Sinex Town Center Mall Redevelopment Project

MYTHS BUSTED!

MYTH: The city must build more housing units to relieve rental scarcity and a housing "crisis" that is indicated by a vacancy rate of about 1%

BUSTED! Since the 2010 Census, the number of Burlington apartment rental units has increased by 14% (up from 10,000 units in 2010). Since 2014, 1,400 apartment units have been built or are under construction, or nearing construction. Recently, two private surveys show a 2.5% rental vacancy and a "healthy" 3% rental housing vacancy rate likely by year end. Evidence: A July "snapshot" of apartments for rent in Burlington found 129 units available. Also, landlords in the City say it now takes longer to rent units, more are available, and there is more price competition on rents charged.

MYTH: The developer has no choice but to build parking above ground

BUSTED! 3 and ½ stories of Sinex's proposed 14+ story building are made up of above-ground parking garages. Sinex claims that he cannot put the parking underground because of prohibitive costs and time and that he cannot eliminate it or locate it off-site because potential renters will require parking a stone's throw away from their spaces.

We have only his own word for the prohibitive cost of putting the parking underground. Furthermore the Sinex towers are right next to a public transportation hub, and two lower-level parking garages that could conceivably be raised a few stories each. A truly green development would take advantage of the public transportation hub and the building's central location and set a precedent for decreasing car traffic within the city center. This could be a great opportunity to establish a drop-off point connected to a park & ride facility outside of the city center. It seems obvious that the three floors of parking justify the height increase, enabling the possibility of building luxury units on the 12-14th floors.

MYTH: The project's details conform to PlanBTV and are a result of public input meetings

BUSTED! PlanBTV explicitly states that in order to increase density in the downtown core we must build *within the permitted development envelope*, i.e, within current zoning (allowing up to 65 ft, or 105 ft in exchange for public benefits). A projected image of a new mall shows a building approximately 6 to 8 stories (not 14), and we read that increased density need not mean increased height. PlanBTV states that parking should be underground or wrapped, not above ground or visible. PlanBTV indicates that we need housing for families and mid-low-income residents. The proposed development offers housing for students, high end single units, and only about 55 single affordable units. The change in process for allowing height increases eliminates the leverage for acquiring more affordable housing, effectively blocking the fulfilment of the city's goal of providing more, not less, affordable housing.

MYTH: The zoning change required for the proposed plan is not illegal spot zoning

BUSTED! Spot zoning is defined as the creation of a special zoning area that is not in conformity with a city's comprehensive plan, is out of character, constitutes a major change of use for an area, and is created for just one development instead of with a long-term vision of the future of the city. The proposed zoning change is not in conformity with PlanBTV on a number of counts (height increase, above-ground parking, wrong kind of housing, etc.), includes a change of use to allow student housing and university space, is out of character with the surroundings, and is obviously being created explicitly for the benefit of one development. Surrounding land owners have already challenged the city regarding spot zoning, demanding that they too be allowed to increase the height and mass of their holdings.

MYTH: 160 feet (14-stories) came from PlanBTV

BUSTED! The height of 160 feet, "by right"(no additional public benefits are required) came from the Sinex Burlington Town Center proposal. This is an increase of 95 feet above the current by-right allowance. Why is a developer driving our zoning? Note: This height *increases* with every P&Z discussion of rooftop "mechanicals". City Council has discussed heights up to 190 feet!!

MYTH: All of the Planning Commissioners support the proposed zoning amendment

BUSTED! In fact, most Planning Commissioners repeatedly said that the timeline allowed for the vetting and approval of this major zoning change was much too fast, noting that other much smaller projects had required much longer time. Commissioners registered multiple reservations about the compliance of the zoning change with PlanBTV, about public opposition to the project, about the possibility of spot zoning, about above-ground parking, a change of use to allow university space, and more. Planning Commissioners agreed that they were not at all ready to approve the zoning amendment, but agreed to pass along their comments—including multiple reservations—to the City Council. This "passing along" has been misrepresented as an approval by the Planning Commission.

MYTH: There's very little development in Burlington because permit requirements are unreasonable — zoning and regulation processes are broken and need radical changing

BUSTED! Actually, 1400 new units are either under construction or recently built in Burlington over the last year. We have already fulfilled our proposed quota of increased housing for the next few years without radically changing the zoning or process of development approvals. While the head of Planning and Zoning tells us that the practice of requiring more Inclusionary Zoning (affordable housing) in exchange for increased height and other waivers does not work, the real reason for this malfunction may be that the city routinely lets developers opt out of providing inclusionary units in exchange for a fine. This fine is only about 3% of the selling price of a condo. The developer will be tempted by the opportunity for larger profits by not building the affordable units, paying the city fine, and selling the 55 units that were supposed to be affordable as high priced condos. Example: Westlake, the development project on Battery Street, paid the city fine ($100,000/unit, 4 units) instead of providing the required inclusionary units.

MYTH: PlanBTV and public input on the mall expressed interest in vertical growth

BUSTED! While general concepts of increased density, infill and the zoning changes needed to facilitate them, are supported in PlanBTV—the increased HEIGHT of buildings is not, nor is the specific height proposed. Quite the contrary. PlanBTV focuses on "human scale," lake and mountain views, a majority satisfaction with building heights as they ARE, and the idea that "taller" is not necessarily the answer. To say PlanBTV supports 160 feet "by right" is completely untrue. Public input meetings on the mall design indicate that despite the fact that "staff" strongly favored a height increase, citizens were concerned about increasing height (even when 105 ft was the discussed maximum).

MYTHS: BUSTED!
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COALITION FOR A Livable City

Like our facebook page: **"Stop the 14-story mall"** and read our blog at: **http://coalitionforalivablecity.blogspot.com.** We need your help and donations for printing. Find out how by emailing us at: **LivableBurlington@gmail.com.**

Get involved. Write to City Councilors: **www.burlingtonvt.gov/CityCouncil**
Come to City meetings and speak out during the public comment period.

We too, are for **progress**. Progress is *more* affordable and moderately-priced housing in all developments. Progress is housing for working people before housing for college students. Progress keeps climate change planning on the forefront. Progress is thinking beyond a traditional mall. Progress is respect for standing law and PlanBTV. Progress is knowing important issues should not be rushed. Progress is state-of-the art stormwater treatment, energy-efficient building and green spaces. Progress is fewer cars downtown and below-ground parking. Progress is pedestrian and bike-friendly street connections owned by the city. Progress is protecting our assets of historic buildings and view corridors. Progress is growth with public input. Progress is density, economic vitality and livability at human scale. CLC is an all volunteer group of diverse individuals who care about democracy in our city. We do our best to be factual.