

35 **Resolution Relating to**

ALLOCATION METHOD AND STANDARDS FOR
COMMON AREA FEES OF THE CHURCH STREET
MARKETPLACE FOR FISCAL YEAR 2012

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39 WHEREAS, in 2004 the Church Street Marketplace Commission and the City Council
40 approved the following common area fee strategy, that effects 37-43 Church St. (owned by
41 Pomerleau Real Estate) and 47-55 Church St. (owned by General Growth Properties), the two
42 properties with the largest amount of square footage:

- 43 1. These properties pay no more than 80% of the established common area fee each fiscal
44 year:
- 45 • properties occupied by a single tenant that operate within the confines of a single
46 retail enterprise, in excess of 20,000 square feet on the ground floor of the
47 property, directly fronting Church Street Marketplace
 - 48 • enclosed regional shopping malls which have, within the confines of the
49 Marketplace district or directly connected to it, total gross leaseable area in excess
50 of 150,000 square feet. This exception applied to Burlington Square Mall, now
51 called Burlington Town Center.
- 52
- 53 2. The continuation of this formula for Burlington Town Center is based on a mutually
54 agreeable joint marketing program between Burlington Town Center and the Church
55 Street Marketplace, approved by our two organizations April, 2005 and reviewed
56 annually; and

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58 WHEREAS, the Common Area Fee will increase from \$2.05 per square foot to \$2.08 per
59 square foot or \$51,710 for 47-55 Church Street (Burlington Town Center) and from \$2.05 per
60 square foot to \$2.08 per square foot or \$51,937 for 37-43 Church Street (Old Navy) in FY 2012.
61 (These properties have traditionally paid a lower common area fee, based on a 1991 Marketplace
62 Commission policy applicable to anchor stores and malls exceeding 20,000 square feet.); and

63 WHEREAS, the Marketplace Commission recommends that the standards and common
64 area fees in the total amount of \$607,536 set forth in Attachment A appended hereto be adopted;
65 and

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73 WHEREAS, City Charter Sec. 326(c) requires that the City Council finally set such
74 common area fees no later than June 15th of each year after public hearing, of which all
75 interested parties receive 12 days notice as to time and place;

76 NOW, THEREFORE, BE IT RESOLVED that the City Council, pursuant to City
77 Charter Sec. 326(b), hereby establishes standards and levies common area fees for 2011-2012 as
78 set forth in Attachment A; and

79 BE IT FURTHER RESOLVED that the City Council shall finally set common area fees
80 on or before June 15, 2012; and

81 BE IT FURTHER RESOLVED that a public hearing on the above-referenced
82 assessment of common area fees shall be held on June 13, 2012.

