

Montpelier Planning Commission
January 10, 2005
City Council Chambers, City Hall

Subject to Review and Approval

Present: David Borgendale, Chair; Carolyn Grodinsky, Vice Chair; Anne Campbell;
Marjorie Power, Richard Sedano
Staff: Valerie Capels, Planning & Community Development Director

Call to Order

The meeting was called to order at 7:10 p.m. by Mr. Borgendale.

Minutes

Ms. Campbell made a motion to approve the minutes of the December 3 and December 6, 2005 Planning Commission meetings. Ms. Grodinsky seconded the motion. The motion was approved 5-0.

Comments from the Chair

Mr. Borgendale informed Commissioners that he attended a meeting of the Capitol Complex Commission last week. The Commission considered a proposal from a crime victims organization for a memorial space within the Capitol Complex. The Commission reviewed the plan, but did not act because the it had previously determined that they needed to adopt a policy for placement of memorials and monuments and allocating space within the Complex. There presently is no such policy, but the Commission will consider the proposal once the policy is in place. Mr. Borgendale said the State is finally going to issue and enforce parking permits for its employees. The Commission also discussed a proposal from the VNRC for the placement of a sign on their building. The Commission did not act on that proposal because a policy is also needed for signs on buildings.

Presentation and Discussion of Density and Distances

Ms. Capels said the office Internet connections were not functional for a good part of the week, so she was not able to access U.S. Census Web sites containing the information she needed. She suggested the Commission use the information she was able to put together as a starting point. She is trying to show areas of the city visually and to characterize those areas in terms of density, buildings forms, distances to the sidewalk, and other dimensional issues. Mr. Borgendale asked how the densities were calculated. Ms. Capels said they were taken from Julie Campoli's information, which was generated using census block data, calculations of the land area within the census block, and the number of housing units in the block. Mr. Borgendale said that would mean that the streets were included in the area used for the calculations. Ms. Capels said yes, the streets and public rights of way were included.

Ms. Capels passed maps to the Commission members. She said one map was intended to illustrate the city's pedestrian sheds, which are the distances people can be expected to walk (roughly 1/4 and 1/2 mile) within existing neighborhoods. The second map illustrates pedestrian sheds as they relate to the Sabin's Pasture area that the Commission is focusing on.

Ms. Power noted the densities that were available were substantially lower than the density that the Commission has been discussing and the densities discussed by Jim Libby. She would be interested in seeing the information for the downtown area. Mr. Borgendale said that, in order to allow comparison, the Commission will have to have some guidelines for considering density in relation to the land area that it

is based on. Ms. Capels said her goal is to have the information as part of a city wide presentation, but the immediate focus is on Barre Street, College Street and Town Hill.

Mr. Borgendale observed that the density will depend not just on one apartment building on one lot, but on all of the uses in the block considered. Ms. Power said it would be interesting to place a dense apartment building at the center of a block and then look at the average density of the block.

Ms. Campbell asked Ms. Capels if she had a suggested way of calculating density. Ms. Capels said her inclination is to do the calculations the way they have always been done. That method would be to look at a zoning district or parcel based on the number of allowed units and the land area. Ms. Power said that would work on undeveloped land, but there needs to be a way of measuring whether infill will make an area too dense. Mr. Sedano said the Commission needs to keep the two issues clear. The Commission is presently visualizing densities and that will be different from the method of calculating a maximum allowable density. The other question is how the neighborhood will change as densities are increased. The Commission needs to be able to explain the expected results to the community. there should be some standard method of calculating density.

Mr. Borgendale said the existing zoning only addresses the minimum lot size and the maximum number of units in a given area. It might be a mistake to put density limits in the code. In the SmartCode, the density was used over broad areas as a planning number rather than a regulatory number. He was beginning to think that it might be a mistake to use density other than as a planning figure in the Master Plan. Ms. Campbell said the Commission would not want to continue the gap between the Master Plan and the regulations that the Development Review Board implements. Ms. Power said part of the purpose of the changes is to make the zoning ordinance self-executing so that anyone can read and understand what they are entitled to build without going through the public process. She said that, in order to accomplish that, the Planning Commission needs to do the work up front.

Mr. Borgendale said that, under the code as drafted, the minimum lot size is one eighth of an acre and four units are permitted on each lot. The maximum density of 12 units per acre will result in an inconsistency of how the individual lots are treated, resulting in an administrative nightmare. Ms. Power said the Commission needs to figure out a rational way to allow more density without allowing someone to "build the Bronx" by right. She also wants to find a way to be able to tell a person what can be built without asking them to go to great expense surveying the density on the block. Ms. Capels said she would give thought to the Commissioner's questions as she generates more information. At present, she does not believe using the circle for calculating density would work. For one thing, applicants would not be able to calculate it on their own; they would have to have a staff person calculate it using the GIS system. The other problem is that the GIS layer showing building footprints is current only though 1990 and the footprints do not relate accurately to the lot lines. It would be no small task to update that building footprint data layer. A requirement could be added that all future site plans be submitted in a digital format, but that would add to the applicant's expense.

Mr. Borgendale asked if the public had any questions on the presentation. Alan Goodman asked how the circles would work in relation to topography. Ms. Capels said that was a good point and she would follow up on that. Another member of the public asked whether site conditions that limit development, such as

steep topography, are taken into account in the density calculations. Mr. Borgendale said that was a policy issue that would have to be considered.

Draft Zoning Amendment

Mr. Borgendale said that the Commission had left off its last discussion at section 6.4.3. That section basically limits offices to only home occupations in the T4A zone. The T4B allows two offices within 1,000 feet. Ms. Grodinsky said that she was concerned about the conversion of housing stock to offices. Mr. Sedano said this provision would not allow for that to occur within 1,000 feet of another office. He said that he liked the idea of allowing people the opportunity to work within walking distance of where they live. The Commission needs to balance the limitations on offices with the benefits to traffic patterns that such offices might provide.

