



Burlington City Council Ordinance Committee

3/29/2017

City Council Ordinance Committee

Wednesday, March 29, 2017

Assessor's Records Room, City Hall

MINUTES

Present: Chair Chip Mason (CM), Sharon Bushor (SB), Max Tracy (MT)

Absent: None

Other City Staff: Gene Bergman (GB) (Staff Attorney), Scott Gustin (SG) (PZ), Eileen M. Blackwood (EMB) (City Attorney)

Public: Martha Lang, Lani Ravin, Nan Reid, Frank von Turkovich

CM called the meeting to order at 5:32pm.

1.01 Agenda: SB moved the agenda, MT seconded and it was adopted unanimously.

2.01 Public Forum: none

3.01 Approval of OC Minutes of 1/25/17: SB moved the Jan. 25, 2017 minutes (add Kim Sturtevant). MT 2d and they were approved unanimously as amended.

4.01 CDO Zoning Amendment 16-12, Rezone Fletcher Place to Residential Medium

CM noted that he invited EMB to discuss an issue. SB moved to receive advice from EMB finding that the premature disclosure would put the city at a substantial disadvantage. MT seconded and the motion passed unanimously. SB then moved to go into executive session to hear the advice, MT seconded and the committee went into executive session to receive the advice. On CM's motion & MT's second, the committee unanimously decided to go out of executive session.

CM returned to the amendment and asked SG to explain the amendment. SG said it was initiated by residents a long time ago. When the Planning Commission passed it, it was before the lot line adjustments that are now in effect but were then in the process of being applied for by an owner. To keep the lot lines consistent with the zoning lines, staff proffered a version 2 of the map of the district. However, UVM has subsequently requested a lot line adjustment of its property; to keep the property lines consistent with the zoning district line, staff is proposing the adoption of version 3, dated 3/29/17, that is proffered by staff.

Lani Ravin explained UVM's reasoning. UVM would prefer this be in context with a greater review of the districts but won't object if the lot lines in Version 3 are adopted. She feels it protects the neighborhood and UVM. Frank von Turkovich said he didn't oppose the line adjustment. Martha Lang opposes the process for this change generally but with the changes to the proposal she is amenable to this Version 3 amendment because her property is protected.

SB supports the amendment and wants the added protections to the house UVM owns. SB spoke of a negative experience with UVM and its neighbors in the past and would have hoped that there would have been more of a compromise than there is (have the whole parcel residential or a different split) but thinks it is a step in the right direction. She supports Version 3.

MT agrees. It goes to balancing the needs of the residents and UVM. The issue of institutional encroachment is real. The proposed lot line adjustment by UVM makes sense as a necessary compromise. He appreciates all the work put in



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on this amendment. He'd like to hear more about the master planning of the institutional zone.

CM agreed too. He views it as a success because it has unanimous acceptance.

Action: On MT's motion and CM's second, the committee unanimously voted to approve the amendment as amended by and in Version 3 (incorporating the lot line adjustments approved for Frank von Turkovich and proposed by UVM) (with spelling of the street corrected) and referred it back to the Planning Commission for its statutory comments and the City Council for 2nd reading and Public Hearing, with a recommendation to adopt as referred.

5.01 Other Business: Next Meeting & Items to Review

GB handed out the latest draft of ZA 16-11 for consideration at the committee's next meeting. CM hoped that 16-11 goes to the next OC meeting. The committee also discussed the Form Based Code and ideas being discussed for the consideration and adoption process for it.

6.01 Adjournment: the meeting was unanimously adjourned at 6:28 pm.