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

Burlington Planning Commission

Regular Meeting
Tuesday, December 8, 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: 6:35 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)*

IV. Agenda

V. Proposed ZA-16-03: Grocery Stores in ELM Public Hearing Time Certain: 7:00 pm

The Commission will hold a public hearing on a proposed amendment to permit grocery stores up to 30,000 square feet in size to be allowed as a Conditional Use in that portion of the Enterprise-Light Manufacturing Zoning District between Flynn and Home Avenues.

VI. Proposed CDO Amendment: UVM Medical Center *(15 min)*

The Commission will discuss a proposed amendment to various sections of the Comprehensive Development Ordinance to: reflect the name change from Fletcher Allen Health Care to University of Vermont Medical Center; modify the boundary between the UVM Core Campus Overlay and the UVM Medical Center Overly to reflect a property line adjustment; and to make a correction regarding treatment of signs within the Institutional District.

VII. planBTV: South End Master Plan Draft Update/Revisions *(50 min)*

The Commission will finish its discussion of the Arts & Affordability and Economic Development sections of the draft Plan. The Commission will then begin its discussion of the Mobility section of the draft Plan.

VIII. Committee Reports *(5 min)*

IX. Commissioner Items *(5 min)*

X. Minutes/Communications *(5 min)*

The Commission will review communications and approve minutes from the November 24, 2015 meeting.

XI. Adjourn (8:30 p.m.)

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.

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PUBLIC HEARING NOTICE

Burlington Comprehensive Development Ordinance

PROPOSED

ZA-16-03 Grocery in the E-LM

Pursuant to 24 V.S.A. §4441 and §4444, notice is hereby given of a public hearing by the Burlington Planning Commission to hear comments on a proposed amendment to the City of Burlington's *Comprehensive Development Ordinance* (CDO). The public hearing will take place on **Tuesday, December 8, 2015** beginning at 7:00pm in room #12, on the ground floor of Burlington City Hall, 149 Church Street, Burlington VT.

Pursuant to the requirements of 24 V.S.A. §4444(b):
Statement of purpose: This amendment is proposed to the Burlington CDO as follows:

- **ZA-16-03 Grocery in the E-LM:** The purpose of this proposed amendment is to allow for grocery stores under 30,000 square feet in size to be allowed as a Conditional Use in that portion of the Enterprise-Light Manufacturing Zoning District between Flynn and Home avenues.

Geographic areas affected: the proposed amendments are applicable to the following areas in the City of Burlington:

- the proposed amendment affects only that portion of the Enterprise-Light Manufacturing Zoning District between Flynn and Home avenues.

List of section headings affected:

- **Appendix A – Use Table**

The full text of the *Burlington Comprehensive Development Ordinance* and the proposed amendment is available for review at the Department of Planning and Zoning, City Hall, 149 Church Street, Burlington Monday through Friday 8:00 a.m. to 4:30 p.m. or on the department's website at www.burlingtonvt.gov/pz.

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The Commission will discuss a proposed amendment to various sections of the Comprehensive Development Ordinance to: reflect the name change from Fletcher Allen Health Care to University of Vermont Medical Center; modify the boundary between the UVM Core Campus Overlay and the UVM Medical Center Overly to reflect a property line adjustment; and to make a correction regarding treatment of signs within the Institutional District.

VII. planBTV: South End Master Plan Draft Update/Revisions *(50 min)*

The Commission will finish its discussion of the Arts & Affordability and Economic Development sections of the draft Plan. The Commission will then begin its discussion of the Mobility section of the draft Plan.

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Appendix A-Use Table – All Zoning Districts

	Enterprise	
USES	**E-AE**	**E-LM**
NON-RESIDENTIAL USES	**E-AE**	**E-LM**
Grocery Store – Small ≤10,000sqft	CU	N
Grocery Store – Large >10,000sqft	N	~~N~~CU[26]

1-25 *unchanged*

26 Grocery Stores up to but not to exceed 30,000 square feet may be permitted subject to conditional use approval by the DRB in that portion of the Enterprise – Light Manufacturing District between Flynn and Home Avenue.

DRAFT

Burlington Comprehensive Development Ordinance

***PROPOSED:* ZA-16-?? – UVM-MC**

As proposed by staff – 16 Oct 2015.

Changes shown (underline to be added, ~~strike-out~~ to be deleted) are proposed changes to the *Burlington Comprehensive Development Ordinance*.

Purpose: This amendment is to revise the BCDO generally to reflect the name change from Fletcher Allen Health Care to University of Vermont Medical Center; to modify the boundary between the UVM Central Campus Core Campus Overlay and the UVM Medical Center Campus Core Campus Overlay to reflect a resent property line adjustment; and to make a correction with regard to the treatment of signs within the Institutional District.

