

Burlington Planning Commission

149 Church Street
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www.burlingtonvt.gov/pz

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



Burlington Planning Commission

Regular Meeting

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

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

AGENDA

Note: times given are approximate unless otherwise noted.

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

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

II. Report of the Chair (5 min)

III. Report of the Director (5 min)

I. Agenda

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

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

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

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

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

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

V. planBTV: South End Master Plan Draft Update/Revisions (30 min)

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

VI. Committee Reports (5 min)

VII. Commissioner Items (5 min)

VIII. Minutes/Communications (5 min)

The Commission will review communications and approve minutes from the Oct 27 meeting.

IX. Adjourn (8:00 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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The Commission will receive a recommendation from staff regarding the request from City Market to amend the Enterprise-Light Manufacturing district to permit grocery stores which are greater than 10,000 sq.ft.

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

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

VI. 2016 Meeting Calendar (5 min)

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

VII. Committee Reports (5 min)

VIII. Commissioner Items (5 min)

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IX. Minutes/Communications (5 min)

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

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

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

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

Proposed CDO Language:

Article 5: Citywide General Standards

Sec. 5.2.3 Lot Coverage Requirements

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

(a) Calculating Lot Coverage:

Lot coverage shall be calculated in the following manner:

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

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

(b) Exceptions to Lot Coverage:

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

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

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

Article 6: Development Review Standards

Part 2: Site Plan Design Standards

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

Paragraph 1: as written.

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

Paragraph 3: as written.

Article 13: Definitions

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

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

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

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

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

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

Proposed CDO Language:

Sec. 8.1.9 Maximum Parking Spaces

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

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

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

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

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

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

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

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

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

Sec. 8.1.10 Off-Street Loading Requirements.

As written.

Sec. 8.1.11 Parking Dimensional Requirements

As written.

Sec. 8.1.12 Limitations, Location, Use of Facilities

(a) Off-Site parking facilities:

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

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

(b) Downtown Street Level Setback:

As written.

(c) Front Yard Parking Restricted:

As written.

(d) Shared Parking in Neighborhood Parking Districts:

As written.

(e) Single Story Structures in Shared Use Districts:

As written.

(f) Joint Use of Facilities:

As written.

(g) Availability of Facilities:

As written.

(h) Compact Car Parking:

As written.

Sec. 13.1.2 Definitions.

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

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

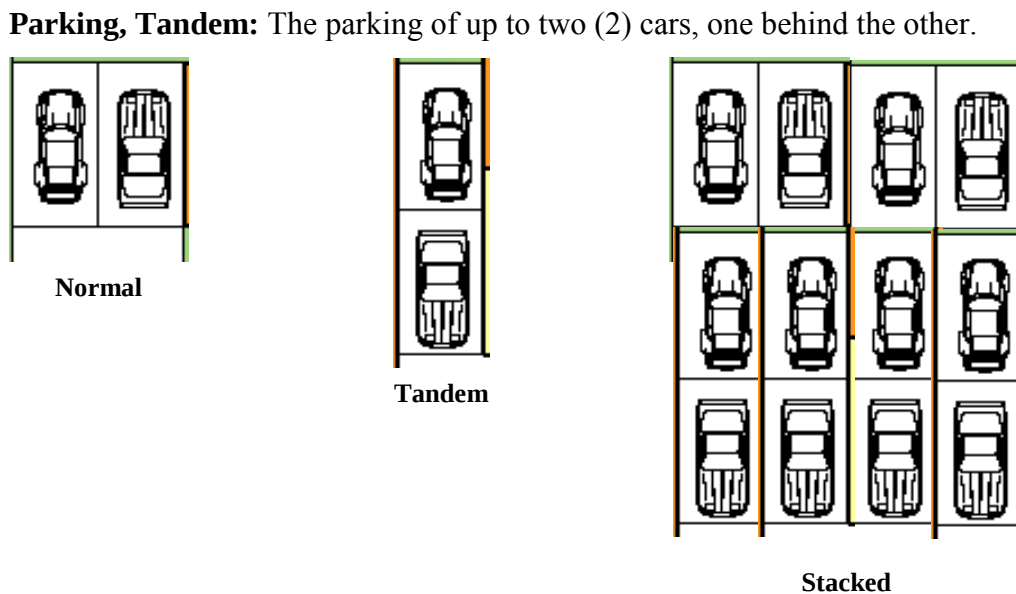
A-O, As written.

