

Burlington Planning Commission

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7144 (TTY)

www.burlingtonvt.gov/pz

*Andy Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Alexander Friend
Michael Gaughan
Julia Randall*

Burlington Planning Commission

Tuesday, June 27, 2023, 6:30 pm

Remote & Virtual Meeting via Zoom

In-Person Option Available:

Bushor Conference Room (Room 102), 1st Floor of City Hall, 149 Church St.

To Join the Meeting on a Computer

Link: <https://zoom.us/j/99881962182>

To Join the Meeting on a Phone

Number: +1 719 359 4580 **Meeting ID:** 9988 1962 182

AGENDA

I. Agenda

II. Public Forum *See details on pg. 2 of packet for participating remotely.*

III. Chair's Report

IV. Director's Report

V. Proposed CDO Amendment: ZA-23-06 168 Archibald Street

The Commission will discuss the proposed amendment, which would provide to rezone the property at 168 Archibald Street from Residential – Medium Density (RM) to Neighborhood Mixed Use (NMU), in order to provide greater use flexibility.

Information related to this item is in the agenda packet on page 4.

Staff Recommendation: Ask questions and provide feedback on the draft amendment.

VI. Project Update: Neighborhood Code

Staff will present and provide an update on the Neighborhood Code initiative, which will evaluate the zoning tools that regulate new homes in these areas today, and identify opportunities for new neighborhood-scale housing citywide. Information related to this item is not included in the agenda packet but will be presented at the meeting.

VII. Legislative Update: S.100

Staff will present an update on S. 100: Housing Opportunities Made for Everyone (HOME). The legislation establishes new minimum statewide standards that impact housing production.

VIII. Commissioner Items

The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at (802) 540-2505. Written comments on items may be directed to the Planning Commission at 149 Church Street, Burlington, VT 05401, or at cdillard@burlingtonvt.gov.

- a. Committee Reports

IX. Minutes & Communications

- a. The minutes of the May 9 meeting are enclosed in the agenda packet on page 11.
- b. Communications are enclosed in the agenda packet.

X. Adjourn

Burlington Planning Commission

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City of Burlington, VT
149 Church Street, 3rd Floor
Burlington, VT 05401
Phone: (802) 865-7144

www.burlingtonvt.gov/plan

Guidance for Participating in a Virtual Planning Commission Meeting

As social distancing measures to preserve public health and safety continue to be required to prevent the spread of COVID-19, or are recommended as a standard practice, the Office of City Planning will be supporting the Planning Commission to conduct their meetings online via Zoom. Here is information about how to join a virtual meeting, and what to expect while participating.

General Guidance for Public Participation

Please remember that in this digital meeting environment, meetings are open to the public and anyone may be watching or listening even if you cannot see them. Meetings will be recorded, and both the recording and chat content of the meeting will be maintained as a public record.

Please ensure your display photo and screen name are professional, such as using your first and last name. Please test your audio and video prior to the start of a meeting, and familiarize yourself with how to join a meeting by your chosen method. And finally, please be patient with us. Technology doesn't always work as planned, and we are all learning how to hold a successful virtual meeting!

How to Join a Virtual Meeting

Zoom allows participation via either computer or telephone. Each agenda for a meeting that will be conducted virtually will include details about how to join via either of these options, including a web address, phone number, Meeting ID, and password.

If you participate via computer, you have the option of seeing Commissioner videos and any presentation materials that may be shared. If you use either a standard phone or cell phone to call in, you will only hear the audio portion of the meeting. If you join via a smartphone, you may have the option to download the Zoom app, which will enable you to see and hear the meeting.

How to Participate in a Virtual Meeting

During meetings, only Planning Commission members and limited staff members will be viewed on video. Members of the public attending a meeting will be muted, except when invited to speak during public forum or a public hearing. Whether members of the public can speak at other times during the meeting is the discretion of the Chair.

If you want to speak during public forum, please take the following steps to assist us in making this process run as smoothly as possible:

- Email staff at cdillard@burlingtonvt.gov by 5pm on the day before a meeting to indicate your interest in speaking. You do not need to provide your comments. Staff will enable your microphone as your name is called from a list of interested speakers.
- During a meeting, you can use the "Raise Hand" feature, or indicate in a chat message that you wish to speak during public forum. Staff will enable your microphone as your name is called.
- If you are interested in submitting your comments in writing instead of speaking during the meeting, you may do so by 5pm the day before a meeting, they will be forwarded to the Commissioners ahead of the meeting.

TO: Burlington Planning Commission
FROM: Charles Dillard, AICP, Principal Planner
DATE: June 21, 2023
RE: Proposed CDO Amendment – ZA-23-06: 168 Archibald Street

Overview & Background

This amendment is requested by Kitter Spater, prospective owner of the property located at 168 Archibald Street. The applicant seeks to rezone the property from Residential – Medium Density (RM) to Neighborhood Mixed Use (NMU). The property is immediately adjacent to the property at 320 North Winooski Avenue, which is within the NMU district.

Under current RM zoning, a limited range of neighborhood commercial uses is allowed. The CDO defines Neighborhood Commercial Uses as, "Non-residential establishments intended to serve or accommodate the needs of a limited geographic segment of a community or area." The applicant intends to use the property for uses not currently permitted under the Neighborhood Commercial Uses category, but that are otherwise permitted in the immediately adjacent NMU district and consistent with the Neighborhood Activity Centers designation on the Future Land Use Map.

North Winooski Avenue and North Street are the spines of the Old North End and are depicted as Neighborhood Activity Centers on *planBTV's* Future Land Use Map. The edges of these zones play an important role in transitioning from the higher intensity mix of uses within the Activity Centers and the typically residential neighborhoods surrounding them. The property at 168 Archibald is one such property, and is identified as within a Transitional Edge on the Future Land Use Map.

The property is listed on the National Register of Historic Places and is also known as the Old Ohavi Zedex Synagogue. The Synagogue was built in 1885, making it the oldest continuing Jewish congregation at the time of its placement on the Register in 1978.



168 Archibald
 (outlined in red)

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

This amendment modifies the zoning district for the property at 168 Archibald Street from RM to NMU to facilitate additional commercial uses on the property.

Proposed Amendments

The following amendments to the *Burlington Comprehensive Development Ordinance* are included in this proposal:

1. Amends Article 4 – Zoning Maps and Districts to modify three maps as described below.

- Modifies Map 4.3.1-1 Base Zoning Districts
- Modifies Map 4.4.2-1 Neighborhood Mixed Use Districts
- Modifies Map 4.4.5-1 Residential Zoning Districts

Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV is prepared in accordance with the provisions of 24 V.S.A. §4441(c).

Theme:	Dynamic	Distinctive	Inclusive	Connected
Land Use:	Conserve	Sustain		Grow

Compatibility with Proposed Future Land Use & Density

The proposed amendment is consistent with *planBTV*, which designates the property as a Neighborhood Activity Center Transitional Edge on the Future Land Use Map. The *plan* states that, “within neighborhood activity centers, gradual transitions in the intensity of development and the uses permitted are important to help these mixed-use areas blend with lower density residential areas that surround them.

Impact on Safe & Affordable Housing

The amendment has no substantial impact on safe and affordable housing in Burlington.

Planned Community Facilities

This amendment has no direct impact on planned community facilities.

Process Overview

The following chart summarizes the current stage in the zoning amendment process, and identifies any recommended actions:

Planning Commission Process				
Draft Amendment prepared by: Staff 6/21/23	Presentation to & discussion by Commission 6/27/23	Approve for Public Hearing	Public Hearing	Approved & forwarded to Council
City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommend	Second Read & Public Hearing	Council Approval & Adoption

