and partners how it has changed relative to feedback.

## **VIII. Proposed ZA-16-01: Major Impact Review Public Hearing**

Y Bradley: Opened the public hearing at 8:21 pm.

D White: This is a proposal to modernize the zoning ordinance, by recognizing that there are varying thresholds of development which have a major impact based on what area of the City they're being proposed for. Today, any project creating more than five dwelling units is considered a major impact. This amendment proposes four separate thresholds for impact, such as for a downtown area, where we don't have constraints on infrastructure, where development doesn't have an impact.

L Buffinton: We have discussed this subject a lot.

I Avalix: The neighborhood mixed use district requirement for major impact review is 25 units. How many units were created in the two developments on North Winooski?

D White: I'm not sure but I believe more than 25. That is a good example of a location where the development didn't create a major impact.

On a motion by J Wallace-Brodeur, seconded by L Buffinton, the Commission unanimously voted to close the public hearing.

On a motion by L Buffinton, seconded by J Wallace-Brodeur, the Commission unanimously voted to forward the amendment to the City Council for public hearing.

## **IX. Proposed ZA-16-02: Mobile Home Parks Public Hearing**

Y Bradley: Opened the public hearing at 8:31 pm.

D White: The pending sale of Farrington Mobile Home Park precipitated this amendment. Planning & Zoning worked with CEDO and Farringtons' non-profit consultant to craft. Now the minimum lot size applies to the whole lot and includes procedures for how to deal with (abandoned) mobile home removal.

I Avilix: Do we know if the open space in the park will be reserved?

Y Bradley: Closes public hearing at 8:32 pm.

On a motion by L Buffinton, seconded by H Roen, the Commission unanimously voted to forward the amendment to the City Council for public hearing.

## **X. Proposed CDO Amendment: Zoning Administrative Officer**

The Commission will discuss a proposed housekeeping amendment to Article 2 of the Comprehensive Development Ordinance regarding the Zoning Administrative Officer. This amendment reflects the approved reorganization of the Planning & Zoning Department.

**On a motion by L Buffinton, seconded by H Roen, the Commission unanimously voted to schedule the amendment for public hearing.**

## **XI. Committee Reports**

Long Range Planning Committee – H Roen: LRPC decided to schedule monthly meetings and will be scheduling additional meetings to review updates to planBTV South End.

Ordinance Committee - Hasn't met but will next week.

Burlington Town Mall – Public presentation to be in January/February

## **XII. Commissioner Items**

H Roen: In addition to the Champlain Parkway meeting on the 30<sup>th</sup>, there will be a Railyard Enterprise Project public meeting on December 9<sup>th</sup>.

## **XIII. Minutes/Communications**

On a motion by J Wallace-Brodeur, seconded by L Buffinton, the Commission unanimously voted to accept the minutes of November 10, 2015 with one correction submitted by L Buffinton.

## **XIV. Adjourn (8:30 p.m.)**

On a motion by J Wallace-Brodeur, seconded by L Buffinton, the Commission unanimously voted to adjourn at 8:36 pm.



Y Bradley, Chair

December 10, 2015

Date



E Tillotson, recording secretary