

## 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)

*Andy Montrroll, Chair*

*Bruce Baker, Vice-Chair*

*Yves Bradley*

*Alexander Friend*

*Emily Lee*

*Harris Roen*

*Jennifer Wallace-Brodeur*

*Eamon Dunn, Youth Member*



## **Burlington Planning Commission** **Tuesday, September 12, 2017, 6:30 P.M.** **Conference Room 12, City Hall, 149 Church Street** **MINUTES**

Commissioners Present: B Baker, Y Bradley, E Dunn, A Friend, E Lee, A Montrroll, H Roen, J Wallace-Brodeur  
Staff Present: S Gustin, M Tuttle, D White

### **I. Agenda**

Called to order 6:35pm.

M. Furnari has requested removing Item VII until he can attend. The Commission deferred VII to a future meeting.

### **II. Public Forum**

No members of the public spoke during public forum.

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

A Montrroll: In August Council took up Form Based Code, appreciative of the work and Commission's recommendations. Sent back to Joint Committee to address three items from the Commission as well as other Councilor issues. Next Joint Committee meeting is September 14. Council wants to move quickly to warn hearing when it comes back with changes on September 18.

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

D White: Joint Committee will discuss recommendations from the Planning Commission including green and high performance buildings, definition of substantial modification, and historic preservation review.

### **V. Proposed CDO Amendment: Rezone St. Joseph School to NMU**

M Tuttle: Received request from CHT to rezone entire parcel for former St. Joseph School to NMU in order to allow for renovation and reuse of the space, particularly to accommodate parking. Currently split by NMU and RM. Biggest impacts are on lot coverage. Area currently RM will go from 40% lot coverage to 80%; site is currently just over 60%. Setbacks will change to 0 ft on sides, but due to adjacency to a residential zone, a 15 ft setback will be required. Will change some uses from conditionally permitted to permitted by right.

M Monte: Will help CHT prepare a sit plan for the whole property under one zoning district. In future, might look to convert the parking lot along North Street to a mixed use building with parking underneath, but this is years away.

J Wallace-Brodeur: Change is only to the St. Joseph's property, not to the residential properties around it?

M Tuttle: Correct.

The Commission unanimously approved a motion by Y Bradley, seconded by H Roen, to approve the Municipal Bylaw Amendment Report and warn the proposed amendment for public hearing.

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## **VI. Proposed CDO Amendment: Rezone Majestic Car Rental Site**

S Gustin: Current Majestic Car Site wanted to rezone due to current non-conforming. However, they now have a zoning permit to resolve parking issues. Staff looked at the request and asked is there a compelling reason to rezone? Found most of the uses are conforming today and MDP doesn't site this area as a growth center, therefore, concluded no basis to pursue a zoning change. planBTV South End anticipates analysis of Route 7, so any changes should be long term in conjunction with that plan. Staff recommends no action.

H Roen: What were the nature of the complaints about Majestic

S Gustin: Parking on the streets, parking at the adjacent church without an agreement. They have now formalized the agreement with the church and have a zoning permit. Resolved the issues.

H Roen: Are the non-residential uses conforming?

S Gustin: The school and church are, but the office is not.

A Montroll: Where Majestic is located doesn't seem like the right place for residential to be, but agree with the idea to look at the whole corridor.

D White: South Burlington is looking to do some zoning changes along Shelburne on their side. Interest in a collaboration around the corridor evaluation.

H Roen: Timing of the work for the rotary?

S Gustin: Believe 2018. The office would be impacted as it is almost exclusively in the ROW.

The Commission unanimously approved a motion by A Friend, seconded by J Wallace-Brodeur, to support the staff recommendation to make no change to the zoning for the Majestic site or surrounding properties.

## **VII. Proposed CDO Amendment: NAC-Riverside Boundary Adjustment**

This item was deferred to a future meeting.