CITY OF BURLINGTON

In the Year Two Thousand Twenty-Two

An Ordinance in Relation to

ZA-23-06 168 Archibald Street

ORDINANCE _____

Sponsor: (Department or Councilor) _____

Public Hearing Dates: _____

First reading: _____

Referred to: _____

Rules suspended and placed in all
stages of passage: _____

Second reading: _____

Action: _____

Date: _____

Signed by Mayor: _____

Published: _____

Effective: _____

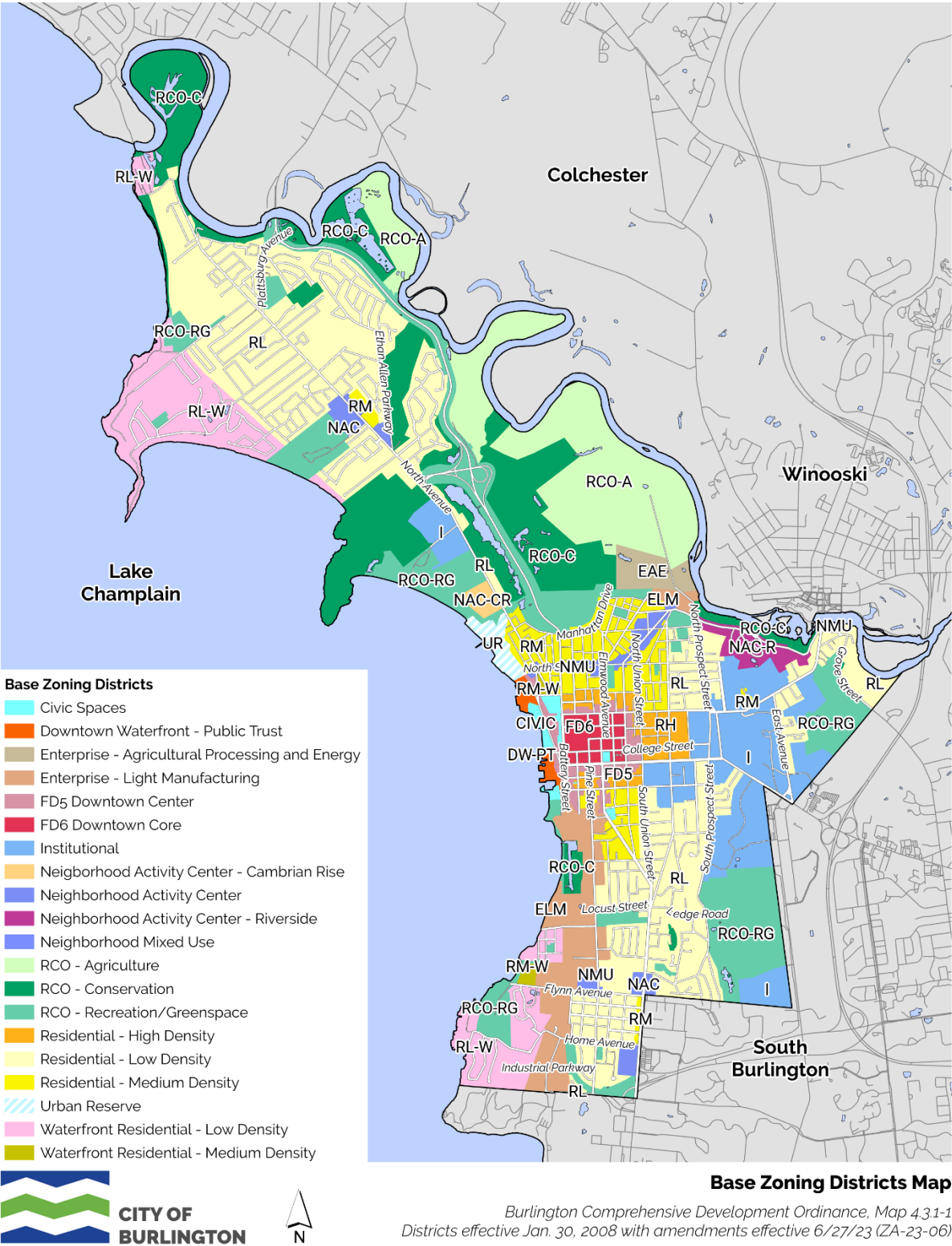
It is hereby Ordained by the City Council of the City of Burlington as follows:

1 That Appendix A, Comprehensive Development Ordinance, of the Code of Ordinances of the City of
2 Burlington be and hereby is amended to rezone 168 Archibald Street from Residential-Medium Density
3 (RM) to Neighborhood Mixed Use (NMU) by amending Map 4.3.1-1 Base Zoning Districts, Map 4.4.2-1
4 Neighborhood Mixed Use Districts, and Map 4.4.5-1 Residential Zoning Districts, thereof to read as follows:

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6 **Maps included below to replace respective maps in current CDO version
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Sec. 4.2.1 Authority and Purpose



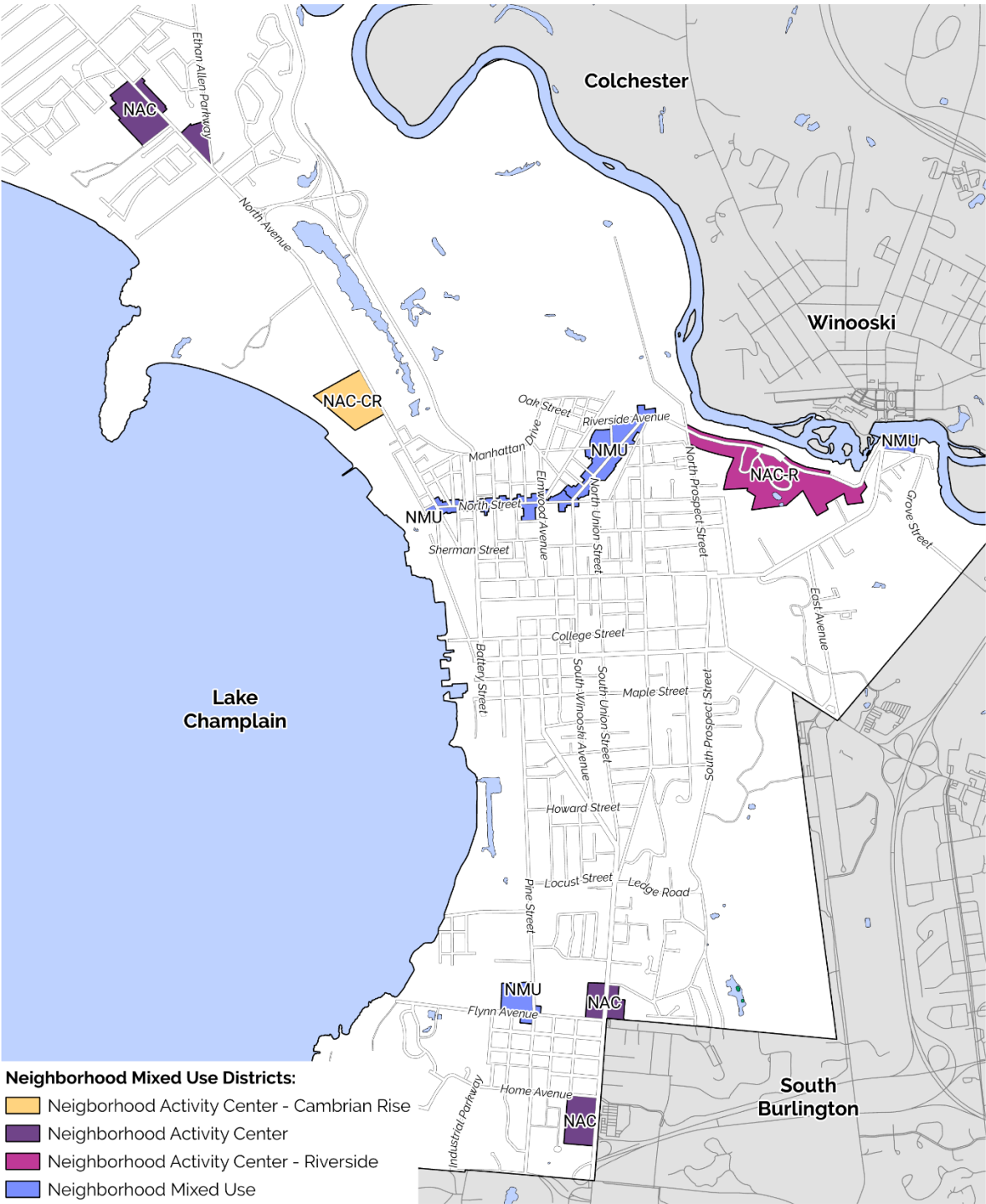
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Map 4.2.1-1 Official Map of the City of Burlington

