

Meagan Tuttle

From: Amy Mellencamp <amy.mellencamp@gmail.com>
Sent: Wednesday, July 06, 2016 9:31 AM
To: Meagan Tuttle
Subject: Town Center Development

I am writing to express my personal support for the proposed new town center development in Burlington. Rethinking how the downtown mall fits into our community has been an important step in thinking about how Burlington can stay vibrant in the future. My family has attended the information sessions and learned more about the elements of the redevelopment plan. We are in support of it going ahead, knowing there need to be adjustments to height and other elements in order for the plan to be viable and successful.

Meagan Tuttle

From: anneparadiso@comcast.net
Sent: Wednesday, July 06, 2016 8:10 AM
To: Meagan Tuttle
Subject: Vote tonight

I am writing to voice support for the planning commission's vote on the mall redevelopment project. Burlington is a marvelous, thriving city with unique character. The aging mall is a detractor on Church St. The overhaul has been due for years. Sinex has been incredibly collaborative and patient in his planning process. This project will result in a significant and creative investment in the city's business, residential and infrastructure needs, the benefits of which will last a generation. It's foolish not to embrace this opportunity. It won't come again. I urge the planning commission to vote yes tonight.

Thank you for your time.

Anne Paradiso

Sent from XFINITY Connect Mobile App

Meagan Tuttle

From: Bill Dodge <bdanedodge@aol.com>
Sent: Wednesday, July 06, 2016 12:44 AM
To: Meagan Tuttle
Subject: zoning decision

Dear Ms. Tuttle,

I would like to commend the city, and Mayor Weinberger, for conducting a very open and constructive dialogue on the zoning amendments required for the redevelopment of the Burlington Town Center. As a former gallery owner on St. Paul Street for 14 years, I can appreciate the economic importance of projects that integrate housing with commercial space, improve pedestrian experiences and the flow of downtown streets, and reverse the business growth that Burlington has forfeited for years to its outlying regions. The evidence of demographic stagnation in Burlington, compounded by a sustainable growth policy and its restrictive zoning that has choked economic growth for over 30 years, is too crucial to the future health of Burlington to ignore. We need to create more opportunity for our young and for the small businesses that thrive when smart growth brings renewed vitality to our downtowns. We're heading into a tougher economic future and it's time for bold and pragmatic planning to keep the city moving forward.

With best regards,
Bill Dodge

Sent from my iPad

Meagan Tuttle

To: Brenda Torpy
Subject: FW: Burlington Town Center

From: Brenda Torpy [<mailto:btorpy@champlainhousingtrust.org>]
Sent: Wednesday, July 06, 2016 9:40 AM
To: Meagan Tuttle
Subject: Burlington Town Center

Champlain Housing Trust supports this development for bringing housing to the downtown, including affordable housing. This is smart growth in action in the right location. Through our Building Homes Together Campaign, announced last week CHT, along with our partners seeks broadly to support and encourage all our local communities to increase the housing stock in our town and city centers where density brings multiple community-wide benefits like walkability, public transportation use, efficient use of land and infrastructure and a greater tax base.

Brenda Torpy, CHT

**When scheduling any meetings, please cc: Karina Warshaw, Executive Assistant, at Karina.warshaw@champlainhousingtrust.org*

Brenda Torpy
Chief Executive Officer
Champlain Housing Trust

(802) 862-6244 main

88 King Street
Burlington, VT 05401

[Web](#) / [Facebook](#) / [Twitter](#)

Meagan Tuttle

From: Carolyn Bates <cbates@burlingtontelecom.net>
Sent: Tuesday, July 05, 2016 6:25 PM
To: Carolyn Bates
Subject: PLEASE SAY NO, 14 times. to the Overlay District Proposal to change our city's zoning, which does not comply with PlanBTV.

To all planning commissioners

Please uphold the law and insure that any zoning amendments be in compliance with our city plans and that they are approved according to proper process under due scrutiny and diligence!

I fell in love with Burlington, its access and views to Lake Champlain, its artist groups, Church St, its human scale town and its people in 1971. I have been a resident of Burlington and business owner since 1973.

Over the years I have known each mayor on a personal level and worked with them and city council on many adventures. All enhanced the character of the city. Church St Market Place and the waterfront are especially popular places for me to spend quality time in, take my guests, and direct newcomers to town to go and see. City Market, I have been a member of the coop since 1974, is perfect! (Remember how Shaw's tried to dictate to us what to do?)

When news of the "inside out mall" redevelopment, with expanded underground parking, and all retail moved up to street level, the incorporation of St Paul, and Pine, the 5-10 story buildings, roof top gardens, public spaces, hotel, affordable housing, office, so people could work and live easily downtown. WOW I was excited.