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

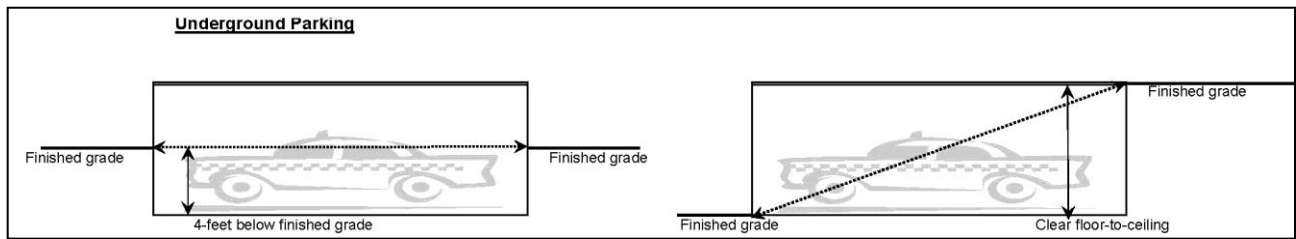
Parking Garage/Structure: A structure containing parking facilities, below or above grade.

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

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



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



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

Continued as written.

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Mary O'Neil, AICP, Senior Planner
Elsie Tillotson, Department Secretary
Anita Wade, Zoning Clerk



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

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

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

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

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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 referred 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 benefit to justify the expense, but provided input on its design should it continue to move forward. These comments were primarily regarding bike and pedestrian facilities and neighborhood street connections.
- There was generally support for recommendations that will make the Pine Street corridor more like the "complete street" proposed for North Avenue and that will promote traffic calming throughout the South End. Some comments suggested that the Plan should do more to emphasize transportation improvements not related to single occupant vehicles (SOV) and advocated for improved bicycle facilities along the length of Pine Street.
- Opponents of new parking facilities in the South End cited these facilities as encouraging SOV use and not being forward thinking for the future of transportation. Additionally, some felt that the Plan should give more consideration to shared parking lots rather than new parking structures and that parking structures shouldn't be built on valuable lots in the South End. Supporters felt that this could help attract businesses in the South End, and that the garages could utilize solar power to provide electric car charging stations.
- Many comments were shared about improving the access to and frequency of transit in the South End. Several ideas were shared about a South End shuttle to connect the furthest extents of the South End to downtown and the waterfront. This was also tied to suggestions about a Park & Ride station either on a lot in the South End or on the improved area that is intended to become the Champlain Parkway.
- Some felt that elements of mobility were missing or underrepresented in the Plan, such as ADA improvements and access to transit for the elderly and disabled, and the future of the railyard and the potential to reestablish rail service to Montreal.

Public Open Spaces & Connections

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

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

Brownfields & a Superfund Site

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

Managing Stormwater

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

Housing

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

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

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

Reinforced Arts Hub: Maple Street to Locust Street

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

Maker’hood Center: Locust Street to Sears Lane

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

Eclectic Ecosystem: Sears Lane to Home Avenue

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

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

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

PLANNING COMMISSION

January - December 2016
Regularly Scheduled Meetings

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

Burlington Planning Commission

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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

Tuesday, October 27, 2015 - 6:30 P.M.

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

MINUTES

Present: B. Baker, H. Roen, L. Buffinton, Y Bradley, A Montroll, E Lee, J Wallace-Brodeur

Absent: None

Staff: D White, M Tuttle

I. Agenda 6:34

No Changes

II. Public Forum 6:35

Martha Lang, 138 Colchester Avenue: Distributed a handout regarding the UVM Medical Center zoning request. Ms. Lang challenged content on page 5 of the handout from a presentation on September 22, 2015 stating that the information is false. She stated that the zoning overlay does not only impact height, as stated in the presentation, but also impacts density and use as well.

John Tashiro, General Manager, City Market: Mr. Tashiro discussed City Market's intentions to open a South End location in 2017 and provided details to the Commission about the completion of the Phase I EIS and the progress on Phase II. City Market hopes to break ground on the project in June 2016. Mr. Tashiro expressed his understanding of the planBTV South End process, but stressed the importance of progress on the site in the South End. He reminded the Commission that City Market is not currently permitted in the Enterprise Zone, and noted that he felt that he had the Commission's support at his last appearance to consider an amendment to the ordinance. The Planning Commission requested a standalone item on the November 10 agenda to discuss this issue.

Ibnar Avilix: Mr. Avilix proposed a process for public input similar to joint planning committee meetings and following a suggestion by Councilor Shannon to introduce an additional public forum at the end of meetings. Mr. Avilix felt that this could be helpful for the public to be able to provide input after they have heard the discussion of the Commission on agenda items.