Sec. 4.3.2 Overlay Districts Established:

Overlay districts are overlaid upon the base districts established above, and the land so encumbered may be used and altered in a manner permitted in the underlying district only if and to the extent such use or alteration is permitted in the applicable overlay district. The following districts are established as overlay districts as further described in Part 5 below:

(a) A **Design Review Overlay (DR)** district**;**

(b) A series of five (5) **Institutional Core Campus Overlay (ICC)** districts, as follows:

- ~~FAHC~~ UVM Medical Center Campus (ICC-UVMMC~~FAHC~~);
- UVM Central Campus (ICC-UVM);
- UVM Trinity Campus (ICC-UVMT)
- UVM South of Main Street Campus (ICC-UVMS); and,
- Champlain College (ICC-CC);

(c) through (g) remain unchanged

Sec. 4.5.2 Institutional Core Campus Overlay Districts

(a) Purpose

The Institutional Core Campus Overlay (ICC) districts are intended to provide for reasonable future growth for institutions within the core of their respective campuses without further intrusion into surrounding residential neighborhoods. This overlay allows increased development than would typically be found in the underlying districts. Development is intended to be more intense than the surrounding neighborhoods with higher lot coverage and larger buildings. New development should provide sensitive transitions to the historic development pattern and scale of the surrounding campus. Buildings both large and small should be designed with a high level of architectural

detailing to provide visual interest and create enjoyable, human-scale spaces. Sites should be designed to be pedestrian friendly and encourage walking between buildings. Circulation should largely emphasize the needs of pedestrians and bicycles, and parking should be very limited and generally provided offsite. Where parking is provided, it should be hidden either within or underneath structures.

(b) Areas Covered.

The Institutional Core Campus Overlays as delineated on Map 4.5.2-1, and are further described as follows:

1. **~~Fletcher Allen Health Care~~University of Vermont Medical Center Campus (ICC-UVMMC~~FAHC~~)** allows for an increased development scale and intensity than would typically be found in the adjoining and underlying districts to support continued growth and expansion of the state's academic medical center. As a regional tertiary-level care facility, on-site parking is expected to play a larger role than otherwise would be expected for other institutional campus overlays in order to accommodate the needs of patients and visitors. While outdoor spaces and circulation systems should be inviting and accommodating for pedestrians, the overall development of the campus would be expected to emphasize the needs of internal circulation and functions in order to meet patient care requirements;

2 through 5 remain unchanged

(c) District Specific Regulations: ~~Fletcher Allen Health Care~~University of Vermont Medical Center Campus (ICC-UVMMC~~FAHC~~);

1. Transitional Buffer:
   A. The Transitional Buffer shall include all property within the area as measured from the centerlines of Colchester Avenue and East Avenue, and extending 150 feet into the ICC-~~FAHC~~ UVMMC District as delineated on Map 4.5.2-2 Transitional Buffer.
   B. Lot coverage shall not exceed 40% for the aggregate of all land owned by an institution and located within the Transitional Buffer.
   C. Unless replaced on site, no housing unit in a residential structure located within the Transitional Buffer shall be demolished or converted to a nonresidential use, except for housing units which are exempt from the provisions of Article 9. The Housing Replacement standards of this ordinance shall apply to any such activity.
2. Lot coverage

   Maximum lot coverage shall be applied to the aggregate of all lots owned by a respective institution and located within the ICC-~~FAHC~~ UVMMC District. Lot coverage shall not exceed 60% except as provided below.

   The maximum lot coverage for the entire tract of land owned by an institution within the ICC-~~FAHC~~ UVMMC District may be increased by one percent for each one percent that the Transitional Buffer coverage is less than 40%, up to a maximum of 65%.

3. Setbacks

Minimum side and rear yard setbacks in the underlying zoning district shall not be applicable within the ICC-~~FAHC~~ UVMMC District.

Front setbacks shall be fifteen (15') feet measured only along any street defining the Transitional Buffer.

4. Surface Parking

No new outdoor surface parking spaces shall be permitted unless the number of the new outdoor surface parking spaces is offset by a corresponding removal of outdoor surface parking spaces existing as of January 1, 2007, and upon the approval by the DRB.

5. Building Height

No portion of any building within the ICC-~~FAHC~~ UVMMC Height Overlay (as delineated on Map 4.5.2-3 ICC-~~FAHC~~ UVMMC Height Overlay) shall exceed the elevation of a plane running parallel to the earth at 540-feet above mean sea level. The provisions of Sec. 5.2.5 Building Height Limits shall not be applicable within the ICC-~~FAHC~~ UVMMC Height Overlay.

No portion of any building outside of the ICC-~~FAHC~~ UVMMC Height Overlay may exceed the elevation of a plane running parallel to sea level from the highest point of the tallest structure at the highest elevation within the ICC-~~FAHC~~ UVMMC District as depicted as of January 1, 2009.

6. Density

In the ICC-~~FAHC~~ UVMMC District, density restrictions set forth in Article 4, Sec. 4.4.4 shall not apply to dormitories and rooming houses as defined in Chapter 18 of the Burlington Code of Ordinances. The restrictions on the non-residential equivalent set forth in Art. 5, Sec. 5.2.7 (a) 2 shall not apply in the ICC-~~FAHC~~ UVMMC District.

(d) through (g) remain unchanged

All of the following maps are also changed to reflect the name and boundary change

- Map 4.5.2-1: Institutional Core Campus Overlay
- Map 4.5.2-2: Transitional Buffer
- Map 4.5.2-3 ICC-FAHC Height Overlay
- Map 4.5.2-4 ICC-UVM Central Campus and Height Overlay

Sec. 7.2.1 Regulation by District

Signs shall be permitted in each district as specified in Table 7.2.1-1 below and as further regulated by the provisions of this Part. Where other provisions in this Article are more restrictive than Table 7.2.1-1, the more restrictive provisions shall apply.