I went to meetings and design charrettes. The last one was in May 2015. The three buildings, park space, two towers which may have been up to 14 stories (This was rather hidden in the agenda), all seemed to fit the PlanBTV, and I figured if the towers were too tall, that the city and Zoning would be sure to put them back into the proper height. I had met and worked with the NYC architect and really liked her, and with FFF behind the scenes, a client since 1986, I felt we were in great hands.

Then the design went into hiding. No more public process. No suggestion of major "out of zoning" ideas were in the chit chat around town. We all thought it was going to stay as we saw in May 2015. Inside-out.

I went to the Jan 2016 meeting early and sat in the second row, behind Bill Truex and Pat Robbins, long time friends, and clients of my business. Excitement was in the air. We saw a confusing slide show: tops of buildings were cut off, streets were covered over and hard to comprehend. And the mass was huge, but very hard, again, to really understand without other buildings or a 3-D model. But again, we had a great municipal plan BTV and strong zoning codes, and excellent mayor and city council, so I just accepted this as a dreamer's plans, and that the city would get it back into the previous models we had seen, and not allow this mass to be built as shown. (Like we did with Appletree Point's first ideas by Niquette's, then sold to Farrell, and put back into proper code.)

Nowhere anywhere was there talk of an overlay district, or need to REZONE the city to comply with Sinex's dream. I presumed this was a first viewing for the city as well.

I saw some of the illustrations at a later city council meeting. But again, I trusted city hall to be sure it complied with our zoning and Plan BTV. It seemed way too big. And overpowered the streets. But again, I could not count the number of floors in the plan, or the actual height, or really compare it to buildings I knew. There was no mention of any need to rezone. And there were no booklets to take home and study. Yes people said it was in compliance with Plan BTV. So I believed them. As I knew Plan BTV was around 8 stories and several buildings, parking underground, public parks, top of the line stormwater treatment, and GREEN approval for building.

Never in my wildest imagination did I ever believe that the mayor I had helped to get elected, nor the city councilors whom I personally knew and had worked with for years and years...most especially Joan Shannon, and Karen Paul. Kurt Wright, too. would throw a left curve like they did at the city council meeting on May 2, 2016. In the past anything special was talked about and ideas floated back and forth sometimes for years, before anything was acted on.

None of them wrote to me or to anyone I knew about this Overlay District, the 14 stories "by right", 9.5 FAR, above ground parking for 3 floors, etc. City councilors and the mayor were "kissing the feet of Sinex" on May 2, 2016 who was now directing the city on what was to be built, and when, and put into a RUSH mode or he, Sinex, was "going to leave town." He was demanding that city hall JUMP up and DOWN and in 120 days get the ZONING ETC> changed to 160 Ft etc. so he could build his Mall, now with above ground parking, and the original mall, put back underground! And massive 100% envelope for 5 floors! GAD. I was in total shock.

Since then, we are watching Planning try to uncover all the parts and pieces of this zoning overlay proposal. But they have no 3-D model, or even good illustrations to demonstrate what is happening. And are hampered by City Council breathing down their necks saying RUSH.

We, 100's of citizens in Burlington have tried to walk a lot around town, and to make models and illustrations by estimating as best we could what was happening to our city.

Now I find myself in a great "Coalition for A Livable City". And we have dug and dug around in the documents, that I notice are finally showing up on the "TownCenter's website" which is really part of the city's website!! And we are looking at the legality of all of this. In the two 1/2 days of this week we have had 3860 visitors.

Dec 2014

We were promised this: a new inside out mall, expanded parking underground, street level retail, hotel, buildings 10 stories and under, parks, roof top public civic park with storm water management, etc etc. with LOTS of public transparent process. see

HHHHHmmmmm between May 2015 and Jan 2016, lots happened in private meetings...which made the great mall into a monster. And turned the inside out mall, back into its old ugly self.

I cry FOUL.

I CRY AND CRY AND CRY.

I do not want to move from the city I love, its people, the art world, my neighborhood.

Why oh why are you betraying my trust of you and the city to stay within our Plan BTV. (And NO the present design does NOT FIT) and doing what is really SPOT Zoning under guise of a newly formed Overlay, from what I can see. Not giving this proper time to get public input, or allow planning to do the excellent job that they do, and instead put this all into RUSH MODE.

Your original agreement with Sinex said you would build May 2015. YOU had a wonderful design from him, then, with just two tiny towers, at 14 floors, which we as the public, probably would have said OK to, or Ok to 12. And lots of public input then. We were all delighted with it. WHY OH WHY did ??? change it so drastically, and make all of us CRY??? And stop following all of your good taste and betray the tax paying citizens of Burlington?

I am totally disgusted with city hall. I am angry. I am mad at the time I am having to take away from my photography business. I should not have to write this to you. YOU were voted in on good faith that you would all work with us. Why are you letting SINEX dictate how we should run our city????? Are you getting bonuses somewhere??????

Awful, terrible.