III. Report of the Chair

Y Bradley: Reported that he had a discussion with Jane Knodell about a joint work session with the Council regarding Form Based Code, and potentially for planBTV South End, before delivery to Council. They also discussed a potential work session with Council's ordinance committee regarding historic building materials. Mr. Bradley also discussed the importance of Planning Commission meetings clearly having a middle and end to respect the time commitments of the volunteer members as well as to the public. He suggested that the Commission needs to consider ways to stick to the times indicated on the agenda, and if large groups are present have protocols for taking comments, such as asking the public not to reiterate each other's points and setting time limits for comments like Council does.

As approved by the Planning Commission on .

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J Wallace-Brodeur: Asked D White if the Commission has protocol for public forum. If not, something that we should consider. Stressed that written comment is also a good way to weigh in. Maybe have protocols for certain situations if they're needed.

H Roen: Appreciate Yves flexibility at meetings. If stick to time limits, will want to look closer at the agenda before it is published to make sure there's adequate time for issues.

L Buffinton: Don't want to limit public comment. This really becomes an issue when one person dominates public comments. We should try to avoid a back and forth, but allow some public comment during agenda items if necessary.

Councilor Bushor: Council may not be a model. Public forum is frustrating for the public because it is not always a dialogue that they're looking for. When Council has controversial items, sometimes have a separate meeting or public forum to allow for dialogue.

A Montroll: Don't think the Council model is appropriate for Planning Commission because not usually as many people here to manage. Wants a dialogue and process for when it gets out of control. If people come out, we should listen because they're probably there for a reason.

E Lee: Heard from many people that don't feel heard at public forum. Suggested that people come to the Planning Commission's committee meetings for dialogue. Commission needs to be careful to give people time to be heard so there's more support when items go to Council.

B Baker: Maybe the best approach is to empower the chair to determine how to handle situations based on what is happening.

D White: Meeting management needs a toolbox of options to be able to address the situations that come up in meetings. Maybe the committee meetings are the right idea for engagement outside the bounds of the meeting.

Y Bradley: Suggestion to switch the Agenda item from the first item on each agenda to after the Chair and Director's reports. Ask residents at the beginning of public forum whether or not they will speak on an item on the agenda. If so, gives the Commission an option to add time or delete topics from the agenda.

D White: Perhaps this is something the Executive Committee could discuss.

Motion made by E Lee to refer issue of creating procedures for Planning Commission's public forum to Executive Committee. A Montroll second; all in favor.

IV. Report of the Director

D White: Council approved the reorganization of the Planning & Zoning Department. When city administration gives approval to fill the position it will be advertised.

V. CDO Amendment Request: Short-Term Kennel/Dog Day Care Downtown

Megan Sterns requested that dog day care be a permitted conditional use in the Downtown, Downtown Transition, Downtown Waterfront or Battery Street Transition zones. Has spoken with the dog-friendly hotels downtown, Jesse Bridges, Director of Parks, Recreation and Waterfront, and the Church Street Marketplace. All agree that this could help make Burlington a more dog-friendly place and could benefit things like the Boathouse. Vermont is the most pet-friendly state, and this could help with Burlington's tax revenue, tourism and City image. Ms. Sterns provided a list of best practices that the City could use to consider regulations on noise, odor, etc.

A Montroll: In favor of the concept. How should we go about this? Can we create a conditional use?

D White: Conditional use is a possibility, but there could be some other strategies. Suggested that this be referred to the ordinance committee with staff preparing a summary of what might be included in an ordinance.

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Motion made by A Montroll for staff to develop a recommendation regarding zoning changes for this use and forward to the Ordinance Committee. B Baker second.

E Lee: Is this a licensing issue that the City should consider, perhaps something that can be renewable. Don't necessarily think that this is a good neighbor to everyone. A renewable license could be a way to ensure that they're a good neighbor.

D White: Could ask the City's attorney to rule in on this issue, but zoning enforcement could be a mechanism.

Y Bradley called the vote with all in favor.

VI. City Parking Initiatives- Downtown, TDM and Residential

Chapin Spencer, Director of Public Works for the City, provided a presentation which summarized the three parking study drafts that have recently been published for public review. These include the Residential Permit Parking, Downtown Parking and Transportation Management Program and the TDM Action Plan. Mr. Spencer thanked the CCRPC, the Advisory Committee and the Burlington Police Department for their support and work on these plans. Announced that Burlington will begin using Park Mobile as a mobile payment option for downtown parking and that the City has ended its relationship with the consultant team for the Residential Parking Program. The plans are available online at www.parkburlington.com

L Buffinton: How does DPW get the \$9M for capital improvements that had been deferred?