Church Street Marketplace District: Common Area Fee															
		Sq. Ft	FY '94	FY '00	FY '03	FY '04	FY '05	FY '06	FY '07	FY '08	FY '09	FY '10	FY '11	FY '12	
Common Area Fee for Anchor Properties											1.91	2.00	2.05	2.05	\$ 2,008
47-55	Burlington Town Center (GGP)	24,904	26,320	27,437	28,267	36,570	41,341	42,586	45,076	47,567	49,703	50,946	50,946	\$ 51,710	
37-43	Woolworth Building (Pomerleau)	24,013	20,414	21,280	21,923	28,363	32,418	35,969	40,702	45,865	47,925	49,123	49,123	51,937	
	Panera Bread	4,000												\$ 10,382	
	Outdoor Gear	20,013												\$ 41,555	
	Total Anchor Properties	48,917	46,734	48,717	50,190	64,933	73,758	78,555	85,778	93,431	97,629	100,069	100,069	103,647	
Common Area Fee for all other Church Street Properties															
	Fee Per S.F.		1.69	1.75	1.81	2.03	2.07	2.14	2.27	2.39	2.49	2.56	\$ 2.56	\$ 2.60	
West Side Addresses	Property Owner	Sq. Ft	FY '94	FY '00	FY '03	FY '04	FY '05	FY '06	FY '07	FY '08	FY '09	FY '10	FY '11	FY '12	
1-7	One Church St.	8,400	14,230	14,726	15,171	17,068	17,409	17,975	19,053	20,054	20,956	21,480	21,480	\$21,802	
11-17	Prelco, Inc.	5,102	8,711	8,945	9,215	10,367	10,574	10,918	11,573	12,181	12,729	13,047	13,047	\$13,242	
19-21	CMG Partnership	7,318	11,950	12,829	13,216	14,868	15,166	15,659	16,598	17,470	18,256	18,712	18,712	\$18,994	
23	Handy	1,792	3,036	3,141	3,236	3,640	3,713	3,834	4,064	4,277	4,470	4,581	4,581	\$4,651	
25-27	Handy	3,944	6,681	6,914	7,123	8,014	8,174	8,440	8,946	9,416	9,839	10,085	10,085	\$10,237	
29-35	Nick-Morrissey LLC	16,665	26,605	29,215	30,098	33,860	34,537	35,660	37,799	39,784	41,574	42,613	42,613	\$43,254	
57-59	Dana	3,160	5,279	5,539	5,706	6,420	6,548	6,761	7,166	7,543	7,882	8,079	8,079	\$8,202	
61-69	Dot Real Estate	4,500	7,623	7,889	8,127	9,143	9,326	9,629	10,207	10,743	11,226	11,507	11,507	\$11,680	
71-75	Miller	3,834	6,495	6,721	6,924	7,790	7,946	8,204	8,696	9,153	9,565	9,804	9,804	\$9,951	
81-91	Howard Opera	14,415	24,419	25,270	26,034	29,288	29,874	30,845	32,695	34,412	35,960	36,859	36,859	\$37,414	
93-95	Howard Opera	2,885	4,887	5,058	5,211	5,862	5,980	6,174	6,544	6,888	7,198	7,378	7,378	\$7,488	
97	Flynn Estate	966	1,636	1,694	1,745	1,963	2,002	2,067	2,191	2,306	2,410	2,470	2,470	\$2,507	
99-101	Berger	2,310	3,913	4,049	4,172	4,693	4,787	4,943	5,239	5,514	5,762	5,906	5,906	\$5,996	
103-105	Grand View Farms	1,846	3,144	3,237	3,335	3,752	3,827	3,952	4,189	4,409	4,607	4,722	4,722	\$4,791	
107-109	King	1,200	2,033	2,103	2,167	2,438	2,487	2,567	2,722	2,864	2,993	3,068	3,068	\$3,115	
111	Fuller	1,350	3,981	2,367	2,439	2,744	2,799	2,890	3,063	3,224	3,369	3,453	3,453	\$3,504	
113-115	Fuller	1,000	1,670	1,753	1,806	2,031	2,072	2,139	2,268	2,387	2,494	2,557	2,557	\$2,595	
117	Grand View Farms	1,705	2,853	2,989	3,080	3,464	3,534	3,649	3,867	4,071	4,254	4,360	4,360	\$4,425	
123-129	131 Church LLC	7,623	14,946	13,365	13,768	15,490	15,799	16,313	17,292	18,199	19,018	19,494	19,494	\$19,785	
East Side Addresses	Property Owner	Sq. Ft	FY '94	FY '00	FY '03	FY '04	FY '05	FY '06	FY '07	FY '08	FY '09	FY '10	FY '11	FY '12	
2-10	Two Church St.	12,802	20,942	22,443	23,122	26,012	26,532	27,394	29,038	30,563	31,938	32,736	32,736	\$33,227	
12-14	Eastman	1,876	3,178	3,288	3,387	3,810	3,887	4,013	4,254	4,477	4,679	4,795	4,795	\$4,869	
16-18	Eastman	1,850	3,073	3,243	3,341	3,759	3,834	3,959	4,196	4,417	4,615	4,731	4,731	\$4,802	