36

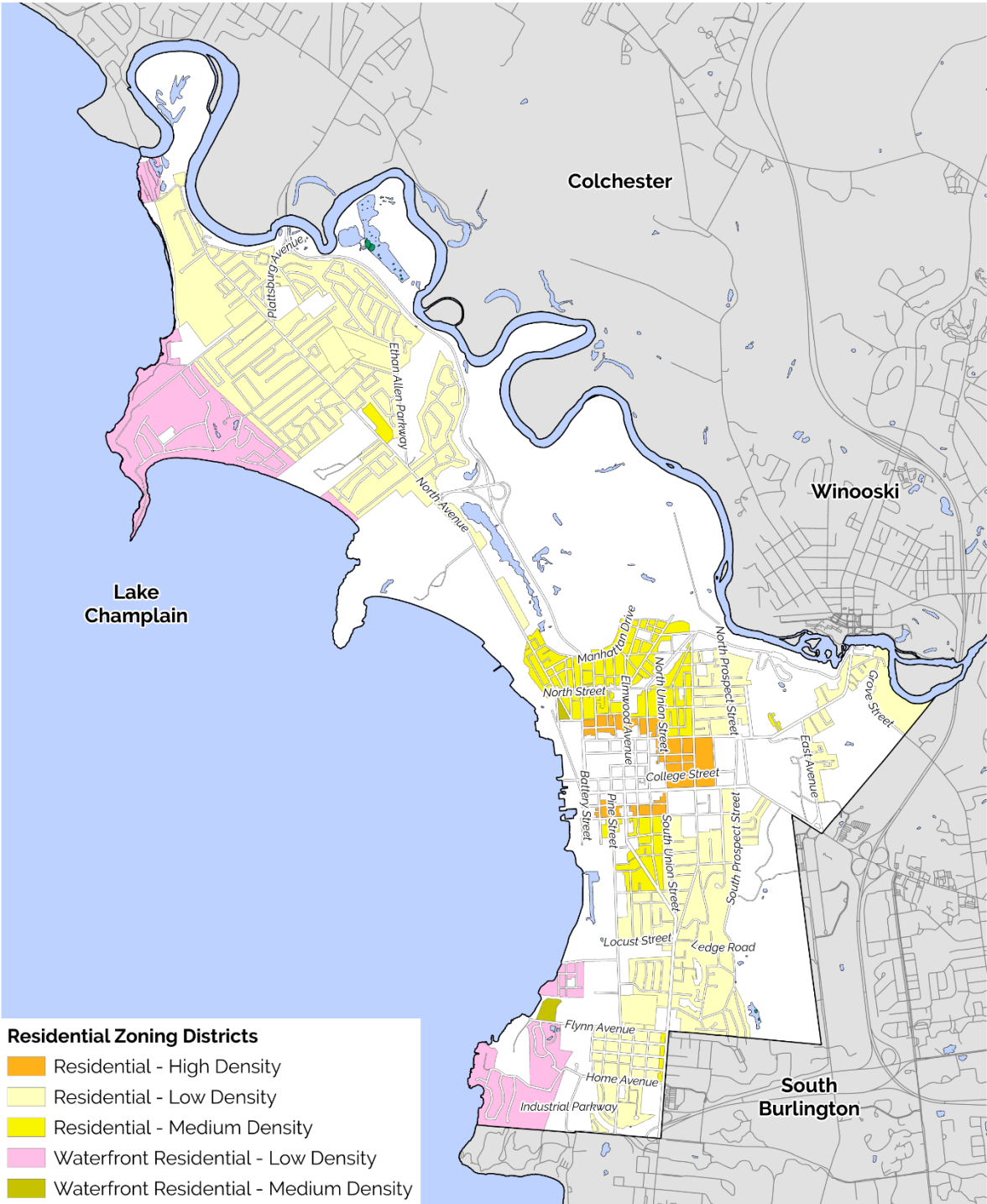
Sec. 4.4.2 Neighborhood Mixed Use Districts



Map 4.4.2-1 Neighborhood Mixed Use Districts
Burlington Comprehensive Development Ordinance, Map 4.4.2-1
Districts effective Jan. 30, 2008 with amendments effective 6/27/23 (ZA-23-06)

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Sec. 4.4.5 Residential Districts



42 * Material stricken out deleted.

43 ** Material underlined added.

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Burlington Planning Commission

Tuesday, April 25, 2023, 6:30 P.M.

Hybrid Meeting via Zoom and in the Bushor Conference Room

Draft Minutes

Members Present	A. Montroll, M. Gaughan, B. Baker, A. Friend, J. Randall
Staff Present	C. Dillard, M. Tuttle, S. Gustin
Public Attendance	

I. Agenda

Call to Order	Time: 6:30pm
Agenda	No changes.

II. Public Forum

Name(s)	Comment
K. Spater	I just want to take an opportunity to introduce myself. I'm purchasing the old synagogue at 168 Archibald St. which is the corner of Archibald and Hyde St. and right now it is in a it's in a medium density neighborhood and it's a commercial building. So I am exploring the opportunity of maybe making it into a mixed-use building just to open up further uses for the building. And right now it abuts the mixed-use section of North Winooski Street. So I have given Charles some kind of basic information and like I said, I'm just here to introduce the concept possibly going forward.
B. Headrick	Sent emails with some data analysis but will go over the highlights. First, I wanted to call your attention to page 22 of the Joint Institutional Parking Management plan. Between 2015 and 2022, so over the past seven years, UVM's SOV rate for employees has gone up from 52% to 62%. So that's a 10% increase in SOV rates. For commuter employees or students who live more than a half mile away from campus, their SOV rate has gone from 30% - 39% over the past seven years. So this upward trend in SOV rates is completely contradictory to the city's goals for reducing pollution and reduction SOD, and shows that UVM's TDM programs are ineffective. The report lists or mentions their TDM efforts, but we really need to see effectiveness data on TDM and future if this report gets modified, which I hope and going forward, because TDM is not just ridership numbers, it's how is it replacing SOV traffic, and that's what we need to see UVM do is implement new programs to reduce their SOV rates. So next I'd like to call your attention to page 47 of the Joint Institutional Parking Management plan. This is UVM's current supply and demand analysis. There are two methodologies shown here. One is where the cars are counted in the parking lots, and as one of the commissioners mentioned in the last meeting, that count is very low. I dug into that after the last meeting and that number just has to be wrong. And the reason is because if you take all the cars that students who live on campus have on campus, and they sold more than 1000 permits to students who live on campus with cars. And then you take all the employees who are there during the day and have cars on campus, and that number is 2228 according to the top line and that chart on page 47. You add those two together and there's not enough room left to account for commuter students parking on campus. Which has actually quite high because as I just pointed out, 39% drive SOV to campus and UVM sells more than 1000 permits. It's like 1600 something permits to off campus students. So because of that number, under the counting cars in the parking lot methodology is too low. That means that supply and demand analysis is wrong and we should ignore the result that shows that the bottom line a 1300 parking space surplus. That cannot be correct.

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	So what I'm recommending is that we focus solely on the data that's provided on page 47 using this survey methodology. And even this approach needs to be modified because people with permits can't park all day in short term parking spaces because those are only for 15 minutes. They can't park in business use parking spaces and they most people can't use ADA spaces. So when you take out these restricted parking spaces - and I got this data out of the 2019-2024 JIPMP report and that data was counted was reported by UM in the fall of 2018. That's not so long ago. I don't think there's been a big change in those number of parking spaces across the whole campus system. So that increases the deficit you see on page 47 under this under the survey method, which is like minus 78. That increases it by 500, and then there are some other changes. The survey method has its problems because so few people were surveyed, and there's a large margin of error. I believe UVM's parking deficit is somewhere between 1400 and 1900 parking spaces. It's a huge parking deficit and that means those cars are parking on street. And the data that UVM provides on page 20 that looks at how many, what percent are parking on street? I know that more than 261 cars are parking on the street. You know commuter cars are parking on the street because at least half of them are on my street, and I know other neighborhoods are affected too. The bottom line here is UVM has a parking deficit right now. According to their numbers, it's minus 78, plus or minus a margin of error of 1046. That means that their parking deficit could be as much as 1100 cars, I think it's more than that. And that means that I'm asking the Planning Commission to please recognize that this means you UVM's parking strategy is not meeting the objectives or goals of the City Ordinance section Article 8. I think it would be very helpful for us to reject the JIPMP or send it back for more work so that UVM and CATMA can work together to put in far more information about what is UVM going to do to reduce this SOV rate and that trend. Moving on, the plan project list on page 43 and 44. One, the list doesn't have enough details for us to know exactly what the parking impacts are going to be from each of these projects, but we definitely need to dial down and get more information wherever there's a change in parking. For example, on page 44, Coolidge Hall gets demolished and the very Says a new dorm and it has 190 parking spaces. Well, in the previous jet report when Coolidge Hall was getting demolished, there was a loss of 10 spaces. So that new dorm, which sure looks like it's a replacement dorm for Coolidge, because it's on that list is actually going to have a 200 car parking structure on the ground floor. We need to talk about that with UVM because any parking structure is going to affect the nearby neighborhood and also the overall parking supply and demand and we need to understand, better understand UVM parking strategy. On Pages 52 and 62, UVM mentions its efficiency parking strategy that uses coded words that aren't clear and no explanation of what their efficiency parking strategy is, so those sentences either need to be deleted. Or better yet, UVM needs to spend some considerable chunk of text telling exact us exactly what their efficiency parking strategy is. If there's any report to explain their parking strategy, it's this report. The change that UVM wants to make to the footnote at the bottom of page 44 is not satisfactory because the Coolidge replacement dorm is not on the JIPMP report last year. The replacement dorm for Coolidge Hall is not exactly on the same footprint that Coolidge Hall is. It's a little bit closer to Robinson Hall. So the suggested text coming from UVM is not OK. It needs more work. We need time to get that right before this chips approved because that project is not good for that site. You shouldn't have a parking garage on like you know Redstone Lofts has parking garage from the first floor and then dorms above it. That is not right for the Redstone historic Green area, besides the traffic impacts and it doesn't reduce SOV rates and it doesn't reduce pollution, so it's inconsistent with Section 8.1.16 in the article. I don't think its right for UVM to delete that line on the parking management plan that takes Coolidge out and then say, oh, that projects further up the list. And we can't tell you where that'll be because we haven't decided yet when in fact they already have in their housing strategy document where they want to build dorms.
L. Kingsbury	So I sent a communication to the Planning Commission, but it was at the end of the day. So I just want to speak to it because I'm assuming you probably haven't had a chance to hear it and I wanted other members of the public to hear it as well. And it is regarding this misconception that we are going, that we are intending to take down Coolidge Hall and replace it with another dorm. I know Barbara's getting into semantics of at or near. There's no intention to do that. There's no intention to put 190 space parking structure at or near that site. So I just want to go through a couple of things. The removal of Coolidge Hall was in the previous JIPMP, and as the text before Table 11 indicates that this table both updates projects from that previous JIPMP, whether they're complete, not moving forward or planned for the next five years, and also identifies new projects for the next five years. And we are making an edit to table 11 to move that Coolidge Hall piece to not moving forward at this time. We have no plans for that site in the next five years. That's consistent with the other projects that were identified in the previous JIPMP that we do not have plans to move forward on. The 190 spaces of residential housing that was noted in the unknown