C Spencer: Simplest answer is decrease expenses and increase revenues. Combination of more automation at exits in garages so that staff time can be used differently. Changes in enforcement that are being considered, such as Sunday enforcement, to increase parking revenues. Trying to manage garages like a business. Will go to Board of Finance to ask for first \$2.2M and will ask to activate TIF to start the process.

E Lee: Thanks for the update. Thinks the right decision was made to work without the consultant. Important step is to agree to and rank the objectives for the Residential Parking Program. Will always have a challenge in accommodating parking, but want to steer clear of the direction the public process took for planBTV South End.

H Roen: More bike parking is key, but need to have better bike infrastructure for getting into downtown.

VII. planBTV: South End Master Plan Update/Revisions

Meagan Tuttle, Comprehensive Planner for the City, provided a brief presentation on the strategies for housing in planBTV South End as well as a summary of the public comments received on this theme.

D White: Council approved its resolution to removing housing from the Enterprise Zone at this time. However, the Commission has the responsibility to consider how and if the Plan should recommend housing now or in the future.

H Roen: Initially in favor. Now, believe Enterprise Zone is an important place of enterprise and it makes sense to have an area of the city that doesn't permit housing. Support removing recommendations that include housing in the Enterprise Zone.

A Montroll: Plan is confusing as to whether it refers to the South End or the Enterprise Zone. Need more focus on whole South End and how it is already a desirable place. Strategies for housing in Enterprise Zone on page 59 are clear, people aren't confused about what the plan says. If housing is in the Enterprise Zone, it will get rejected by Council, so don't think the Planning Commission wants it there.

J Wallace-Brodeur: Plan doesn't discuss the relationship between the residential neighborhoods and the Enterprise Zone, and how this contributes to a walkable, mixed use neighborhood today. There is a benefit and a conflict to this mix, and Pine Street can't be treated as an island. When we recognize the interconnectedness of these areas, then we can have a larger housing discussion.

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

E Lee: Housing has been a very polarized issue. Sorry to see Council and the Mayor weigh in before the Planning Commission did. Not including housing in the Enterprise Zone is a missed opportunity for preserving artists space and helping the South End become more economically viable in a way that's not currently available. These things can be mixed in a well-done development. We are seeing artists space leave today because of high-end restaurants. A proposal as part of the plan that showed how all of these things could have worked may have received support.

J Wallace-Brodeur: The nature of this discussion is strategy vs. policy, which is difficult to weigh. How can we effectively bring our voice to the table when the decision has already been made?

A Montroll: Could send a communication with the Plan that recommends housing in the future. Personally, don't believe housing will work there and will push out uses already there. However, must look at the broader context of the neighborhood for housing and think about strategies for preserving affordability without introducing housing.

Y Bradley: Agree with Andy. South End is an economic engine that Burlington does not yet realize the potential of. Comfortable with Council's resolution, and it seems loud and clear that housing in the Enterprise Zone is a non-starter. However, housing on the periphery could be an indirect way to support the growth of space in the Zone. Need to look at how to promote dense infill on the peripheral sites without destroying character of the neighborhood. The Commission's message should be that we aren't saying "no" forever, but we hear you and it's off the table for now.

H Roen: The City has no other area where maker and industrial uses are supposed to happen. The plan does not reflect the intensity of the opposition to housing in the Enterprise Zone.

A Montroll: This is not the first time the City has discussed housing in the Enterprise Zone and won't be the last. It's very controversial. It would have been easy to leave it out of the planBTV South End discussion, but it was important to put it in. This is an issue that should be discussed every 5 or so years, because Burlington is always changing.

L Buffinton: If we take housing out of the Enterprise Zone, need to encourage creative housing on periphery that supports uses within the Zone. And if it works, then future discussions should consider micro units, accessory dwellings, live-work units, etc.

D White: Andy's comments are exactly on point as to why housing was introduced into the plan. Housing outside of the Enterprise Zone in the South End is largely single family, so diversity of housing types in the area is important.

Y Bradley: Clear that there isn't a consensus, so we should revisit this at the next meeting.

VIII. Committee Reports

There were none.

IX. Commissioner Items

There were none.

X. Minutes/Communications

On a motion **by A Montroll, seconded by H Roen**, the minutes of September 22, 2015 and October 6, 2015, with corrections, were unanimously approved and communications from Martha Lang and Maggie Standley were accepted.