## **VIII. Proposed CDO Amendment: Article 8 Food & Beverage Processing**

M Tuttle: This amendment accompanies the recent amendment to create the Food and Beverage Processing use. That amendment was approved, but did not include changes to the parking standards. This reflects new and eliminated uses per Appendix A Use Table, to make Article 8 consistent. New parking standards for Food and Beverage Processing use are a hybrid of Tour Oriented Manufacturing and the former Brewery/Winery use.

H Roen: Will this cause an increase in required parking for existing breweries and businesses?

M Tuttle: Possible that it could result in a different calculation for these uses today, but it depends on the size of the primary and accessory operations. Some could have a higher calculation, some a lower one.

D White: Existing businesses would not be affected by this unless they wish to expand/change.

H Roen: Can we notify the businesses that this is being considered?

The Commission unanimously approved a motion by E Lee, seconded by A Friend, to approve the Municipal Bylaw Amendment Report and warn the amendment for public hearing.

## **IX. Proposed CDO Amendment: Density Calculations**

S Gustin: Density calculation that we have spells out a formula. There is language at the end that is a holdover from the 1994 code that refers to rounding, when we were using a different density calculation. Amendment simply proposes striking the rounding language because it is there and confusing; it doesn't make sense with the current calculation method.

Y Bradley: Is it better to strike the language, or to change the method for calculating units because this method essentially means there are fewer units permitted.

S Gustin: The method is a policy choice that was made years ago, not clear why it was changed. It is currently administered without rounding, despite the holdover language.

Y Bradley: This does have a dampening effect on the number of units permitted.

B Baker: This methodology for density is largely theoretical because the parking is a more limiting factor.

The Commission unanimously approved a motion by Y Bradley, seconded by E Lee, to approve the Municipal Bylaw Amendment Report and warn the amendment for public hearing.

## **X. Committee Reports**

Executive Committee will meet on Thursday, September 14 at 5:00pm.

Long Range Committee: Ellen Kujawa will be Conservation Board member to committee. planBTV South End is waiting on inputs from staff to be ready to bring forward.

Ordinance Committee meets on Wednesday, September 13.

## **XI. Commissioner Items**

A Montroll: Next meeting on September 26.

H Roen: Can we notify SEABA about parking changes for item VIII?

B Baker: Would like to discuss the various levels of COA; many seem to add work load for staff unnecessarily.

D White: This is actually on the to-do list for permit reform. Specifically, the threshold for administrative review. Have asked staff to think about situations where issues are coming before the DRB because of our COAs, but everyone agrees it is so insignificant that it is waste of time. When this has been fleshed out and is at the point that requires an ordinance change, we will bring it forward.

Y Bradley: Consultants prepared a report regarding permit reform. What has happened?

D White: Report went to City Council in summer, and an ad-hoc committee was formed to dive into details and hold a public meeting on them. Council has accepted the recommendations and charged the team with determining how to implement the recommendations. Will resend the report to Commissioners.

B Baker: City is a bunch of silos, rather than being coordinated. Process is burdensome on applicants. Simple projects become a lot of work.

D White: Feedback from public and boards is and continues to be very important. Sometimes a good reason for having a process in place, but most of it is a function of how we are organized and located. Dealing with lowest hanging fruit, but beginning a conversation about co-location and even becoming a single department.

B Baker: City estimates fees at beginning of a project, which are usually correct. Recent experience was that cost went up, so City had to reissue a new fee. Meant I needed an appointment to approve documentation of what was done. It was for a good reason, but the implementation was not solicitous of the public.

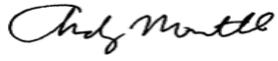
Y Bradley: Recently learned of a cricket farm/business in Shelburne. Due to nature of business, and limitations of zoning uses, it is considered a slaughterhouse.

## **XII. Minutes & Communications**

The Planning Commission unanimously approved a motion by AF, seconded by EL, to approve the minutes of the August 8, 2017 meeting and accept the communications.

## **XIII. Adjourn**

The Planning Commission unanimously approved a motion by AF, seconded by HR, to adjourn the meeting at 7:23pm.



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Andy Montroll, Chair

Signed: September 26, 2017



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Submitted by: Meagan Tuttle, Comprehensive Planner