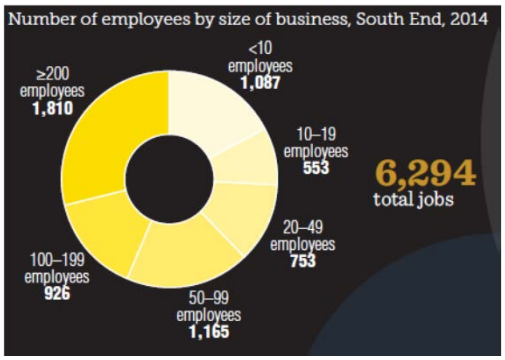
Table 7.2.1-1: Sign Regulation Summary

		Zoning District[4]			
Sign Type	**Dimensional Requirements**	**All RCO, Residential, ~~and Institutional Districts~~**	**All Mixed Use Districts and Institutional Districts**	**All Enterprise Districts**	**(Reserved)**
Parallel	Size	20-sf	2-sf[1]	2-sf[1]	-
	Maximum Height	14-ft[2]	14-ft[2]	14-ft[2]	-
	Illumination	No	Yes	No	-
Projecting					
	Size	4-sf	4-sf	4-sf	-
	Maximum Height	12-ft[2]	14-ft	14-ft	-
	Illumination	No	Yes	No	-
Freestanding	Size	20-sf	½-sf[1]	1-sf[1]	-
	Maximum Height	6-ft	14-ft	6-ft	-
	Illumination	No	Yes[3]	No	-

1. Size is determined per each linear foot of building frontage allocated to the establishment
2. Or ceiling height of the first floor, whichever is less, except in D, D-T, E-LM and NMU-NAC where the sign may be above 14 feet as per Sec 7.2.3(a)4, Sec. 7.2.4 (c)2D, or Sec. 7.2.4(c)6C.
3. Illuminated freestanding signs are not permitted in NMU district.
4. No signs shall be permitted in the Urban Reserve District.

Discussion: Economic Development & Affordability in planBTV South End

- Review the Plan's recommendations regarding economic development and arts & affordability
- Summary of the Public Comments on these sections of the draft Plan
- Staff recommendations on these sections of the draft Plan
- Planning Commission discussion: how to address these elements in a final draft Plan?



Then let it rise: **Economic Development**

- Expand the economic development toolbox available to support growth
  - Expand the financial tools available from state and regional sources
- Provide direct assistance to existing and potential new South End businesses
  - Provide workforce training support and technical assistance to existing businesses
- Advance land use policy changes within the Enterprise Zone to enhance its value to the City
  - Evaluate possible changes to the Enterprise Zone that incorporate housing in select locations

Spice it up: **Arts + Affordability**

- Preserve/create affordable artist/maker space
  - Preserve/create affordable artist space through artist/maker ownership models
  - Preserve/create affordable artist space through nonprofit and for-profit developers
  - Preserve/create affordable artist space through City actions
- Create zoning and development regulations that help expand the supply of workshop and work-live space
- Support Burlington City Arts, SEABA, and other arts organizations
- Incorporate the arts into the physical fabric of the neighborhood

The accompanying Arts & Affordability Toolkit was prepared to provide specific case studies and strategies which support these recommendations. The toolkit included recommendations for models both of which included housing and those that were solely for artists' work/retail space.

Responses to Recommendations

Public Comments on Economic Development Strategies

- Key to economic development is preservation of Enterprise Zoning and space exclusively for industry
- Not enough recognition of the continued presence and significance of manufacturing/industrial activity in the South End. More resources, tools, research to ensure the South End's sustainability as a location for industry and companies/jobs that could be a good fit.
- Allocate money to assist with arts and entrepreneurship as a business opportunity & for incentives for industrial jobs
- Signage and promotion of the South End, as the City's arts district, to visitors in a more significant way
- Any changes to zoning should not jeopardize the area as an industrial district, or contribute to its conversion to an entertainment district which could have unintended consequences on the adjacent residential areas of the neighborhood

Responses to Recommendations

Public Comments on Arts & Affordability Strategies

- Area is already becoming unaffordable and difficult to find vacant space; introduction of housing in the Enterprise Zone will exacerbate this problem and contradicts other Plan goals.
- Perhaps stricter regulations are needed to protect the character of the Enterprise Zone
- Some support for the plan's recommendations, particularly regarding:
  - providing incentives to property owners to improve spaces without raising rent
  - cooperative models for arts space
- Discussion around the availability and need for arts space should be looking more broadly at all forms of art–including performance spaces

Staff Recommendations

These two sections are the most critical parts of the Plan. The strategies should be expanded to address the preservation of what makes the South End great, while we work to enable and facilitate its continued evolution.

planBTV South End should set the stage for an economic development strategy that:

- retains the character of the South End and the existing businesses and activity taking place;
- recruits investment, jobs, people and innovation to the South End to ensure its sustained vitality;
- and provides a platform for innovations and enterprises to take root and expand with the community, region, and/or state

Staff Recommendations

Retain the character of the South End and the existing businesses and activity taking place, by:

Strategies to keep:

- Provide resources and technical assistance to existing businesses
- Consider a range of collaborative models to preserve/expand affordability of space for artists

Strategies to add:

- Evolve land use policy and regulation by recognizing sub-districts which identify places where small-scale manufacturing can be maintained, and where creative enterprise can grow
- Facilitate **adaptive reuse of existing buildings** to keep them affordable for a mix of industrial, arts and entrepreneurial tenants

Strategies to eliminate:

- Zoning changes pertaining to housing in the Enterprise Zone at this time; however, recognize a commitment to a continued conversation

Staff Recommendations

Recruit investment, jobs, people and innovation to the South End to ensure its sustained vitality by:

Strategies to keep:

- Expand the economic development toolbox available, including state and federal funding and technical assistance programs
- Create diverse housing opportunities outside of the Enterprise Zone to meet demand and create places where employees can live in close proximity to where they work