XI. Adjourn

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



Y. Bradley, Chair

, 2015



E. Tillotson, Recording Secretary

DRAFT

For Nov. 10th Planning Commission's Discussion of Plan BTV South

**"Artists in Residence" Proposal:
Affordable Work/Live Opportunities for Artists in the Enterprise District**

Within the Enterprise Zone of the South End, we propose to amend the current zoning to allow for the creation and preservation of studio space in conjunction with permanently affordable housing specifically for those pursuing careers in the arts. The arts include, but are not limited to, painting, sculpture, drawing, photography, film, video, theatre, dance, performance art, graphic arts, music, architecture, and the design/fabrication of furniture, clothing, jewelry, etc.

There are successful examples of affordable work/live units for artists around the country, including right here in Burlington. The Rose Street Artists' Co-op in the Old North End, a model of creative, adaptive re-use, serves 12 artist households who meet the income limits of the Low Income Housing Tax Credit program. Rose Street has a long waiting list indicating high, pent-up demand for affordable work/live apartments for artists in our city. *Note: Eligibility for affordable units requires that household income does not exceed a certain percentage of Area Median Income. Maximum income limits depend on a project's specific funding program requirements, typically ranging from 50% to 100% of AMI.*

The intent of this proposal is to narrowly focus on strengthening the arts district by increasing studio space and providing affordable housing units for artists. It is not intended to introduce or revisit the broader issue of housing of all types or price points in the Enterprise Zone.

Adding the opportunity for artists to work and live affordably in Burlington's Enterprise Zone would:

- enhance the viability and sustainability of individual artists and the arts community as a whole
- encourage creative collaboration and marketing opportunities
- address the city's critical need for affordable housing, specifically amongst artists
- be compatible with the commercial and manufacturing nature of the Enterprise Zone
- enhance the overall economic diversity and cultural vibrancy of the area
- enliven the neighborhood and provide eyes on the street for greater security, 24/7
- encourage walking, biking, and reduced reliance on automobiles for residents and patrons
- be a win-win for artists and the city!

Respectfully submitted for consideration by our fellow Planning Commissioners,

Emily Lee
Jennifer Wallace-Brodeur
Lee Buffinton

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Jennifer Wallace-Brodeur
Vacant, Youth Member*



Burlington Planning Commission Minutes

Tuesday, November 10, 2015 - 6:30 pm,

PC Present: L. Buffinton, H. Roen, J. Wallace-Brodeur, Y. Bradley, A. Montroll, E. Lee

Absent: B Baker

Staff: D. White, M. Tuttle, S. Gustin, E. Tillotson

I. Public Forum

Y Bradley: Opened the public forum, 6:30 pm.

Charles Simpson: Mr. Simpson discussed his analysis of the SoHo experience. He explained that industrial space was undervalued and both the landlords and the city exploited the living arrangements. The artists living there created a ground movement for a certification system whereby the artists would be obligated to go to a board and give bona fides. The artists became displaced as the area built up and the artists/owners aged; SoHo became an artist community in eyes of realtors. In the long term, this arrangement didn't work even with legalization and artists' certification. He suggests it will be same in Burlington, it won't work.

Max Tracy, Ward 2 City Councilor: Mr. Tracy was present to reaffirm the City Council vote not to include housing in the Enterprise Zone in planBTV South End. He noted that the process has been fraught with conflict but expressed value in the process which has identified concepts which recognize the uniqueness of the South End. He respects the Planning Commission process and thanks everybody for listening.

Mr. Boss, resident of Ward 5: Mr. Boss reiterated the statements by Mr. Simpson and Mr. Tracy. He stated that the people have spoken, they've said "no," and the Planning Commission can't ignore it. He also expressed concern about environmental impact in the South End and he doesn't believe the Mayor is thinking about the public good.

Ibnar Avilix: Mr. Avilix suggested that it would be good to work with housing proponents to explore options. He stated that it may work, but still felt that we should keep housing out of the Enterprise Zone. He felt this conversation should occur as part of a bigger public forum, not in Room 12. Mr. Avilix shared a facetious analogy to build housing above citizenry hall (City Hall) for all of the Councilors and staff to live in because work/live housing is attractive. He asked that these conversations be separated.

Public Forum closed at 6:42 pm.

II. Report of the Chair:

Y Bradley: Mr. Bradley acknowledged the number of emails circulating in response to the housing proposal shared by several Commissioners. He stated that he hopes the message to people who are here to speak is that the Commission is paying attention.

III. Report of the Director:

D White: Mr. White had nothing new to report.

IV. Agenda:

Stands as presented.

As approved by the Burlington Planning Commission on November 24, 2015.