The only way out is to say **NO! NO! NO!** 14 times for all of the floors you want to put here.

And start taking control of our city again, and tell SINEX, just as you have told all other developers **“NO NO NO. You must build to code. Build to CODE!”**, when they have asked to build taller, larger, wider.

Please Planning Commissioners say NO NO NO. Tell the city councilors and the mayor that they need to take the city back again and tell Sinex NO, just as they have told other developers. If there had been a proper public process since 2013 when Mayor Miro started to talk with Sinex, Sinex would probably have the mall in the ground, his tenants would still be here (12 have left since he bought the mall!) and the design would be like it was in 2015.

Sinex is not going to leave. This is his FIRST EVER building he will build. He thinks he will be a “hero” to Burlington, where he would not have been in NYC. **He is going to make \$150 million on a \$25 mil investment.** That is a pretty good profit, now isn't it! Reducing his mall 4 stories is not a big deal.

And here is how you can do it:

1. **Take off the 14th floor**, which did not have much housing in it, as it was so “small”,
2. **UNBUNDLE PARKING** from this building. **PUT PARKING BACK UNDERGROUND** where the present mall is, maybe 250 spaces,

3. return the mall to its **inside-out-position**. Put the retail in the mall, back onto street level, where the retail stores belong.
4. Return the public roof tops and street level gardens, and have them contain 100% of a 20 years storm water (not just a one year!)
5. make this such a grand and outstanding example of how to build it RIGHT, that people travel from all over the world, to see what Burlington has done to enhance and expand its down town the RIGHT WAY.
6. Get rid of cars, bring in alternative transportation (the bus depot is right in front of the mall!) making walking and biking safe and fun!
7. Cut the buildings apart to reduce the mass. Have alley ways and green walking paths just like we do behind Flatbread and Red Square now.
8. Get some more exciting designs. Please.

I want to go swimming now that it is summer, and stop crying.

Thank you for all of the time you spend.

Carolyn

July 5, 2016

Carolyn L. Bates Photography

Email: cbates@carolynbates.com

ADDRESS: PO Box 1205, Burlington, VT 05402

Phone: (802) 238-4213

Web: [www carolynbates.com](http://www.carolynbates.com)

Meagan Tuttle

From: Carolyn Bates <cbates@burlingtontelecom.net>
Sent: Wednesday, July 06, 2016 4:56 PM
To: Carolyn Bates
Subject: What I plan to say tonight How I'd like you to vote so proposal fits into Plan BTV

Thank you all for your incredibly hard work, under these awful RUSH conditions our Mayor and city council put you under.

I ask that Planning strongly vote the following so that this proposal will sit back inside Plan BTV

1. NO to the height change.
2. Reduce the mass to FAR 8.4 ,
3. NO to the parking above ground level unless wrapped with an active business, unbundle parking requirement to reduce the no of cars, add shared, smart parking, and alternative modes
4. NO to the increase height on Church ST.,
5. make housing plans for College students conditional, or a NO.
6. rewrite the stormwater so it is stronger (i.e. contain 100% of a 20 year storm instead of just a 1 year storm.) and add public parks, gardens, to do this.
7. rewrite the green building concepts, add in the word HEALTHY and the three plans from SF zoning to guide this.
8. Yes to facades Please review details
9. YES to opening up St Paul and Pine Streets but add in ways to do this better than is shown now.
10. Yes to increase Street Activity
11. Step backs there are not enough of these within this plan. We also should add alleyways, parks, to break up the mass of the building so we have 3 buildings instead of one, the size of 3 football fields including the end zones, in each square block.
12. Yes to the map, awnings and signs as long as they do not create dark holes along the sidewalks.

please don't rush. Do your due diligence!

submitted by Carolyn Bates
20 Caroline ST
Burlington, Vt 05401

July 6, 2016

Meagan Tuttle

From: Charles Dinklage <charles.dinklage@gmail.com>
Sent: Wednesday, July 06, 2016 5:34 AM
To: Meagan Tuttle
Subject: Burlington Mall Development Plan

Megan,

I understand there is an important Planning Commission meeting this evening regarding this project. I grew up in the area, moved away to college and then to work outside New England for a while only to realize that Burlington is a great town. Hence, my family and I moved back "home" and love living here now raising my three kids.

That said, a number of my friends that have young kids are choosing not to move to Burlington but rather the surrounding communities. There are a number of reasons for this but one I've heard is that there simply isn't much change or modernization happening in Burlington, especially with the mall. Church street and the downtown has remained much the same since I grew up here 30 years ago.

While the ultimate project might still need adjusting, I hope the Commission sees the importance of moving forward with very necessary redevelopment downtown to give some new life to our wonderful city.