Strategies to add:

- **Redevelop under-developed sites** to create opportunities for expansion of existing or recruitment of new businesses
- **Rebuild critical infrastructure** to support business growth, improve the safety of all modes of transportation and set high standards for environmental protection
- **Communicate the South End's unique character and advantages** to potential future companies/enterprises that could locate in the district

Staff Recommendations

Provides a platform for innovations and enterprises to take root and expand with the community, region, and/or state by:

Strategies to keep:

- Integrate the arts into the physical fabric of the South End
- Support City Arts, SEABA and other entities to advance these strategies

Strategies to add:

- Clearly identifies the role of and opportunities for the South End within a **City-wide and/or Regional economic development plan/strategy**
- Preserve and expand resources available in the South End that support the City's **entrepreneurial ecosystem**

Discussion: draft planBTV South End

The Planning Commission should discuss the economic development and arts & affordability recommendations from the draft planBTV South End and determine:

Are there recommendations should be maintained in a final draft?

Are there recommendations that should be removed/modified for a final draft?

Reactions to staff recommendations?

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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

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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 21st 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 refered to the Parkway as "20th 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 benfit 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 restablish 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 outide 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.

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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 30th there will be a public meeting on the Champlain Parkway. December 15th 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. Sommerville, 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 30th, there will be a Railyard Enterprise Project public meeting on December 9th.

XIII. Minutes/Communications

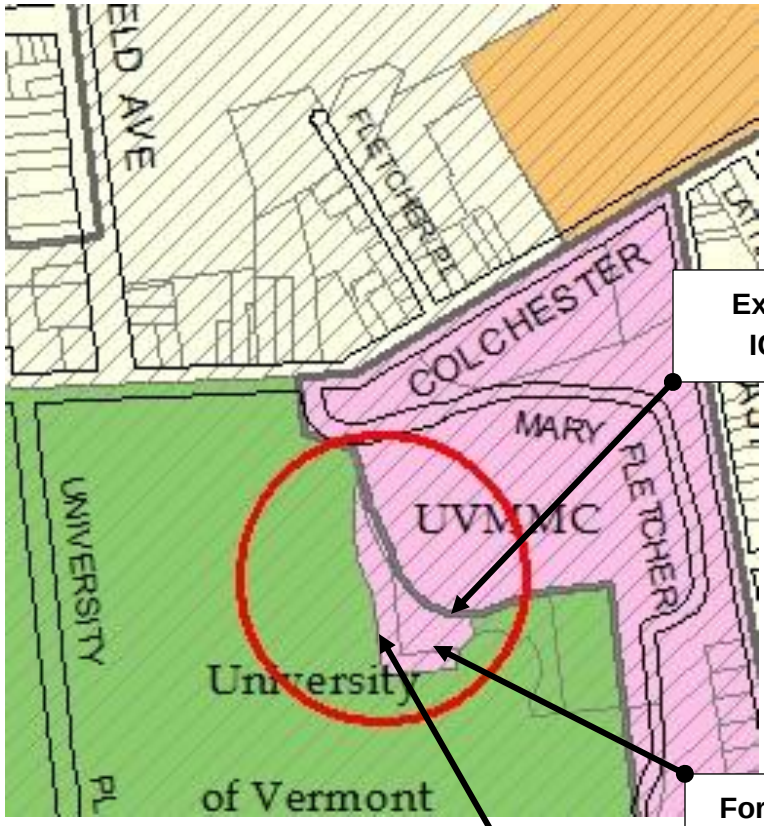
On a motion by J Wallace-Brodeur, seconded by L Buffinton, the Commission unanimously voted to accept the minutes of November 10, 2015 with one correction submitted by L Buffinton.