V. Proposed CDO Amendment: Low Impact Design

Scott Gustin, Senior Planner, presented the Ordinance Committee's recommended change to the Low Impact Development (LID) ordinance. Mr. Gustin indicated that the ordinance has been a long time coming, and resulted in a single provision which allows a 10% coverage bonus when a property owner includes pervious paving on site. The ordinance committee expanded this from residential zones to all zones in the City.

H Roen: 10% of lot coverage?

S Gustin: It is similar to an allowance in residential for open amenities.

A Montroll: Believes the proposal is well intentioned but doesn't work at all. It is significantly different than the Ordinance Committee recommendation which included the RL and RM zones. It would increase the coverage up to an additional 10%. The Ordinance Committee intended to include pervious pavement within the amenities list. Now there will be an extra 10% option in RL and RM.

S Gustin: That is not the intention, the proposal is not meant to be cumulative.

A Montroll: Doesn't believe the language is clear on this, doesn't believe it translates well to other districts. There is the potential that RH could get up to 100% coverage with this language. The RCO zone wanted 5% coverage, which would become 15%. Part of the goal is to incorporate better stormwater management and it doesn't seem to do that. It doesn't require existing impervious material removal. Last thing, giving zoning rights of approval to the Stormwater Administrator doesn't seem appropriate. The proposal is well intentioned, but there are problems with the current form.

S Gustin: The intent is not to be cumulative, and this can easily be corrected. RCO at 5% coverage is a parks amendment which was modified a few years ago and did increase the coverage limits based on their request. The language and options are easily remedied.

Y Bradley: Suggests some tweaks to the amendment.

S Gustin: The amendment is an incentive to create and encourage pervious areas city-wide.

L Buffinton: In RL and RM or more zones?

A Montroll: City wide doesn't work in RH or the city parks.

E Lee: Agrees with A Montroll, she likes to see greenery.

Y Bradley: RL and RM was what the committee wanted originally. Staff should make the revisions to reflect this, and bring it back to the Commission to review.

VI. Proposed CDO Amendment: Off Site Parking

S Gustin: The Ordinance Committee did not come to consensus on this proposal and decided to move it to the Planning Commission for feedback. The existing ordinance has an allowance for off-site parking. The purpose of the proposal is to create more efficient shared parking standards. Presently off-site parking must be in parking lots which are restricted to ELM and Downtown zoning districts. Residential zoning districts are where this would be the most applicable. Section 8.1.12 opens the door to residential uses; Section 8.1.9 provides maximum parking provisions.

A Montroll: The Ordinance Committee was not able to come to consensus. Sharing of parking in residential zones, what does and does not get counted?

S Gustin: For example, a single family home requires two parking spaces; if a property has the capacity for other parking, it can be provided, but the applying property, which needs additional spaces, can only have 125% of required parking between on-site and off-site parking resources.

H Roen: Is proximity to property addressed?

As approved by the Burlington Planning Commission on November 24, 2015.

S Gustin: Existing ordinance language addresses that.

A Montroll: If there is no requirement, nothing easily stops other people from parking in a lot.

L Buffinton: These are different issues, addressing within 600 feet. If lot coverage is available, it is a win/win situation. Perhaps simplify some of the language in 8.1.12.

S Gustin: It is restricted to properties contained within the same zone and with same type of use.

A Montroll: The committee needs guidance.

J Wallace-Brodeur: What is the maximum parking limit of people being served? There is a need to have a limit on additional space.

E Lee: It seems that the ordinance should require screening for parking areas.

J Wallace-Brodeur: Suggests that we keep working on the proposal and is ok with aesthetics suggestion. This is worth working on.

E Lee: Suggests that in order to employ this amendment, any additional parking has to be up to current guidelines, no grandfathering.

Y Bradley: There are two ways to look at this: unscrupulous landlords will collude to use parking, but there will also be good intentioned participants. How to incentivize, not penalize, is the question since we do want to incentivize.

A Montroll: Asked for updated suggestions for the Ordinance Committee. All Commissioners agreed.

VII. Proposed CDO Amendment: City Market , South End

Y Bradley: A Montroll will chair this item, as Mr. Bradley has a declared conflict of interest.

A Montroll: Might we have staff recommendations?

D White: Staff suggestion provided in a memo in the agenda. The suggestion is that groceries larger than 10,000 sq.ft. up to a maximum number, such as 30,000 sq.ft. be allowed in a portion of the Enterprise Zone.

J Tashiro, City Market General Manager: Mr. Tashiro addressed the Commission with several questions. First, the intent of City Market is to have a 25,000 sq.ft. ground floor footprint, with a mezzanine level. Would the size limitation of 30,000 sq.ft. allow for this level? Does the ordinance committee believe that this could be approved by their December 3rd meeting? City Market has a tight timeline. City Market staff offers help in any way needed; the project is making good progress.