Mr. Borgendale said he thought the Commission wanted to encourage mixed use. All of these restrictions work against achieving mixed uses. If the nonresidential uses are not permitted to cluster to some extent, those uses will be less likely to be proposed. Ms. Grodinsky said she agreed that it is desirable to decrease dependency on vehicles. She suggested the Commission look at increasing the density of offices in the residential zones. Ms. Power said that client traffic will vary depending on the type of office. Ms. Capels said the Commission could consider setting restrictions on the types of offices permitted.

Mr. Borgendale said the concern about conversion of housing to offices is a “downtown” and “near downtown” issue. Ms. Power said it depended on how the lines are drawn. Ms. Grodinsky said she would like to allow more offices in order to promote walkability. Ms. Power said there was nothing to require that the users of the offices live in the city. Ms. Capels said that there are live/work ordinances in other municipalities. Ms. Power said that such an ordinance would probably result in more conversions of residential units to offices. Ms. Capels said a housing replacement ordinance could be used to address that concern. Such ordinances require an applicant to replace housing or pay into a housing fund. Such provisions could also inhibit mixed uses. Ms. Grodinsky said the Commission is trying to limit conversions, so the limitations should be set on conversions. Mr. Borgendale said another goal is to provide housing for more families with children. Those types of provisions would work against that goal. A member of the public said that many people who grew up in the city cannot afford to move back to the city with their families. She said the Commission could do something to create incentives for families to move back in. Ms. Power said that, even if family-size houses were built, there is no guarantee they would be affordable for families. Mr. Borgendale said the issue was complex and zoning is only one part of it. The zoning only permits certain uses, but there is no guarantee that those uses will be built.

Ms. Power said if the number of offices in the residential districts is increased, there would have to be limits on conversions. Ms. Grodinsky said the Commission is considering increasing the residential densities, so it seems that there is room for some conversions. Ms. Power said the conversions would occur before the residential units are built.

Mr. Borgendale said he was not sure it is appropriate to discuss offices separate from retail. The provision might say that an office can be added if there is also a commitment to adding a neighborhood friendly retail establishment on the first floor. Ms. Grodinsky said office and retail are quite different and should be addressed separately. Ms. Power said that, if offices were permitted as conditional uses, issues

like traffic to the office could be addressed. Ms. Capels noted that the current ordinance requires nonresidential uses to have site plan approval which would address parking, on-site circulation, landscaping, and other issues. She did not see anything in the current proposal to eliminate that requirement. Ms. Power said that might not be appropriate for the “by right” offices.

Ms. Power asked about frontage requirements. Mr. Borgendale said he did not think there was a minimum frontage requirement in the draft. Ms. Capels said she will try to describe the existing frontages with the density information that she is putting together. Mr. Borgendale said the draft is not clear on how the 1,000 feet would be measured. Mr. Sedano said the Commission should define it in a way that makes sense for the city. The impact will be linear in this context and that the 1,000 feet should be a linear measurement. Ms. Grodinsky said she could envision increasing the number of offices, but the Commission could start with the requirement as discussed with the understanding that they would revisit it in the future. Ms. Power said she would like to revisit the question at a meeting when Mr. McCormack is present.

Ms. Campbell said she understood that there was general agreement on the provision permitting two offices by right and two additional offices as conditional uses. Ms. Power agreed and added that there would be a substantive provision to prevent conversion (not just a contribution to a fund).

Ms. Power said that the SmartCode talks about large metropolitan areas with smaller subsets. Montpelier is practically equivalent to one of the smaller subsets. When mixed uses are discussed, the Commission should remember that the scale of the city is such that the commercial locations are close to a number of neighborhoods. Ms. Capels said a key to the survival of the neighborhood store is the density of development around them. Ms. Power said that topography also affects the willingness of customers to walk to the neighborhood stores. Ms. Capels asked whether, on a city wide basis, there might be broader areas of T4A and pockets of T4B with the mix of retail uses permitted in the T4B zones. Mr. Borgendale said the real issue was that there are certain types of retail establishments that are not desirable in neighborhoods. Ms. Power agreed and said retail uses that attract customers from outside of the neighborhood are not appropriate. Ms. Grodinsky suggested leaving the provision as it is. Mr. Borgendale expressed concerns that there are sections of the community where residents have to drive to shop and go to restaurants. It seemed the Commission was trying to allow for some commercial uses in each neighborhood. He noted that some of the residents in those neighborhoods may not want to have commercial uses. Ms. Power said it may be that the T4B designation is only useful for the areas that are currently undeveloped. She suggested leaving the provision the way that it is and wait to see what public comment is received.

Other

Ms. Capels said the next meeting is the public hearing and the following meeting would be dedicated to the discussion of the Fiscal Impacts of Development report. Ms. Power said the hearing should be structured so that people limit their comments to the Master Plan amendment rather than zoning issues like takings and the T1 zone. Ms. Capels suggested that a member of the Commission outline the proposed amendment for the public. Ms. Power said she could do that in ten minutes or less.

Ms. Capels reminded the Commission members that a Chair should be elected at one of the meetings in January and noted that Ms. Facciolo would not be available for the next few meetings because of schedule conflicts.

Adjournment

Mr. Sedano made a motion to adjourn the meeting. Ms. Power seconded the motion. The motion was approved unanimously. The meeting was adjourned at 9:40 p.m.

Respectfully submitted,

Valerie Capels

These minutes are subject to approval by the Planning Commission. Changes, if any, will be recorded in the minutes of the meeting at which they were acted upon.

Transcribed by Kathleen Swigon