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 Date

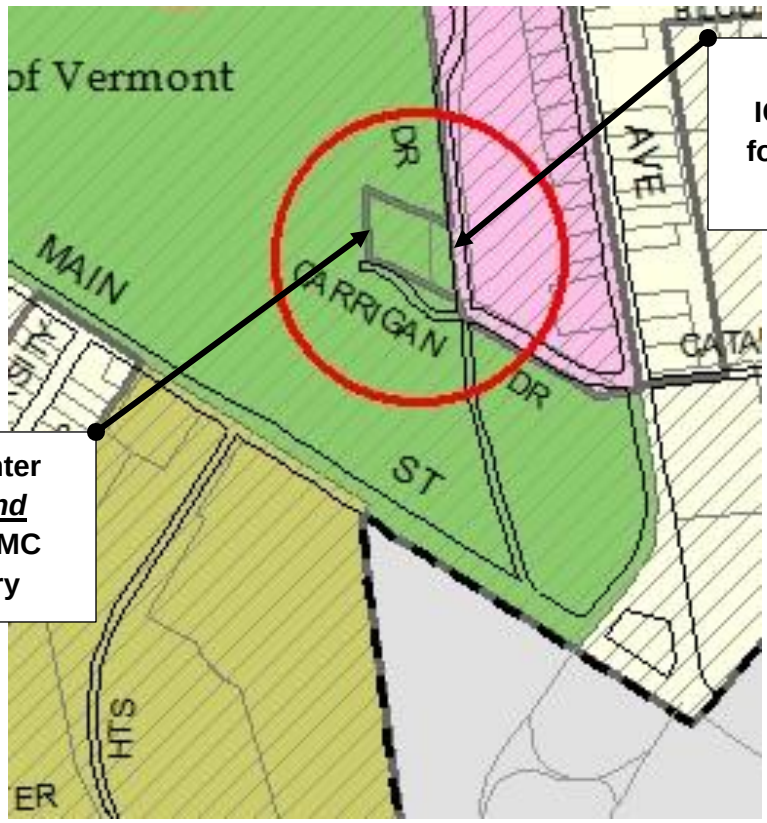
_____
E Tillotson, recording secretary



Existing UVMMC (FAHC) ICC Overlay boundary

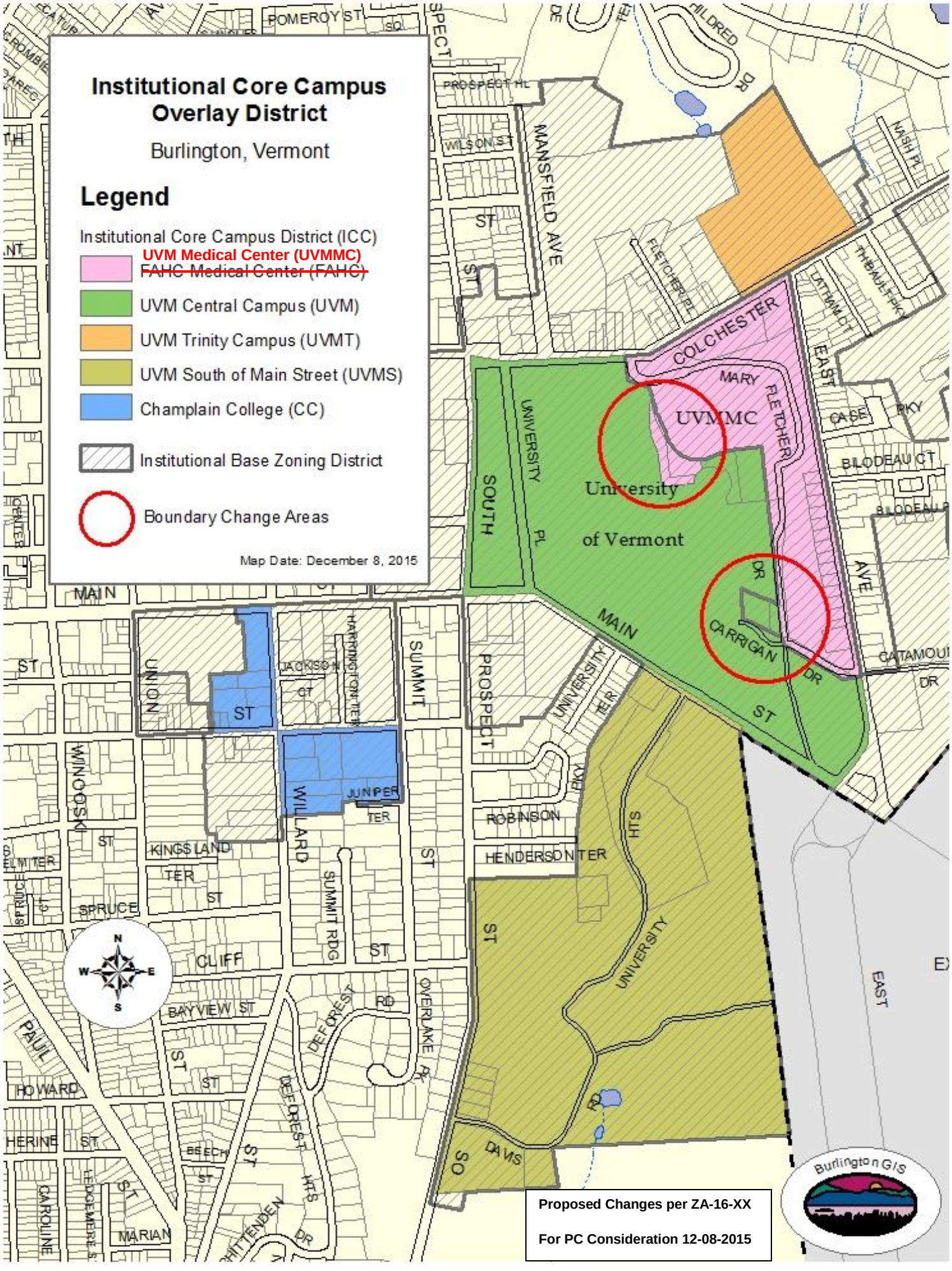
Former UVM Medical Center property boundary

New UVM Medical Center property boundary *and* PROPOSED new UVMMC ICC Overlay boundary



Existing UVMMC (FAHC) ICC Overlay boundary and former UVM Medical Center boundary

New UVM Medical Center property boundary *and* PROPOSED new UVMMC ICC Overlay boundary


Institutional Core Campus
Overlay District
Burlington, Vermont
Legend
Institutional Core Campus District (ICC)
UVM Medical Center (UVMMC)
~~FAHC Medical Center (FAHC)~~
UVM Central Campus (UVM)
UVM Trinity Campus (UVMT)
UVM South of Main Street (UVMS)
Champlain College (CC)
Institutional Base Zoning District
Boundary Change Areas
Map Date: December 8, 2015
UVMMC
University
of Vermont
COLCHESTER
MARY
FLETCHER
CARRIGAN
DR
MAIN
ST
SOUTH
UNIVERSITY
PL
MANSFIELD AVE
POMEROY ST
PROSPECT HL
WILSON ST
FLETCHER PL
EAST
AVE
CASE
PKY
BILODEAU CT
CATAMOUNT
DR
UNION
ST
JACKSON
CT
HARRINGTON TER
SUMMIT
PROSPECT
UNIVERSITY
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WINOOSKI
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WILLARD
JUNIPER
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ROBINSON
PKY
HENDERSON TER
HTS
KINGSLAND
TER
ST
SPRUCE
SUMMIT RDG
ST
CLIFF
BAYVIEW ST
DEFOREST
RD
OVERLAKE PK
PAUL
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HERINE
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DEFOREST
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Proposed Changes per ZA-16-XX
For PC Consideration 12-08-2015