Tuesday, May 9, 2023

	category, that is an error I know that was noted at the last meeting and that is getting removed. That is a double count from further up in the table where there are two future housing projects and housing to accommodate looking at those. So that was a double count. That line is coming out. It never should have been there. I apologize. It was my error. I've caused confusion and I didn't mean for that to happen. The fact that that error is directly under Coolidge Hall is simply an unfortunate coincidence. Because they were next to one another does not mean they're linked. Most of the project on this list, projects on the list are not linked to another project just by where they fall on the table. I do understand the confusion based on the based on that language and the fact that the other housing projects have parking directly underneath them, but truly this was simply an error it was noted at the last meeting. It will be rectified. Finally, as noted again earlier in Table 11, there are two future student housing projects and parking to accommodate them in 2005 and 2016. Both of those already have footnotes. I'm not going to read through exactly what the footnotes say, but essentially it talks about where we are in the process of rezoning for Trinity campus and that the City Council has tabled it. At this point, it's unclear where that is going to go, but we are continuing to actively explore options for more housing whether that's on Trinity Campus or elsewhere on our campus lands. What we are adding to that footnote is language that says UVM is not in a position to discuss the other sites publicly at this time. None of the sites are associated with a project from the previous JIPMP to remove Coolidge Hall, which is not moving forward at this time. So I just hope that provides some clarity for the Commission and then for any of our neighbors that have seen this table and have also been confused and thought that we were planning to take down Coolidge Hall and build a new housing project there with 190 spaces that is not in our planning. Thank you for your time and for your work on this.
Livia DeMarchis	Shares Barbara's concerns about more traffic, more noise, more everything in the South Prospect neighborhood if more student housing is built right on Redstone Campus or directly adjacent to it, and I guess I understand that UVM isn't in a position to share other locations at this time, but I guess I just want a better understanding of what our ability to participate in the process would be as neighbors if down the road something was proposed in the immediate vicinity because I don't everything I've heard so far makes me think that this plan that's being discussed tonight doesn't foreclose the neighbors from getting in on the ground floor of discussions of future dorms, which is important to me and I don't want anything that's in the plan tonight to limit our ability to question and raise concerns about future dorms and parking in our immediate vicinity.

III. Chair's Report

A. Montroll	none
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IV. Directors Report

M. Tuttle	(1) Sarah's 1 year anniversary working in the department. (2) City Council is currently accepting applications for appointments. We do have two Commissioners that are up for reappointment this year and we'll be notifying you to let you know, to remind you about that and to let you know the details and deadlines for when applications are due if you intend to reapply. (3) For those Commissioners that have been on for several years, you may remember that before COVID, we used to prepare an annual report of the activities that you have been working on as a body and Andy or the Chair and the staff would present that to the City Council. That's been on pause for several years, but we have been notified that they are going to resume those reports this year. So we anticipate that later this summer or into the fall, we will work with you to draft a report on the activities from the last year. (4) I think you all know that the, this is our only Planning Commission meeting in May. That's in part because both Charles and I are going to be out intermittently over the next, actually really the rest of this month. So just wanted to make sure you're aware of that. I know Charles is working to reschedule the Council Ordinance Committee meeting for early next month, but otherwise we look forward to resuming our work with you in June.
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V. 2023-2028 Joint Institutional Parking Management Plan (JIPMP)

Action: Motion for A. Montroll to review and approve the final report.	
Motion by: A. Friend	Seconded by: J. Randall
Comments & Questions	
A. Montroll: Asks Meagan to remind the commission what their role is and what the impact of the JIPMP is, and what impact does this have on the public's ability to question any future plans?	
M. Tuttle: To start, this is a plan that is prepared up to, at, prepared for and potentially approved by the DRB for up to five years, which documents the sort of unique ability of the institutions to manage their parking resources individually and	

collectively in ways that are maybe different from our underlying parking requirements that was especially relevant before our zoning ordinance was changed to rely on maximum parking limits rather than minimum on-site parking requirements. So the role of the joint institutional parking management plan has shifted a little bit in that prior joint institutional parking plans were really used to help document what the institutions anticipated parking demand was, what their supply was, and to ultimately serve as a sort of waiver from their minimum on-site parking limits that could be then used to satisfy just the parking requirement component of future zoning permit applications. With us transitioning from minimum to maximum parking requirements in the city, this really functions more as a plan for us to understand what the institutions are anticipating their demand could be and how they are managing that debate. There are standards in the ordinance for what types of information are required to be provided as part of this plan and there are still requirements that the plan be approved by the DRB after consultation with the Planning Commission. So I think Andy to your first question, the role of the Planning Commission is to review this draft plan and to provide comments and or any recommendations you might have to the DRB as they consider this plan. After the plan has been reviewed by the Planning Commission, it will go to the DRB. Ultimately, the DRB will hold a public hearing and then consider approval of the plan for up to five years. If approved by the DRB, the plan is then used as part of the permitting process for the institutions. So I think to the second question, this plan does not in any way approve the individual projects that are listed within the plan. So we were talking about specific residential buildings, whether or not they're going to be built, what they might include. This is simply a record of what the institutions anticipate they will be building in the next five years and how the parking and transportation elements of those projects are being planned for. When an individual project comes in to seek a permit, it's reviewed by Scott and his team, and likely the DRB in most cases given the scale of these projects and the plan is then consulted to determine if that project is consistent with the information that was in the plan. If it's not, a project can still be approved, but ultimately an addendum to the plan needs to be submitted that provides additional information or makes corrections to the information that was presented in an approved plan. So I think any of the mechanisms that exist today in terms of notification about a pending permit, opportunities to weigh in about those permits, opportunities to participate in public hearings before DRB permits are issued, all of that remains. This is just a tool to help us understand the parking and transportation component of those projects.

S. Gustin: Meagan pointed out that nothing about calling out projects and the parking plan entails approval of those projects. As she said, it's really a plan about what's anticipated on a 5 year horizon within the institutions pretty routinely. Not everything in the plan shows up as an actual project for application review, but this serves as a little bit different tool than your typical non institutional application we're in the DRB or staff is the case may be looks at Article 8 and parking management for each standalone project whereas this is a little bit different. This is, as Meagan said, a plan that I hesitate to say pre-approved, but the anticipated projects need to be incorporated into this plan and as part of the plan the institutions need to demonstrate how these projects balance parking supply and demand. So it's a little bit different in that respect.

M. Gaughan: I remember you (S. Gustin) know when we did the parking work that this was a key piece to allowing any kind of future permitting to occur this having the institutional management plan in place. But can you help me, just on background like when we did Trinity. There we removed the major project review. I believe obviously that Trinity amendment has not passed, but as far as it passed the Planning Commission and so for other places on campus what's the sort of standard of review from the DRB? When we looked at Trinity, I remember we took out the major impact review and that was what I believe tied it to DRB. So I guess what I'm trying to get at is if there isn't a zoning amendment that's done what review or sort of vote would otherwise take place of something that happens on campus aside from the parking management plan? What would get a project before the DRB?

S. Gustin: Anything that is a Level 2 project, which is a bigger project based on its threshold articulated in the CDO, or a major impact or a conditional use. All three of those will go to the board. So if right now Trinity wanted to build an outbuilding, that's probably something that's administrative. If they wanted to build a \$50,000 addition, which is still pretty small, but that's big enough to be a level 2 that would likely go to the board. But even that small addition would need to be accounted for in this parking management plan.