20-26	Chioffi	3,198	5,417	5,607	5,776	6,498	6,628	6,844	7,254	7,635	7,979	8,178	8,178	\$8,300
28	Perkins	1,380	2,727	2,420	2,493	2,804	2,861	2,954	3,131	3,295	3,443	3,529	3,529	\$3,582
30	Read	1,560	3,083	2,735	2,818	3,170	3,233	3,338	3,539	3,724	3,892	3,989	3,989	\$4,049
32	Fenix	1,890	3,202	3,313	3,413	3,840	3,917	4,044	4,287	4,512	4,715	4,833	4,833	\$4,905
34-36	Fenix	2,108	3,571	3,696	3,807	4,283	4,369	4,511	4,781	5,033	5,259	5,390	5,390	\$5,471
38-44	Grand View Farms	5,264	8,917	9,228	9,507	10,695	10,909	11,264	11,940	12,566	13,132	13,460	13,460	\$13,663
46-50	Frank	4,836	8,192	8,478	8,734	9,826	10,023	10,348	10,969	11,545	12,065	12,366	12,366	\$12,552
52-54	Bouchett	6,016	10,191	10,546	10,865	12,223	12,467	12,872	13,645	14,361	15,007	15,382	15,382	\$15,614
56-58	Dana	6,016	10,191	10,546	10,865	12,223	12,467	12,872	13,645	14,361	15,007	15,382	15,382	\$15,614
62	City of Burl./CSM	529	896	928	956	1,076	1,097	1,133	1,201	1,264	1,321	1,354	1,354	\$1,373
66-78	Wood	6,890	12,034	12,079	12,444	13,999	14,279	14,743	15,628	16,449	17,189	17,618	17,618	\$17,883
80-84	WEW Vt.	3,708	6,281	6,500	6,697	7,534	7,685	7,935	8,411	8,852	9,251	9,482	9,482	\$9,624
86-88	Grand View Farms	1,554	2,633	2,725	2,807	3,158	3,222	3,326	3,526	3,711	3,878	3,975	3,975	\$4,033
90-96	C. Durrell Simonds	8,372	15,782	14,676	15,119	17,009	17,350	17,913	18,988	19,985	20,884	21,407	21,407	\$21,729
98-100	St. Albans	3,618	6,129	6,343	6,535	7,352	7,499	7,743	8,208	8,639	9,028	9,254	9,254	\$9,390
102	Pomerleau	1,752	3,740	3,071	3,164	3,559	3,630	3,748	3,973	4,182	4,370	4,479	4,479	\$4,547
104-106	St. Albans	2,080	3,524	3,646	3,757	4,226	4,311	4,451	4,718	4,965	5,189	5,319	5,319	\$5,399
108-110	Pomerleau	2,640	4,472	4,628	4,767	5,363	5,471	5,648	5,987	6,302	6,585	6,750	6,750	\$6,852
112	Berger	1,560	2,643	2,735	2,818	3,170	3,233	3,338	3,539	3,724	3,892	3,989	3,989	\$4,049
114-116	Grand View Farms	3,082	5,201	5,403	5,566	6,262	6,387	6,595	6,991	7,358	7,689	7,881	7,881	\$7,999
118-126	Kennedy Bros	3,413	5,782	5,983	6,164	6,935	7,073	7,303	7,741	8,148	8,514	8,727	8,727	\$8,858
128-130	Fenix	1,440	2,439	2,524	2,600	2,925	2,984	3,081	3,266	3,437	3,592	3,682	3,682	\$3,737
132-134	Fenix	1,620	2,744	2,840	2,926	3,292	3,358	3,467	3,675	3,868	4,042	4,143	4,143	\$4,205
136-140	Walsh	3,726	6,312	6,532	6,729	7,571	7,722	7,973	8,451	8,895	9,295	9,528	9,528	\$9,671
142-144	Grand View Farms	2,548	4,316	4,467	4,602	5,177	5,281	5,452	5,780	6,083	6,357	6,516	6,516	\$6,613
146-148	Mike Williams	2,175	3,685	3,813	3,928	4,419	4,507	4,654	4,933	5,192	5,426	5,561	5,561	\$5,645
150	Farrell	1,518	2,572	2,662	2,743	3,085	3,147	3,249	3,444	3,625	3,788	3,883	3,883	\$3,940
154	Farrell	1,518	2,572	2,662	2,743	3,085	3,147	3,249	3,444	3,625	3,788	3,883	3,883	\$3,940
156	Bohen	1,587	2,688	2,782	2,866	3,225	3,289	3,396	3,600	3,789	3,959	4,058	4,058	\$4,119
	SUBTOTAL	194,141	333,221	340,346	350,634	394,463	402,352	415,429	440,355	463,474	484,331	496,439	496,439	\$503,889
	TOTAL, including Anchor Properties	243,058	379,955	389,063	400,824	459,396	476,111	493,984	526,134	556,905	581,959	596,509	596,509	\$607,536