J Wallace-Brodeur: Can we do this by December 8th?

A Montroll: Yes, we can warn this.

D White: The ordinance change is quite simple; it is just a change in the use table.

A Montroll: Are we creating a new definition of medium grocery by this change?

D White: It can be done with just with a footnote.

L Buffinton: Is concerned with the content, but supportive of City Market. If this is specifically between Flynn and Home Avenues, is this spot zoning? Is this logical?

D White: There are areas where it does and doesn't make sense, and this should be part of the conversation during planBTV South End plan regarding the character of the area and what works in various locations.

L Buffinton: This seems very doable, suggests the draft language be ready for the next meeting.

D White: It can be ready at the next available meeting.

A Montroll: Is that a motion?

As approved by the Burlington Planning Commission on November 24, 2015.

I Avilix: Looking forward to City Market in this location; however, also like the antique shop and other funky shops which are already present. It appears that the grocery store takes over these with existing businesses that contribute to the character of the South End. Look at the possibility of setting the new building behind existing buildings to maintain them. Mixed use needs to be in the conversation.

A Montroll: The design review process will still happen; the ordinance change does not automatically give the go ahead.

I Avilix: Changing the zoning will make removal of the existing businesses possible.

J Tashiro: City Market is working with existing tenants to solve the problem, retain the culture.

A Radcliff: Why wasn't the large size grocery store allowed in the current zoning?

D White: It was an attempt to balance different uses.

A Radcliff: Wasn't there something about manufacturing that precluded larger groceries?

D White: A previous interested grocery store had on-site food production but not raw manufacturing; it was basically retail, which didn't meet the ordinance requirements.

A motion was made by A Montroll to approve this amendment and forward it to City Council for public hearing, with a second by L Buffinton. Y Bradley abstained, all others approved.

PlanBTV South End Master Plan

Y Bradley: Housing is the element the Planning Commission needs to discuss. An artist in residence program proposal has been distributed by J Wallace-Brodeur, L Buffinton and E Lee.

J Wallace-Brodeur: Looking at the broader plan, affordability in the artist district is the issue. The Commission has a limited number of tools to work with to preserve or protect that possibility. Understand the politics and recognize that it is a hot button issue, but it is important that the Planning Commission acts as an independent entity and examines the big picture. It seems short-sighted to totally take housing out of the tool box. The tool can be used to preserve what is working and what people like about the district. Everything we like about the South End is on private property, so the housing piece is one of the few tools that the Commission has to work with.

L Buffinton: Support the arts community and see the economic pressures; very worried about permanently affordable artist housing right now. If handled very precisely, as was the Rose Street Artist Coop in the Old North End, and managed very tightly by Champlain Housing Trust, it can be successful. Want to allow the opportunity of housing for artists who fit the income criteria. The Rose Street Coop is very successful and some people are looking at expanding on Pine Street. This type of arrangement has been successful around the country. It responds to the pent up demand and it has a very limited focus, with a very narrow group which would be eligible. Disclosed her employment in affordable housing.

E Lee: Finds it interesting that all support City Market, which is buying an older building to develop space and believes this will continue to happen. Right now if privately held buildings were sold, there is no way to hold them as affordable. The proposal will allow permanent art spaces. There are examples of this all over the country. Peoples' concerns are real, but we owe it to the commenters to hear their voices and ask that they come to the table so we can discuss this. Our only agenda is to support the arts in the Enterprise Zone. Maybe a very specific tool could be devised to address these issues of permanence and affordability.

L Buffinton: Permanently affordable properties would be one of the tools.

Mr. Boss: Cooperatives are the way to go.

L Buffinton: The Rose Street Coop has very strict requirements. The property has to be permanently affordable

E Lee: Would like to refer this issue to the Long Range Planning Committee.

As approved by the Burlington Planning Commission on November 24, 2015.

Y Bradley: Let's have discussion among the Commissioners.

H Roen: I don't support this, but I appreciate the effort. I did agree with this concept early on, but we can't be tone deaf to the community.

A Montroll: Is happy to have this go to the LRPC. It should be separate from the planBTV South End discussion. We appreciate the desire to protect the artist studios, which is the goal for all of us. Housing will be a distraction in the South End plan, but should be pursued separately. Not in support housing in the Enterprise Zone, but perhaps other areas of South End. The time is not now.

Y Bradley: Agrees that the Commission has heard very loudly and clearly that housing discussion is not desirable now. Housing in the Enterprise Zone versus the remainder of the South End can be a conversation in the future. We presently have different positions among the Commission, but it should be discussed.