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Jennifer Wallace-Brodeur
Holly Ransom, Youth Member

Burlington Planning Commission

REGULAR MEETING
Tuesday, December 08, 2015 - 6:30 P.M.
Conference Room #12, Ground Floor, City Hall, 149 Church Street

MINUTES

Present: B. Baker, A. Montroll, H. Roen, L. Buffinton, J. Wallace-Brodeur
Absent: Y. Bradley, E Lee
Staff: D White, M Tuttle, E Tillotson

I. Report of the Chair

B. Baker opened the meeting at 6:30 pm. A little bit too early to start public forum, so move to reports. The Chair is absent and the Vice Chair has no report.

II. Report of the Director

D White outlined many ongoing projects of the Planning & Zoning department.

M Tuttle is organizing event on January 5th for the Burlington Mall which will include updated design and associated information. The meeting will be held at 5:30 in the Mall.

Form Based Code (FBC) work continues, several more meetings are anticipated before the public process begins. A Montroll reports that they are making progress on the public process portion.

The Burlington College agreement was approved by the City Council at their last meeting.

I Avilix: Is there a meeting regarding the mall next week?

D White: A meeting of the DAPAC is scheduled for Dec 22. It will be announced on the City's event calendar.

M Tuttle: There is a meeting about the Railyard Enterprise Project on Wednesday at 6:30pm at ArtsRiot.

D White: Also of note, on Tuesday, Dec 15th, there is a joint meeting of the Boards involved with the planning and zoning process to update on projects.

III. Public Forum

B Baker opened the Public Forum at 6:36 pm.

S Bushor, City Councilor, Ward I: Ms. Burshor addressed the Commission regarding email chatter about proposed changes in the process for development projects and the consensus that the changes are being driven by the Planning and Zoning Director. She has been asked to speak at the Ward 1 NPA and doesn't wish to add to confusion, but it appears that people are concerned about being shut out from the process. She has also been on the other side before that and experienced not being heard at public meeting which was a motivator for her to run for the City Council. She recognizes the struggles that staff and the community go through to make projects better. There is great concern from the public about the process. The City Council

has asked for streamlined permitting process but she would like more clarity from the Director since this is a really important topic. It appears that some specific proposal has sparked this dialogue.

D White: At the last Planning Commission meeting, a proposed amendment to the Major Impact process was reviewed and it seems this kicked off the chatter. He shared an email with Councilor Coburn, explaining that the changes are an attempt to eliminate duplication and redundancy in the process. It doesn't affect the public's ability to participate, but rather changes thresholds for when a project must go through the Major Impact review process.

S Bushor: It is important that the City Council understand that. The NPAs city-wide will be discussing this and the changes need to be clarified. A chart showing the changes, the process and opportunities for public participation would be a great help.

Maggie Standley, Ward 3: Ms. Standley presented information to the Commission members regarding zoning ordinance definitions for day care facilities. She discussed that she has been trying to resolve an issue with her neighbor's home occupation for the last year and a half. She requested that the Commission revise requirements of day care centers operated out of homes, by having all daycares as a conditional use, and requiring a schedule that is agreed upon with their neighbors. She suggests that the Commission revise the code to include some way to verify conditions and provide protections for homeowners.

I Avilix: This conversation and the email chatter also have a relationship to Form Based Code; it's a part of the same concern. The more clarity before the City Council vote, the better.

L Buffinton: It seems that these are good points from M Standley, perhaps this is a subject for the Ordinance Committee. Thought that Police Department had a decibel reader; if it is part of the ordinance, it would seem necessary.

B Baker: Presently, there is a City-wide ordinance that governs noise, not the zoning ordinance.

L Buffinton: That works during the day when there is someone to enforce them, but what about when the Code Enforcement staff is not working.

D White: The Noise Ordinance is enforced by the Police Department, not Code Enforcement. The zoning ordinance currently doesn't apply standards for noise, but could look at tying some type of performance standards to this use if desired.

IV. Agenda

No changes.

V. Committee Reports

Ordinance Committee – A Montroll: Met last week and discussed two items. Shared parking, which has come to the Commission previously, is almost done, but waiting for B Baker to attend to have a discussion about the leasing aspect. Also continued discussion Low Impact Design ordinance, reworked it to focus on RL and RM only. Will come back to the Commission in January.

Long Range Planning Commission – H Roen: This committee hasn't met since the last meeting. M Tuttle is trying to find a schedule for the group to meet based on the Commission's discussion of the economic development element of planBTV South End.

The Joint FBC Committee – Provided by D White's report.

VI. Commissioner Items

None.

VII. Minutes/Communications

On a motion by A. Montroll, seconded by J Wallace-Brodeur, the Commission unanimously accepted the minutes of November 24, 2015.

VIII. Proposed ZA-16-03: Grocery Stores in ELM Public Hearing

B Baker opened the public hearing at 7:00 pm.

