



COMMUNITY & ECONOMIC DEVELOPMENT OFFICE

149 CHURCH STREET • ROOM 32 • CITY HALL • BURLINGTON, VT 05401

(802) 865-7144 • (802) 865-7024 (FAX)

www.burlingtonvt.gov/cedo

TO: Scott Gustin, Principal Planner
Department of Planning and Zoning

FROM: Marcy Esbjerg, Acting Director 
Community & Economic Development Office

DATE: July 25, 2016

RE: ZP#15-0801PD; Project located at 140 Grove Street, Burlington
(S.D. Ireland property)

This memo serves to support the applicant's request to the Development Review Board (DRB) to revise the distribution of inclusionary housing units in the project referenced above.

My understanding is that a previous DRB decision required that the applicant provide all necessary inclusionary housing units in the first five phases of this multiphase project. I support the applicant's request to the DRB to allow inclusionary housing units to be assigned proportionally across phases and not consolidated in the first five phases for two reasons: 1) proportional distribution of inclusionary units is consistent with the ordinance language per 9.1.19; and 2) the goal of inclusion is more fully achieved by the distribution of inclusionary housing units evenly throughout a project rather than the concentration of all units in a few buildings.

Please contact me if you have any questions.



EQUAL HOUSING OPPORTUNITY

Brothers Corporation

June 9, 2016

Mr. Scott Gustin
Principal Planner & Asst. Administrative Officer
Dept. of Planning & Zoning
149 Church Street
Burlington, VT 05401

RECEIVED

JUN - 9 2016

DEPARTMENT OF
PLANNING & ZONING**Bayberry Apartments, 100 & 140 Grove Street. Amendment application**

Scott, please consider this as a formal request to amend Condition 13 of our approvals for our project on Grove Street. The condition currently states: *This project approval includes the 2/13/15 "Phasing Plan" and related 2/16/15 "Anticipated Construction Phasing Schedule". Phases 1A & 1B, 2A & 2B, and 3A shall include construction of all 35 inclusionary housing units. Alternation of this schedule shall require separate zoning permit review*".

We would like to amend both the phasing schedule to allow us to complete more of the buildings on the upper plateau before moving down to the second plateau and we would also like to be able to phase in the inclusionary units as each phase is built rather than having to building all 35 inclusionary units in the first 5 phases. Section 9.1.17 & 9.1.18 specifically speak to phasing and allows this request.

The first 5 phases referenced above allows us to build 88 units. Condition 13 as worded, mandates that 35 of those 88 units be inclusionary (40%). Section 9.1.17 states that in phased projects, *"inclusionary units shall be made available for occupancy on approximately the same schedule as a covered project's market units."* If this amendment is granted, we would be required to construct 15% of the first 88 as inclusionary rather than the 40% of the first 88 as the current condition mandates.

Simply stated, constructing 40% of the first 88 units as inclusionary is proving to make financing the first 88 units extremely difficult.

In regards to the phasing plan itself, our marketing team feels that we should construct as many units as possible on the upper level before moving to the lower level.

Attached is a completed application as well as an amended phasing plan.

Thank you,



Patrick O'Brien