M. Tuttle: And just for clarity, the Trinity amendment did not remove Trinity campus from being part of major impact at all. Currently it has its own threshold for when a project on that campus has to go through major impact. So we were removing that specific threshold to just make it consistent with the rest of the institutional campuses. So projects on this campus will still go through major impact if they are above that size. And I think maybe another way to say that last point that Scott made is that we're really focused on the ability of folks to engage or for the DRB to hear projects. But I think it's also important to know that there are notification processes and appeal rights etcetera that people have for administrative permits that it's got issues that aren't hurt by the DRB. So as Scott was saying there at the end the JIPMP standards specifically call out kind of minor work like replacing a sidewalk or roofing that don't necessarily need to be reflected in the JIPMP in order to proceed with a permit. But all of those requirements of public notification and access to the process exist regardless.

S. Gustin: Just a point of clarification at the risk of mission creep – major impact isn't applied to institutional project, but that's different from things going to the DRB. You can have projects go to the DRB independent of whether there's conditional use or major impact. You can go to the board based on their size, and what gets built needs to be addressed in the parking management plan. And if it's not, as Meagan had said earlier, it needs to stand on its own and be incorporated into future parking management plans.

J. Randall: I do have some questions and comments about the draft, but I do have one question about what you just said, Scott. I think I was following until you said that that the institutional projects do not fall under major impact. Can you just explain that again?

S. Gustin: So I'm looking at Section 3 point 5.3 exemptions to major impact and exemption E refers to the statutory limitation in 4413. So the projects where the scope and authority municipal regulation is limited by statute pursuant to 24 VSA 4413. So that includes schools, hospitals, state lands, and solid waste facilities.

M. Tuttle: That's actually a really helpful clarification because that didn't come up at all in the context of our questions. During the Trinity zoning amendment we were looking at the table above that talks about the fact that major impact is applicable in the institutional districts and relying on those underlying thresholds. So there's a difference here between the district itself and the individual entity that's building a project for that purpose. So that's actually I'm, I'm glad that you highlighted that Scott. But yes, I think that's a little bit of Scope Creep.

S. Gustin: I mean typically big UVM projects go to the board, they just don't go through major impact. A major impact is a set of criteria that address the projects impacts on city infrastructure.

J. Randall: It would be helpful to see the UVM plan with the corrections updated. I know there were a couple that we talked about from last time including that table with planned projects and the error and in that, but there were a couple of other things that we mentioned too. So it would just be helpful to see that updated version of the document to make sure that we're looking at the final thing. I did not see the Excel sheets that Barbara was mentioning. Just an FYI, I'm not sure I did see the communication that was in the packet. Barbara brought up efficiency based standards and I think it's important to talk about those and on page 19 and page 20 there's some discussion of that and definitions there. I do think that the definition that's offered here is a little bit circular and not as clear as it could be to try to explain what efficiency based standards are. I know this document is super technical and that's how it's meant to be used. Given that efficiency based standards are the new operative direction here, I feel like there should be a clearer definition given here. Right now it says "efficiency based standards refer to provision of optimal parking supply in an efficiently managed system, so efficient parking is efficient. These systems avoid the tendency to supply parking in excess while balancing appropriate pricing structures and recognizing the costs associated with oversupply" and it continues on. I do think it would just be helpful to provide some sort of example or other definition that's a little bit clearer.

I also have some comments that would be eager to hear other Commissioners thoughts on about how this document could transform in the future to be more inclusive of other modes of travel and parking. I think one of the limitations of this document is that it is so focused on parking and vehicle travel alone and to try to encompass all of the TDM strategies and the document that originally was just intended to figure out the appropriate amount of parking is difficult to begin with, so I know we mentioned the role of the ongoing TDM study and how it relates to this process last time, but I'm hopeful that through that process, that report can offer some recommendations on ways that this parking plan could be more inclusive of other modes and approach transportation more holistically.

I do have one other thought on neighborhood parking that's somewhat related to approaching Parking and transit more holistically in this document and future ones. This document provides very flat numbers for supply and demand for parking and last time we talked about how that kind of glosses over the nuances of different user groups and times a day. I think it also glosses over just the experience of trying to park in these places. I feel like people are often just looking for an available spot, and so some of this pressure on neighborhood parking is a problem of convenience of people wanting to just park in places that are more convenient to them and that are visible to them, as opposed to parking in designated spots. A future version of this document could be more inclusive of TDM strategies by talking about information and wayfinding and other strategies in more detail to illustrate the ways that the institutions can support, not just providing parking at an appropriate level as a whole, but also directing people to the parking that is supposed to be provided for them for their purpose, and then reducing issues and burdens on neighborhoods where people are parking in in residential spots.

M. Gaughan: I thought Julie made a lot of great observations and I was just thinking about how to kind of make some of those actionable. The thing that I observed that I think is similar to your discussion of mode split is that like each institution is running its own shuttles everywhere. The other day I had experience where I was walking to work in the rain and had been hoping to take a bus. And of course like 3 shuttles of three different institutions passed me on the way I couldn't get on any. That holistic approach that Julia is talking about in our TDM efforts to try and tie those in and maybe even using the TDM effort to provide recommendations on this to how most make it effective because it sort of grew out of exemptions to the parking requirements. And that's why it's focused on this narrow supply demand range. But now it clearly has other objectives as we heard in some of the public comment, which is about like you know how many people are driving alone to work or to school. Those are sort of like symptoms that affect supply and demand, but are different in a way. They aren't solved by creating more spaces or less spaces. They're solved by TDM housing that's closer to campus. So maybe not for this realm, but I think it'd be great for us to think about and staff to think about re-envisioning this as a new tool for what I think are now different objectives than it probably started with prior to the zoning change. And I echo a lot of Julia's thoughts.

M. Tuttle: You may remember that this discussion came up a bit in the context of making the changes to Article 8 last year. Both for our overall TDM requirements for non-institutional projects as well as a bit in the context of what are we really trying to achieve in the institutional parking plans. And that was actually something that we specifically recommended that instead of throwing in standards or specific metrics that we want TDM plans to meet, that we actually

use the work that's happening as part of this TDM study to guide us on clarifying our goals and objectives for TDM across the city. So I'm saying that to say I agree with what Julia might be saying.

CATMA and VHB Responses:

J. Katz: I'll start by addressing the questions from the city and then Karen who's our consultant for HP can jump in if she feels like she has anything else to add. Regarding UVM's high margin of error, there is a high margin of error for the demand calculation of around 1000 spaces, give or take. That is mostly due to using a different survey methodology and policy change in UVM and how they allow us to surveying. A random sample of 1000 employees and 1000 students, as opposed to the entire population of UVM which we used to survey. So this does create a large margin of error. However, we do, as mentioned last meeting, have these utilization counts which have been going on since fall 2019. Which are lot counts that happen four times a year. During those four time slots that happen three days for three counts. So we get a whole bunch of utilization data from all the institutions on how many people actually are on the ground using their parking and there's a larger surplus there than our demand calculation calculates. So due to that we feel fairly confident that even though there's a large margin of error, our demand is in good place. In reality, the demand probably lies somewhere between our demand calculation and that utilization number, the true demand, because not everyone who's demanding parking is necessarily on campus during those times. And another answer for why those utilization numbers and demand numbers are a little different is due to the prevalence of telework and how we're still grasping that in our survey and how we ask the primary mode question - How are you getting to work we just ask what is your primary mode? You can give one answer whether it's driving or biking or another answer. And now folks are working different, like hybrid schedules. They're not coming in five days a week. So other main mode might be driving to work, but they're not driving in every day. Those numbers kind of are mismatched because of that and we want to work on how to better capture that telework and our future surveys, which we do every fall. So there will be more work to come with that and hopefully we'll get a better number or something that we find or a different number for that in our update. And then regarding Champlain Colleges parking deficit - Again, I would refer to that demand number which shows a parking deficit as kind of the higher end of what that demand actually is versus the utilization counts, which are showing that Champlain has a surplus of 215 spaces. And so again, while that utilization count cannot be used to project future demand, it does give us a good idea of like what is happening on the ground now, which is showing in actuality a surplus of parking on the ground.

J. Randall: Thanks. Josh. I'm interested in hearing like what do you think is a healthy rate of surplus with this approach going forward?

K. Sento: Julia, I think this gets back a little bit to that concept of efficiency based standards. There's an inherent cost to over supplying parking and we certainly don't want our neighboring institutions to have wide open fields of parking that are not utilized for many reasons. And I think it strikes that idea that you brought up earlier of the experience of trying to park and sort of that convenience factor of finding spaces that are nearby to where your destination is or potentially on campus based on policy of you know where you are intended to park based on the permit that you hold. And so I think this concept of efficiency based standards helps to illuminate the idea that those things should be in close balance and that we wouldn't want to have a significant surplus of parking and to the same tune we wouldn't want to have a significant deficit of parking so that folks aren't able to find spaces. I think there are many mechanisms that can be utilized to make sure that balance is struck and the idea of this plan is in some ways to demonstrate what some of those mechanisms that the institutions are leveraging to make sure that that balance is struck pretty closely without having things tilted one way or the other two significantly.