D White: This proposed ordinance change makes specific changes to the ELM district at the request of City Market as part of their proposal to establish a second store on Flynn Avenue. It allows for a large grocery, more than 10,000 sq.ft. as a conditional use in the ELM zone only between Home Avenue and Flynn Avenue provided that it does not to exceed 30,000 sq.ft. There is a new footnote #26 to reflect this.

I Avilix: There is a lot of power to be had in changing ordinances. Ward 5 NPA meeting was very supportive of City Market, as is Mr. Avilix. However he also loves Dave's Antiques and the Missing Piece. There is a lot of room on the site and the grocery could be shifted back to maintain the existing buildings. It would be good to give the public, as well as the Commission, a choice through the zoning ordinance to maintain existing uses as well as adding new. Mr. Avilix would like to see a feasible way for the existing businesses to coexist with the proposed grocery store. The buildings represent the South End character, and the having both would provide the multi-use aspect that's discussed. They are allowed uses now, and permitting grocery stores will drive them out. Mr. Avilix hopes the Commission will ask to see an alternative which would examine how the proposed plan and existing businesses can coexist.

C Bates, Ward 3: Ms. Bates is a long-standing City Market member, but completely agrees with Mr. Avilix that she would like to have the existing buildings maintained. She would also like City Market to have a pharmacy and appreciates all the time the Commission has spent on this issue.

LBuffinton: The proposal doesn't limit mixed use, and other uses can continue as far as the Commission is concerned. It is a private decision to relocate those businesses. However, question why the proposal allows grocery stores only10,000 sq. ft. and larger, but not less than 10,000 sq.ft.? Small markets could be welcome, too.

A Montroll: It doesn't make sense not to include both.

M Standley: Her business is in Ward 5 and she has been active in planBTV South End project as well as being an advocate for the Old North End. She would like clarify that the proposal does include all existing businesses.

M Tuttle: The change does not affect existing uses. Without this ordinance change, a grocery store would not be permitted and City Market may not be submitting a proposal for it. However, another permitted use might make a proposal that would impact the business instead. What businesses the property owner wants on the property is a private decision.

I Avilix: The change would permit the grocery store use, and City Market's plans show the elimination of two small businesses.

C Bates: Can't zoning just allow grocery stores on one part of the property to maintain the existing businesses?

D White: We can't rezone just one small area.

I Avilix: There could be some language for supporting the coexistence of businesses. This is the beginning of changing the way the district is used. How do we value architectural history and mixed use?

A Weinhagan, City Market: Could D White describe the process following this zoning piece? Seems more appropriate for a discussion of the Market's proposal and what mix of uses to occur during the plan review process rather than this zoning amendment.

D White: Creating areas with a mix of uses is the responsibility of the broader context of zoning. The purpose of this hearing is not to addresses specific design for the proposal, but whether or not this use should be permitted. Design is best explored with the property owner. It is good to raise concerns early in order to engage the property owner and the developer.

B Baker: Somehow need to reach out to the parties involved since we can't zone based on individual lots.

H Roen: I support this change because Ward 5 showed support for the project at the meeting.

B Baker closed the public hearing.

On a motion by L Buffinton, seconded by A Montroll, the Commission unanimously voted to forward the proposed amendment to Council with the addition small grocery stores added as a conditional use in the ELM district between Home and Flynn Avenues.

IX. Proposed CDO Amendment: UVM Medical Center

D White: This is not a public hearing, but a discussion on a number of proposed ordinance changes requested by UVM Medical Center. The Executive Committee directed staff to take on three of the four requests from the hospital. These include:

- Fletcher Allen (FAHC) is now UVM Medical Center (UVMMC), so all references to FAHC need to be updated.
- A mistake was discovered in the sign table that conflicts the text, so the correction is recommended to be made to move institutional zones into the mixed use category for sign provisions rather than the residential category.
- A property line was moved that impacts the boundary between UVVMC and UVM Core Campus, as well as a piece of land changed hands between the two institutions. It is recommended to change the boundaries of the two overlays to reflect the current ownership.

L Buffinton: So there are two different boundary changes?

D White: One proposed change extends the UVMMC overlay boundary and the other extends the UVM Core Campus overlay boundary.

A Montroll: Can you remind us of the differences between the two overlays?

D White: An overlay district modifies the underlying zoning district. Height, the mechanism for measuring height, use, setbacks and lot coverage are the differences. The core campus overlay allows greater lot coverage, restrictions on parking, and building height.

M Lang, Ward 1: Ms. Lang attempted to initiate a dialogue with UVMMC in February to point out that a hospital cannot be built on this piece of land. After attempting to settle with FAHC, she appealed to environmental court because FAHC did not ask for a change of use, whether it was a misstatement or oversight. Permits given under false pretenses are not retroactive. Ms. Lang asked the Commission delay this change or require UVMMC to reapply and and be truthful on their application. The Green Mountain Care Board can take away their CON since the hospital stated that all permits were in place when they applied; the environmental court could adversely affect this.

L Buffinton: If there is a legal case pending, do we compound this if we take action?

D White: Changing the ordinance now doesn't affect the past. The Institutional zone allows hospitals—there is a difference of opinion between the parties. Despite being in two overlays, the hospital was permitted because the height did not exceed the lower of the two overlay provisions. We had not made the overlay boundary change because we had been waiting to see where the hospital expansion would be located.

I Avilix: How is this different from spot zoning?

D White: A hospital use is allowed in either overlay zone. The boundary change does not meet the many tests that apply to spot zoning. There are large swaths of land to which these provisions apply.

M Tuttle: These properties are already contiguous to the overlay that is proposed in each of the changes. Not a small "spot" of zoning that is vastly different from what is surrounding.

