

Resolution Relating to

FORMER BURLINGTON COLLEGE PROPERTY
DEVELOPMENT AGREEMENT

RESOLUTION 4.08

Sponsor(s): Councilors Bushor, --

Wright and Ayres

Introduced: 12/21/15

Referred to: _____

Action: adopted

Date: 12/21/15

Signed by Mayor: 12/23/15

CITY OF BURLINGTON

In the year Two Thousand Fifteen

Resolved by the City Council of the City of Burlington, as follows:

1 That WHEREAS, for purposes of setting out the understandings, written or otherwise, between the CITY
2 OF BURLINGTON, a Vermont municipal corporation (the "City"), VERMONT LAND TRUST, INC., a
3 Vermont non-profit corporation ("VLT"), CHAMPLAIN HOUSING TRUST, INC., a Vermont non-profit
4 corporation ("CHT"), and BC COMMUNITY HOUSING, LLC, a Vermont limited liability company
5 ("BCCH"), hereafter, within this resolution, the City, VLT, CHT, and BCCH may each be referred to
6 individually as a "Party" and collectively as the "Parties;" and

7 WHEREAS, BCCH is the owner of ±27.65 acres of land situated between North Avenue and Lake
8 Champlain, with an address of 311 and 329 North Avenue, Burlington, as more particularly described on
9 Exhibit A attached hereto ("the Property"), and as depicted on the plan entitled "BC Community Housing &
10 Burlington College, Site Concepts" prepared by TJ Boyle Associates, a copy of which is attached hereto as
11 Exhibit B (the "Plan"); and

12 WHEREAS, BCCH, the City, CHT, and VLT undertook a non-binding collaborative planning process
13 for the purpose of exploring possible site designs for the Property that resulted in the Plan outlined in the Site
14 Design Process Memorandum of Understanding (Exhibit C); and

15 WHEREAS, the City and VLT wish to preserve ±12 acres of the Property for use as open space/park
16 space (the "Public Open Space"); and

17 WHEREAS, CHT is working in collaboration with non-profit partners and other affordable housing
18 entities and wishes to develop 160 units of affordable rental housing for seniors and families which satisfy the
19 inclusionary zoning requirements for rental housing established by the Burlington zoning ordinance (the
20 "CHT Project") on a portion of the remaining ±15.65 acres of the Property; and

21 WHEREAS, BCCH wishes to develop a portion of the remaining ±15.65 acres of the Property for a
22 variety of housing types and non-residential uses (the "BCCH Project"), in conjunction with the development
23 of a 6 acre parcel owned by Burlington College as depicted on the plan (the "College Parcel") for a variety of
24 housing types and non-residential uses; and

25 WHEREAS, the Parties have reached conceptual agreement on a development and public open space

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ORIGINAL

DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on

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Adopted by the City Council

....., 20.....

..... Clerk

Approved....., 20.....

..... Mayor

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26 plan for the Property; and

27 WHEREAS, the process to develop the conceptual site plan identified a number of principles restricted
28 by current zoning including, but not limited to, clustering density towards North Avenue and away from the
29 Lake, increasing allowable building heights and reducing surface parking, with an understanding that the
30 above changes are not for the purposes of increasing unit counts or decreasing affordable housing units but
31 rather for the purposes of reconfiguring allowable development and conserving open space as generally
32 depicted on the plan; and

33 WHEREAS, the parties are in mutual support of good faith efforts to achieve zoning ordinance
34 changes which will allow for reasonable phasing of a project of this magnitude and that will implement the
35 design principles described in the previous paragraph; and

36 WHEREAS, for the purposes of permitting it is the intent of the parties that all the Projects will be
37 considered and reviewed as a single PUD; and

38 WHEREAS, the Public Open Space, the CHT Project, the BCCH Project and any development on the
39 College Parcel by BCCH (all as defined below) may be referred to collectively herein as the “Projects;” and

40 WHEREAS, the Board of Finance on December 14, 2015 reviewed and recommended that the City
41 Council authorize execution of an agreement in substantial conformance with the documents attached hereto;

42 NOW, THEREFORE, BE IT RESOLVED that in consideration of the covenants, considerations and
43 mutual benefits set forth in the Development Agreement, and other good and valuable consideration, the
44 receipt and adequacy of which is hereby acknowledged, the City Council authorizes the Mayor to execute an
45 agreement in substantial conformance with the documents attached hereto, subject to the review and approval
46 of the City Attorney.

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I hereby certify that this resolution has been sent to the following department(s) on

Parks & Recreation Director Bridges
Assistant City Attorney Haesler

RESOLUTION RELATING TO

Former Burlington College Property...
Development Agreement

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Adopted by the City Council

December 21, 2015

Clerk

Approved December 23, 2015

Mayor

Attest:

Lori Olberg

Licensing, Voting and Records Coordinator

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