J. Randall: So do you think each institution is at a healthy point right now?

K. Sento: I would I would say in my opinion yes, given that I've dug into the numbers and looked at them very carefully, you know this idea that the demand evaluation based on the survey information that we do have and the limitations that we've spelled out of that data point and that particular estimate and the other bookend being these counts on the ground that we understand in their own way have some limitations and we feel very confident that what's happening for each institution falls somewhere between those two points - that sort of that peak period of parking demand. And that demonstrates in my mind that we are falling at that nice balance point of having the supply that is needed for parking so that there isn't that spillover effect to significant degree and acknowledging that there, you know. There is always going to be what you sort of speaking to in that experience of folks were wanting to find the most convenient space to where they're landing. So I do think we are in between those two bookends and I think that from what I've seen from the data that the institutions in the current state are striking that balance.

A. Friend: Karen, it's like a confidence interval for parking demand? Would you describe it like that?

K. Sento: I would and I think having multiple estimates that we can look to demonstrate this is helpful and a healthy approach to understanding exactly what's happening on the ground. No estimate is going to be perfect.

S. Gustin: Still hung up on margin of error. I understand why it's there, and I understand that there's two different sources to look at, but when this goes to the DRB, they're effectively looking at a couple of criteria: that the proposed parking plan adequately serves existing and proposed development, and years of groups by the institution. So in other words, have you balanced parking supply and demand and how are you managing it. So that margin of error is so big that? On the plus side, you're meeting your demand. On the other side, you're not. So what am I in the DRB to think of that?

J. Katz: I would point back to those utilization counts which show on the ground, and even though that doesn't measure future demand, it does give us a better idea of what's actually happening right now, especially for the current which shows a large surplus at UVM and all the institutions have a surplus due to that.

S. Gustin: Is there basis for saying that other set of numbers is more valid?

J. Katz: I would say it's a really good indicator of what is happening on the ground right now. I don't know if I would say more valid, but I think it provides another way to look at it, and maybe a better way to put those numbers in the context.

M. Tuttle: When I asked about this before, Josh, you mentioned that you used the same methodology for this report to assign your survey results to different user groups on campus to help you with creating what you anticipate the future demand to look like. And I believe that methodology was created by the folks at the Transportation Research Center. Is that true? Is this something that you consulted with them about? How to use that methodology in a situation where you have a much lower survey result. Do they have any concern about the high margin of error that's produced by that?

J. Katz: I was not at CATMA when we were working with the RC on that. I arrived a year later but I believe that the survey data from 2019 we had a larger sample size so that was something that we didn't have to have to deal with and there's nothing that I've heard that that we've talked about this with the RC but I don't know if I can answer that question fully.

J. Randall: I'm curious about their involvement too. But they were more involved in earlier years, but not with this specific draft?

J. Katz: So to give some background, a few years ago, brought this project in house. We used to consult it out and then we brought in the house for the last for the last JIPMP process and then we consulted with them on just the methodology for the survey and figuring out the weighting and how to get that demand number. So it's the same methodology that we had used in 2019 to find the demand, but they didn't have any direct involvement on this report.

A. Friend: Scott staffs lots of different committees and boards including the DRB so that in presenting this plan to the DRB he has to go and answer questions. So we've talked about this particularly large margin of error and I understand there's a couple of different methodologies involved and we have bookends, but on the other hand it's big. I would have a hard time presenting it myself to the DRB if I were in Scott's position.

M. Tuttle: I will say that we have asked several questions about this to try to make sense of this both in terms of our own understanding of how to read the report and how to present it to you and ultimately how to present it to the DRB as well. I think we understand and have communicated to CATMA that we understand the discussion of these numbers as bookends. I think that in a lot of ways that can make a lot of sense and certainly there are other ways that we're familiar with the uncertainty that margins of error can provide. I think within our office using census data, oftentimes you know when we start to look at cross tabulated data, things like home ownership or renter-ship and race and income, you start to find that the populations that are included in those cross tabulations become so small that you're dealing with large margins of error. So often what we use that data is by presenting it with caution knowing that it is the best thing that we have available to know what's happening, but we know that it could carry a high degree of uncertainty. So maybe not the best example, but I think that that's just one of the ways that we've been trying to contextualize dealing with the large margin of error in this report. But ultimately I think one of the roles of the Planning Commission is to help provide any comments or feedback that you may have or, in the institutions in the preparation of this plan and ultimately for the DRB in their consideration.

A. Montroll: If there's so much uncertainty in that number, how is that number going to be used and what does that uncertainty do to impact on how it's going to be used?

M. Tuttle: That's a great question. And so one thing that we haven't actually talked about is that the institutions are actually required to submit an annual report on their performance of the plan essentially. And one of the things that they're, they report in that is those actual utilization counts. So I think as Josh and Karen have noted several times Those utilization counts help provide a real snapshot of actual user ship I guess on the campus. And so if we were starting to see in those reports that those utilization numbers were rising much further above either where they expected them to be or really were outpacing the supply, that would be one way that we know that the demand was probably much higher than we anticipated that that margin of error was probably in favor of the higher end.

M. Gaughan: I think we really, really need new metrics on this because I don't really know what the consequences of this is. We're going to say, "OK, you need to like go build more parking", which I don't think is an objective that probably most folks would advocate for a number of different reasons. I think we really need to focus on getting objectives that are more actionable, more lines with what people want to see from this in the future. I don't know if that can occur via the annual updates or not, but I think that's kind of where I leave it at this point.

M. Tuttle: Yeah. And I appreciate that point as well. I think that in previous reviews of the plans that have been brought forward, the Planning Commission and maybe even the DRB have made it pretty clear that the goal of trying to balance supply and demand is actually not to see the institutions build significant additional parking. That's not what most people want to see as the outcome. I think the kind of goals and objectives embedded in the Planning Commission, DRB comments have actually been about reducing the demand.

J. Randall: I want to echo what Michael said on that if the goal is to achieve that balance of parking without massively increasing parking. I think it would be great for this report to also address decommissioning parking when there is significant

surplus. It seems from what Karen was saying that the institutions are within a healthy range right now and so that isn't something that might be on the table in the immediate future, especially with some of these planned residential projects, but I do think that should be something that this report considers in the future. Also on the topic of the margin of error, I think it's helpful to have these two different metrics to draw on and I appreciate you know what Josh has been saying about the usefulness of a certain metric in a specific instance. I think given the fact that there's two of them, I think it would be great if UVM is looking to have this random sample as one of the things that they have in there, that's fine. But maybe if it's really increasing the margin of error because there's a smaller sample size than having that survey go out to everyone and have that as also a metric as a part of this plan. It would also be a good way to test the validity of that random sample when it's given, so that's one idea. Or I feel like there's other ways to rebalance and try to draw out of a more representative sample when it's just given to everyone. We're looking at a final draft document here, so it's tough to ask "OK, this number is not functional. We needed a new survey". I know that's not really feasible at this point here, but for future surveys, it would be great to have. Possibly that different approach with multiple other methodologies that account for everybody but then also try to separate people by user group and make sure that it pulls out those specific respondents.

M. Tuttle: There was a question about how Redstone campus is considered in both the supply and demand side that the funding for UVM and I know for the Planning Commission's awareness this is actually something that previous analysts and I have talked quite a bit about and so I'm just wondering if maybe Karen or Josh could confirm whether we should treat Redstone almost as like a satellite campus like you do for other satellite facilities for the institution since the parking at least at one point did seem to be exclusively for the users on the Redstone campus. And so just wondering if you could speak to that piece. Talking about Redstone lofts separate from Redstone apartments, separate from Redstone Lofts. But if there's any reason that any of the parking for Redstone Lofts would be restricted only to those users, I think that would be helpful to know as well.

J. Katz: Just to clarify, Redstone campus and Redstone lofts and apartments are different. They're adjacent to each other, but one is UVM, one is private so. Anyway, we can talk to more about that if we need to get into that, but the parking for the Redstone Lofts and apartments are only for Redstone Lofts and apartment's folks that parked there that live there.

M. Tuttle: So was the parking and the users then calculated as part of the overall supply and demand for the campus or were they held separately similar to other satellite locations that we've talked about previously?

J. Katz: Yeah. So I believe this was something that came up in the last process. Again, not something that I was a part of, but something that Sandy had filled me in on and so we made some changes to how we looked at those folks. So that's why we have those numbers that show. Both the demand calculation with the Redstone lofts and apartments there and also it would so you have a better idea of what that looks like.