I Avilix: Where would there be a definition of spot zoning?

B Baker: It is based on case law, but some basic information could be found online.

H Roen: Would it make sense for the City Attorney to give an opinion on whether this is a change of use?

D White: M Lang's issue is whether the permit constitutes a change of use, not the ordinance change.

On a motion by J Wallace-Brodeur, seconded by H Roen the Commission unanimously agreed to warn a public hearing on the proposed changes.

X. planBTV: South End Master Plan Draft Update/Revisions

M Tuttle: At our last meeting economic development was discussed. At the conclusion of the meeting there was some good direction on a discussion of the Shelburne corridor as a business area as well as a transportation corridor, and some consensus to look at a strategy regarding the policies for land use throughout the Enterprise Zone. Other strategies recommended by staff are to help the plan more explicitly state other goals, such as prioritizing redevelopment and infill sites.

J Wallace-Brodeur: During the process, we heard comments from the public about a conflict between a brewery and a neighborhood. Is there any way to speak to how to mitigate those issues in the plan?

M Tuttle: One element in the reworked housing element is to consider the zoning on the periphery of the ELM district and determine what is most appropriate for a transitional area to create a buffer.

J Wallace-Brodeur: That works for new or redeveloped neighborhoods, but what about existing neighborhoods that aren't likely to change.

D White: There may be a need for a transitional area with some performance standards within the ELM. The City Council is responsible for granting alcohol and special event permits, though.

S Bushor: Remembers when Riverside Avenue became commercial. There were lots of lessons learned at that time which might fit nicely with the South End corridor. Presently we are reacting to a situation; perhaps we can try to integrate activities within neighborhoods in advance of any issues.

L Buffinton: It is really important to incentivize results that we do want and not make the definition of sub-areas too restrictive. Are schools allowed in ELM? Having skills-based schools could help with workforce development.

D White: Vocational and professional schools are allowed, like Champlain's Emergent Media Center.

L Buffinton: Noted a grammatical error on page 11 of the agenda.

J Wallace-Brodeur: Page 40 of the plan talks about setting up for success, but we want technical assistance for more than just artists.

M Tuttle: This is a summary of the arts and affordability tool kit, but it could be better defined within the context of the Plan. Ultimately, the Arts & Affordability toolkit will likely be an appendix to the plan.

D White: There is a need for technical assistance in the arts and for the development to create affordable spaces. The tool kit will bring them together, create new approaches and alliances.

M Standley: At the last LRPC meeting the arts tool kit seemed to be presented as more of an implementation plan. A more diverse group of people involved would improve its function.

M Tuttle: As we discussed, it recommends a number of strategies that will help with the transition to implementation. The toolkit starts with a recommendation to form a collaborative working group.

M Standley: Would like input on the working group members.

M Tuttle: LRPC is working through the draft right now and strengthening the strategies in the plan. This is somewhat different than the working group for implementation.

I Avilix: So then in the future, does the public have to ask to have an item on the Long Range Planning Committee agenda?

M Tuttle: The LRPC will not become the implementation working group. The public can form a working group. The important part is activating the partners that have been involved in this planning process to lead that forward. This can and should have involvement and support from the City in some way, but will not necessarily be led by it.

S Bushor: Did CEDO play a role in other plans that have been developed? Perhaps they should be involved in the next step after this.

C Bates: Has the Blodgett oven property been sold?

D White: It is unclear.

C Bates: Would like to get the steering committee going now.

M Standley: Would second that.

H Roen: Yes, it is good to have an implementation committee.

D White: Would suggest the arts community and SEABA join together to get this to happen, but this is independent of the LRPC.

M Tuttle: LRPC revised the draft housing piece and circulated it to a lot of stakeholders. We envision doing the same thing when we have a revised version of the economic development section. Purpose is to get feedback as we are rewriting the draft.

H Roen: Having the City Council involved as well would be recommended.

L Buffinton: The process needs to be as inclusive as possible.

M Standley: Would suggest asking major businesses to send delegates to meetings of this steering committee.

M Tuttle: Suggests that the Commission continue to work through this element of the draft plan so the LRPC can work on an update.

A Montroll: It the steering committee proposed to be a strategy included in the plan?

D White: Yes.

I Avilix: There should be a detailed list of who should be on this committee and there should be funding available to help these individuals with the transition to implementation.

H Roen: Agrees that the more it can be fleshed out the better.

B Baker: Purpose of the plan is to describe the program at a broader level, not to include all of that detail. If one of the organizations changes, then the plan is out of date.

J Wallace-Brodeur: This is a very comprehensive plan that needs multiple stakeholders stepping up, all sectors need to be involved so that it is a collaborative effort to get things done. There is a difference between articulating strategies in the plan and setting up a steering committee for implementation, which is more related to our outreach strategy.

D White: The parking studies going on now is a good example. The downtown and waterfront plan talked about the need for a parking study, but was not specific to what those parking needs were.

M Standley: Thanks for the comments from J Wallace-Brodeur. M Standley feels that all parties are ready to come together, and as has been happening for over a year now. She hopes there is some funding left to help support the work and input of these smaller entities.

M Tuttle: Is the Commission ready to refer these elements to the LRPC to rework?

Nods of general agreement by the Commission members.

XI. Adjourn

On a motion by L Buffinton, seconded by A Montroll, the Commission unanimously adjourned at 8:34 pm.

Bruce Baker, Vice Chair Signed: January 27, 2016

Elsie Tillotson, Recording Secretary