L Buffinton: The issue is dead for now, but it is important to be open-minded to look at the future. Current inclusionary zoning is not enough to help the artists. Worried that there will be increased commercial pressures in this area.

E Lee: There already is a lot of pressure, and don't know of any other tools to support the artists.

H Roen: One tool is not to allow housing in the Enterprise Zone.

E Lee: The artists' spaces are in jeopardy.

Resident: Are we talking new buildings or repurposed buildings? Repurposing could work.

A Radcliff: Appreciate the consideration, but presently the focus of discussion is on studio space. It doesn't make sense that the Enterprise District is so small, and other residential zones are close. Heard stories about the Rose Street Coop from the early occupants that they didn't like living where they are working and eventually wanted to live somewhere else. The live/work situation is not that desirable to artists, not necessarily a good fit. Research shows that live/work spaces tend to revert to just living space. It could be helpful to dig back to find the early thinking about the zoning restrictions which exist in the Enterprise Zone.

Simpson: The Commission should keep their eye on the ball, which is affordable incubator space. Housing seems to be only a funding mechanism.

A Radcliff: Are historic credits available for repurposing buildings?

D White: Yes but the property needs to be income producing to qualify.

A Radcliff: One basic way to deal with the affordability issue is to find a large available space and someone to manage the space and rent it out to artists. Small spaces are most needed by artists.

Y Bradley: One way to preserve those artist's spaces is making connections with the owners of older buildings, to suggest that the artists would like the opportunity to purchase if a property became available. The sale of any of those industrial spaces on Pine Street would be a huge impact on the area. It is good that other artists have come together to look at the possibilities.

I Avilix: 339 Pine Street is owned by the City.

J Wallace-Brodeur: Yes, but a lot of the remainder is private. Housing is the only tool we seem to have when dealing with private properties. We are trying to accomplish a lot in the South End plan. If housing is not supported, we will not keep beating a dead horse, but we do need to continue to look at all possibilities.

L Buffinton: The first little bit of housing that we need to wrap up that approach is consideration of housing on the periphery of Enterprise Zone.

A Radcliff: Maybe stories could be added to existing residential buildings, like Jackson Terrace.

Y Bradley: The current Innovation Center building added a fourth floor in 1920s.

As approved by the Burlington Planning Commission on November 24, 2015.

D White: The issue with some of the buildings on the periphery is that the zoning does not permit the density at which those buildings were originally constructed, so expansion isn't possible without a zoning change.

Y Bradley: There seems be consensus that we do not move forward with the artist in residence program, but that we continue the housing conversation in the future.

A Radcliff: It is important to reinforce that what kind of housing, what level of affordable housing is needed. If we know what we need, we should only be building that.

Y Bradley: Right now it's extraordinarily difficult to make a housing project work in Burlington due to the cost associated with the process and land, and the inclusionary requirement makes it almost impossible. Some housing non-profits have access to funds to do affordable development that private developers do not.

D White: It's necessary to have to have housing across the spectrum. We are not creating enough market rate housing to provide inclusionary housing.

Y Bradley: It is very hard to make it work. Inclusionary housing provision, while well-intentioned, has not worked very well. Do those members of the public in attendance feel as if you have been heard?

Public Response: Yes.

VIII. 2016 Meeting Calendar

D White: Presented the proposed meeting schedule for 2016. Needs Commission approval.

A motion was made by J Wallace-Brodeur to approve and seconded by L Buffinton. All in favor.

IX. Committee Reports:

Ordinance Committee – The meeting was attended by a packed house. The Fletcher Place rezoning was discussed as were potential changes in the Institutional Zone where it is necessary to look at the big picture. The Burlington Town Center committee meeting is Thursday.

LRPC – Will meet soon.

Executive Committee – No report.

Joint FBC (form based code) Committee – Has been meeting routinely and hope to have their work done in December.

X. Commissioner Items

H Roen: Attended the Parks Commission meeting where plans for Oakledge Park were discussed. He was impressed with the proposed potential changes/improvements to address the ecology of the Park.

XI. Minutes/Communications

On a motion by J Wallace-Brodeur, seconded by L Buffinton, the Commission unanimously moved to accept the minutes with one correction.

Correction: remove the statement by L Buffinton at the top of page 4.

Adjourn

A motion was made by Y Bradley and seconded by E Lee to adjourn the meeting at 8.32pm; the vote was unanimous.



Y Bradley, Chair

December 10, 2015

Date



E Tillotson, recording secretary