This is scheduled to go to public hearing on June 9th or the 20th.

VI. Commissioner Items

Action: None

M. Gaughan: Wondered if C. Dillard has thoughts on the first comment we heard and that was circulated by e-mail on the historic synagogue and what that might look like and what the limitations are of the current zoning versus what's been asked for?

C. Dillard: Property is it the boundary of two districts, neighborhood mixed-use and a medium density residential. The prospective owner K. Spater who spoke has two different plans, one of which would not require a zoning amendment. It involves creating two residential units on the main floor of the former synagogue and in the basement cafe which is a permitted non-residential use in that residential district. I think longer term he has some ideas about that basement level and that would involve a use that's not permitted as a non-residential use in the residential district. And so is his initial question was would this be considered for a zoning amendment and because it borders the neighborhood mixed-use districts, I think there is some merit for at least considering it as it for a zoning amendment. It is a historic building, so there's some things to consider there, but it is in a part of town where I think neighborhood based commercial uses are appropriate based on Jason properties. But that's essentially where he is. I believe his plans are to move forward with what would be permitted today and then simultaneously pursue a zoning amendment for that property.

A. Friend: Did he say what the future use might be?

C. Dillard: He's a business owner himself. That involves fabrication. So a fabrication is not a use that's permitted there. It would be office and fabrication together. Another use he's mentioned was a cocktail bar type place. I don't believe he's anticipating going beyond to residences in any scenario, but I think if you were to successfully achieve a zoning amendment, I think there would be many different uses that could be permitted there. The congregation does maintain use of an accessory structure on the property separate from the main building, so this synagogue would obviously be sort of deconsecrated (it may have already been).

J. Randall: I had a question about if there are any active religious uses on it. So thanks for clarifying that, Charles. I used to live right around the corner from this property. So I was really excited to see this e-mail come in. I think given the fact that this parcel is on a corner lot, it's a really great location for a neighborhood commercial use or residential use, but I think it

would be a suitable location for those types of commercial uses you were mentioning so I'm eager to see this move forward. It would be good to see that area of Archibald Street look a little bit more alive. I think there's the start of some interesting neighborhood commercial where that where there's burly axe throwing and some cafes that are there, but I think it would be great to sort of extend that on the opposite side and this should be a prerequisite for a zoning change here, but it is sort of a burgeoning artistic area. So I think it would be great if this could support the sort of creative activities that are happening in that neighborhood, either directly or indirectly.

M. Tuttle: We're talking internally about what that looks like in terms of when or how we bring it forward to you. As Charles mentioned there is a plan to move forward under the current zoning today, and so the communication is really about some future plans. For the Commission's benefit, I think it's important to note that we hear a lot of requests for pretty discreet changes to zoning often, and we're trying to think through processes that we can use to help us evaluate time sensitivity impact, ability to help us move forward our goals so that we can make sure that we're balancing both the big things that we're working on in our office and these smaller requests. I appreciate that the communication was shared directly with you tonight and to hear your perspectives on it and we'll talk about how and when this gets brought forward.

VII. Minutes and Communications

Action: None		
Motion by:	Second by:	Approved:

VIII. Adjourn

Adjournment	Time: 8:00pm	
Motion: J. Randall	Second: M. Gaughan	Vote: Unanimous

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*Andy Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Alexander Friend
Michael Gaughan
Emily Lee
Julia Randall*

Burlington Planning Commission

Tuesday, June 27th 6:30 P.M.

Hybrid Meeting via Zoom and in the Bushor Conference Room

Draft Minutes

Members Present	A. Montroll, M. Gaughan, E. Lee, A. Friend, J. Randall, Y. Bradley
Staff Present	M. Tuttle, C. Dillard, S. Morgan
Public Attendance	Mr. Spater, Tim Doyle, Sharon Bushor, Andrea Grey, Hank Prenskey

I. Agenda

Call to Order	Time: 6:30pm
Agenda	Combined Items 6 + 7

II. Public Forum

Name(s)	Comment
	S. Bushor congratulated Emily for her time on the Planning Commission. She also brought up her concerns related to the upcoming equity initiative that will study the performance of areas across the city. Echoed Councilor Bergman's concerns that this might lead to gentrification, and believes there are better ways to link development patterns besides financial contributions, and doesn't want this to ignore quality of life while prioritizing money.

III. Chair's Report

A. Montroll	none
Emily Lee	This is Emily's last meeting as a planning commissioner – commissioners spend this time expressing gratitude to her 10 years serving on the Planning Commission.

IV. Director's Report

M. Tuttle	(1) Thank you and congratulations Emily. Also thank you and congratulations to Andy for his reappointment – since 2009 – thank you for your continued services. (2) Stepping in for Emily is Erin Malone – Momo's market owner, has a master degree in planning, lives in the old north end. Erin will officially start next month (3) Within the next meeting we'll be working with you all to do the annual reorganization meeting, which includes the appointment of your chair and vice-chair, and the committee members. (4) Commissioner Bruce Baker had a significant health issue. (5) Budget was passed on City Council meeting 6/26. Focus will remain on ongoing projects. (6) RE: Revenue + equity analysis. This came out of last year's budget process for the Data Team. It was a special project
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	that was funded outside of our budget to look at the economics of land use through Urban3, a firm that studies economic implications of land use planning decisions in communities all over the country. To provide us with an additional layer of information to understand how certain properties are appraised relative to their market value. The outcome will not lead to significant transformations in the areas we plan for certain types of growth, but will help us understand future impacts of implementing those plans. M. Gaughan – A lot of thinking around land economics can really be a driver of equity. City of Detroit switched more of their tax burden to land so they aren't burdening homeowners, which results in a more equal distribution of the burden of running the city.
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V. Proposed CDO Amendment: ZA-23-06 168 Archibald Street

Action: Motion to warrant for public hearing		
Motion by: A. Friend	Second by: E. Lee	Vote: Unanimous
Type: Discussion and Action	Presented by: C. Dillard	
The Commission discussed the proposed amendment, which would provide rezone the property at 168 Archibald Street from Residential – Medium Density (RM) to Neighborhood Mixed Use (NMU), in order to provide greater use flexibility		
Comments & Questions		
A. Montroll: Charles, can you speak about why the single parcel carved out is not spot zoning?		
C. Dillard: If this property was across the street, it might be considered spot zoning, but because it's immediately adjacent and shared a boundary with 3 properties that are in the NMU district, and it's also a corner property.		
M. Tuttle: It's not about the moving of the boundary for one parcel, but it's that the district itself doesn't apply to just one parcel alone. For example, within the same NMU district in the old North End, you considered several years ago an amendment to the boundary that brought all of what's now the old North End Community Center on Allen St. between North Street and Allen St. into the NMU district where it had previously been split zoned. We consider this kind of a boundary adjustment to be similar in nature to those kinds of changes.		
A. Montroll: Does the property owner want to add anything?		
Mr. Spater: The property has been a synagogue for the last 50 years. Maximizing the use of the space, some residential, with commercial space on the ground floor. The exterior of the building will remain the same for the most part. There might be slight upgrades, but we're trying to retain it as the National Historic District building.		
A. Friend: What are the plans for the commercial use for the property?		
Property Owner: I've talked to a couple restaurant owners. The person was looking to do a café/bar sort of thing, but it really laid that ground floor when you walk in to be something that augments the residential part of that building and the neighborhood itself. Not yet determined.		
A. Friend: How would you recognize the historic nature of the synagogue?		
Mr. Spater: I have been talking to the archivist at the OZ to preserve what was considered Little Jerusalem. Working with a specialist from the Shelburne Museum who is going through some of the uncovered ceiling and old fixtures.		
J. Randall: This is a great change to fuel more activity into that area that has so much potential. Do you have any thoughts on access to the property and how that will work? Any opportunities to work with your neighbors on that?		

Mr. Spater: Right now, the building has Archibald access, and an entry on Hyde St. Hyde St. would be the entrance for the downstairs units. The plans for the gas station at the Ratsmission to switch into a couple residential units and green space. Hopefully those two will merge together.

J. Randall: Recently, an amazing arts festival happened in the area of Ratsmission, Junktiques and Tank Studio. Something artistic in that big triangle would be great.

M. Gaughan: The list of neighborhood commercial uses does not include general offices.

C. Dillard: It's about use in terms of dimensional standards and density given the historic nature and the unlikelihood of redevelopment of the property in terms of intensity or expansion. It doesn't seem like the property is getting much benefit from that perspective. Some increase in lot coverage, but they're fairly close to the lot coverage today. The future land use map does show this property within that transitional edge between the neighborhood activity center and the residential districts. The policy guidance there is that those properties should serve that transitional purpose and function between a residential district and a higher intensity mixed-use area.

VI. & VII.

Project Update: Neighborhood Code & Legislative Update: S.100

Staff presented and provided an update on the Neighborhood Code initiative, which evaluates the zoning tools that regulates new homes in these areas today, and identifies opportunities for new neighborhood-scale housing citywide.

M. Tuttle: Part of the reason why we decided to combine them is because of the similar scope to the kinds of housing opportunities we've been looking at within the context of the neighborhood code. We'll share a little bit more specific information about the types of residential zoning standards we'll be looking at as part of the neighborhood code, and kind of what remaining elements there are within the residential zoning districts that we may not be looking at as part of this code for your perspectives and questions about their appropriateness to consider alongside this work.

Comments & questions on Legislative Update: S.100

M. Gaughan: On the 40% density bonus. How much more is that than what we currently allow?

M. Tuttle: It depends. In our ordinance today we have intensity bonuses that vary by district. I think that in some places within our ordinance we are nearly meeting those requirements. Particularly in areas of the city where density is measured as a dwelling units per acre standard. This would just require very moderate increases above what we already allow. In some districts we don't allow a height bonus, for example. In some districts we allow lot coverage bonuses, so what we do today and what would be required if a project met this 20% definition in the future varies district by district. The base floor area ratio, the density standard for that zoning district is 2.0. We already allow for the density to be increased to 2.5 when the inclusionary is provided and an additional story of height. This would require a 2.8 MAR and that additional story height which we already allow. That's a pretty moderate or modest change.

M. Gaughan: On the RL zones with 3-4 units. I'm a big fan of townhomes, and those maybe are one building, maybe are not. We'll highlight that as a consideration to advocate for or to incorporate in your thinking because I think those meet a lot of needs in terms of the home, home ownership objective.

M. Tuttle: That's a great point and a really good question. I know that the Agency of Commerce and Community Development is currently accepting questions and they're going to be issuing an FAQ in collaboration with their general counsel to help municipalities answer these really in the weed's questions. I know the way they define 3-4 units is just in the same building, so that is a nuanced questions in terms of owner-occupied units.

A. Friend: The residential low density. What is the current standard of units per acre?

M. Tuttle: 7

A. Friend: Are we going back to a minimum of 5?

M. Tuttle: We don't need to go back to a minimum of 5. We're already allowing more units per acre than the law requires us to allow.

A. Friend: But the historical development standard is to have one house per quarter acre lot? We could technically have more than that now.

M. Tuttle: You could technically already have more than that now and I would say that one single family home on 1/4-acre lot is. Maybe more than norm in other communities. I know one of the things that Sarah has been doing as part of the neighborhood code is mapping the lot sizes and the uses on those lots across the city. And definitely as you start to get into neighborhoods that were built post war or further on the periphery of the RL zone, you start to see single family homes on lots that are 8-9 thousand, maybe even a quarter acre large but. In the older neighborhoods in the city, that is certainly not the norm. I think seven units per acre has been calibrated over time to be a Burlington type standard. And there may be other communities in the state where it changed to 5 units per acre would be more of an intensification of what their historic pattern might have been.

A. Friend: Has the state mandated that we address the question of allowing more units per specifically residential low-density lot, or would we have to address that separately through some other process?

M. Tuttle: The state has not forced us to consider the question of should we be allowing more density in these areas at the kind of highest level. The question that we have to ask and answer is much more nuanced than that here in Burlington. We essentially have to consider a duplex to be a single-family home under our standards. For us what that means is up here where we have different minimum lot sizes for having a duplex in RL. We won't be able to regulate those differently going forward. We've presented to you previously on the neighborhood code where these standards intersect with the size of lots in the city, and we had previously found that because of the standard it was something like 40% of lots wouldn't be allowed to have a duplex. This was something that was already on our radar as considering whether or not that lot size standard for duplex should be smaller. I think the bigger questions for us is how do we think about 3- and 4-unit buildings in these areas. What this means in reality in terms of the absolute minimum that would be required in order to meet the law is that in order to have a 3-unit building we would require an 18,000 square foot lot. I think through the neighborhood code one of the questions is what we want to do or do we want to do something that's a bit more permissive, like Michael's townhouse example, or other ways to fit these sorts of neighborhood scale homes in lots across the city?

A. Montroll: This wouldn't really affect Burlington at all, but there are some communities where they require like minimum lot size for homes in some areas like multiple numbers of acres. Is this saying that they're not allowed to do that anymore?

M. Tuttle: I focused on the elements of the bill that are relevant to Burlington primarily. For example, this standard and the five unit per acre minimum density standard, I think only apply in parts of communities that are served by both water and wastewater services. I think that the duplex standard allowing duplexes wherever and however you allow for a single-family home that applies everywhere in the state, but these other standards only apply in those 4 community areas.

J. Randall: For the areas that we without water and wastewater, is that the Intervale area? Any area that would affect residential?

M. Tuttle: I think the short answer is that this wouldn't really be applicable to the interval regardless, because the interval is a part of the city where we don't allow housing development.

J. Randall: Through the Master Act 215 permitting process, the South End Innovation District comes to mind as possible candidate for that and I know when you're looking at that process. We mentioned just the implications of the need for permitting of developments of that size potentially. Do you see that as a candidate for this type of process or what are some of the other things where this process Master Act 215 permit would be useful to the city?

M. Tuttle: I think it's less about usefulness to the city and potentially more about usefulness to the kinds of development that we would like to incentivize or even help facilitate in certain parts of the city. One of the questions that had come up at one point when we were talking about the South End Innovation District was whether or not that should be added to our neighborhood development area. That site is not actually eligible for this master planning process unless we extended the boundaries of that district, which could be possible. I know we had talked on and off about whether that would bring value. There were, and still are a lot of moving parts in terms of the Act 250 discussion and its potential applicability in Burlington. And there could be other steps that could have a much higher impact, value impact for developments of that kind of scale potentially. It's something that we haven't fully explored yet in terms of whether we would take that step to get it designated and then to go through the master permitting process, or if the kind of private developers are already moving into the, developing their own master permit for that site. One of the other things that I think is worth exploring before we make a decision about whether or not to pursue it is learning a little bit more from places that have had similar circumstances. Downtown Winooski was developed under a Master Act 250 permit that the city actually applied for. Certain applications that come forward the city always has to be a partner to those applications, those permit amendments.

J. Randall: There was something in the bill about the ability to make a distinction between major and minor subdivisions and minor subdivisions for the things that can be administrative review. I'm wondering if you anticipate any changes to that as a result of this bill or if changes don't need to be made.

M. Tuttle: The intent of the bill is to clarify that municipalities and DRB's can do this. DRB declined to delegate that authority to the administrative officer, to the staff. We had not anticipated that we would revisit that discussion because that decision had been made previously, but we could ask Scott Gustin if he feels there's any value in doing it.

J. Randall: To add to Michael's point about townhomes, I think cottage courts are another residential use I think would be really wonderful. As we learn more about what applies to duplexes and single-family homes, I wonder if there will be some option on having multiple detached homes on a single lot if that can happen.

M. Tuttle: In a lot of cases cottage courts are really interesting example of how we could see new home that have the same fit and feel of certain residential areas of the city today.

Comments & questions on Neighborhood Code

A. Montroll: What is a flag lot?

C. Dillard: If you take a typical rectangular lot, a flag lot is a subdivision of that lot to create a second lot, the flag hole being the connection from the street. It's typically a driveway and typically has to be 12 feet or so. 17 feet. That leads to the flag portion of the lot, which is usually the rear of the pre-existing lots so that in that rectangular lot two lots one smaller rectangle and one lot that surrounds it that is the flag shaped. Flag lots don't have to necessarily take a flag shape and they often occur on irregularly shaped lots or large lots but it's a way to provide more housing and particularly with relation to accessory dwelling units or to build a second unit on a property.

M. Gaughan: Wanted to double check that the rear yard setback was being addressed in this effort because that is quite onerous.

M. Tuttle: Yes, as part of the kind of base of looking at the standards regulating residential development, we will be looking at our existing setback standards and looking at whether we need to make any changes to help facilitate those.

J. Randall: A note on the lot coverage piece, I think sheds would be a good thing to include there specifically for bike storage because e bikes are bigger than regular bikes.

VIII. Commissioner Items

J. Randall	Jazz Fest was awesome and I think it's one of the things that makes Burlington an awesome place to live and I just want to give a shout out to Parks & Rec Waterfront for helping out with that and supporting all kinds of events like that. And yeah, I really think it was an awesome example and way to show off Burlington.
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IX. Minutes and Communications

Action: Approve the minutes and accept the communications		
Motion by: A. Friend	Second by: E. Lee	Approved: Unanimous

XX. Adjourn

Adjournment	Time: 8:30PM	
Motion by: E. Lee	Second: A. Friend	Vote: Unanimous