Respectfully,

Charles Dinklage

July 6th, 2016

Fellow Planning Commissioners,

We are concerned that the Public Hearing on the Downtown Mixed Use Overlay is premature and does not meet legal requirements under Vermont Law. Furthermore, many of the documents in the meeting packet contain errors and/or omissions in regard to the Planning Commission's positions.

Vermont Law States:

"When considering an amendment to a bylaw, the Planning Commission shall prepare and approve a written report on the proposal...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

- (1) Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*
- (2) Is compatible with the proposed future land uses and densities of the municipal plan.*
- (3) Carries out, as applicable, any specific proposals for any planned community facilities.*

This mandatory Planning Commission report must be completed 15 days prior to a public hearing in order to meet certified notice requirements. The Planning Commission has not prepared and approved a written report as required by law. Nor have we had a comprehensive discussion on the proposed amendments' conformance with municipal policies, including the availability of affordable housing. Furthermore, we have not reached consensus on these issues. Indeed, some Commissioners have raised concerns that certain regulations do not conform to the goals and policies of our municipal plan. For instance, at our last meeting commissioners expressed universal opposition to the proposed regulation that would permit a college campus to occupy the Burlington Town Center site, emphasizing it would be contrary to Plan BTV which calls for mixed uses and a variety of housing types. Clearly, the Planning Commission need to carefully assess the proposed overlay district and its many regulations for conformance with the goals of Plan BTV, which is the Municipal Development Plan.

For instance, in order to comply with the law we are asked to consider the *effect of the proposal on the availability of safe and affordable housing*. We have not considered the number of affordable units the proposal without height bonuses would create compared to the existing bonus structure. Nor have we factored the impact of allowing student housing, which may be exempt from the low income housing requirement, into that equation. Without more specifics and study we cannot assume that this proposed amendment furthers our goals and policies regarding affordable housing

The Burlington Planning Commission Report Municipal Bylaw Amendment found on page 43 of the July 6th Planning Commission packet, was written by Planning and Zoning staff and not the Commission. The Commission members are seeing it for the first time in the packet and have never discussed its contents nor voted on it. It does not accurately represent the views of the Commission. Nor, does it satisfy our legal requirement to deliberate and write our own report.

The Summary of Planning Commission Comments & Actions in our packet for July 6th public hearing needs corrections and additions to truly reflect the positions taken by members of the Planning Commission at recent meetings as follows:

Key Elements #3 as written: "The Commission understands the limitations associated with bonuses and the rationale for moving away from them in this overlay, and generally agrees that provisions/restrictions should be explicit"

Note: *The Commission has not voted on this and this is not the unanimous opinion of the Commission.*

Key Element #4 as written: "Retain current maximum height of 105ft to conform with illustrations in planBTV Downtown & Waterfront."

Correction: The current maximum height is 65' and only with bonuses can a building be 105'. We suggest changing the language to reflect one member's stated preference to "Retain maximum height of 65 feet by right with options for additional height with bonuses."

Note: *Members of the Commission are not able to make an informed decision on the appropriate height and massing for this site because of a lack of appropriate visual tools such as a physical model and sufficient time to review and debate the change. The Planning Commission needs more time in order to make the legally required assessment for conformity to the municipal plan regarding height and massing.*

Key Element 11 as written: "The Commission supports the language regarding the urban design treatment of parking floors. The Commission feels that if parking is permitted in these areas, high standards are needed regarding the screening of cars and lights."

Note: *Some members of the Commission want stronger language regarding compliance with Plan BTV's emphasis on underground or completely wrapped parking, so that exterior design treatment and screening of cars and lights would not be needed at all.*

Conclusion in Key Element 12 as written: "Therefore, the Commission recommends no parking structures at the perimeter of a building on the ground and second floors fronting streets, and reiterates the importance of the design and screening requirements to ensure that any parking located in above-ground structures is indistinguishable from other floors of a building from the street view."

Note: *The Commission has not voted on this element. There were suggestions by members of the Commission to have the parking completely wrapped by a liner building or off site in order to be in conformance with Plan BTV that should be added to the letter.*

Key Element 16 as written: "The Commission is uncomfortable with the remote possibility that this district could become a post-secondary school/campus. The Commission recommends that the CDO's use table not be modified as proposed."

Correction: The Commission is uncomfortable with post-secondary school/ campus being an allowed use on the use table because it is not consistent with Plan BTV. The Commission recommends that the CDO's use table not be modified as proposed, allowing post-secondary schools/colleges as conditional uses only.

Note: *The term "remote possibility" is an editorial comment that does not reflect the opinion of the Commission.*

Many of the above errors and omissions are also present in the letter to City Council written by Planning and Zoning staff that suggests that the Planning Commission "strongly supports" the adoption of the Downtown Mixed Use Core Overlay District amendment". In fact, The Planning Commission has not voted on this matter. This letter goes on to states that, "The Planning Commission finds the proposed amendment to conform with the goals and policies contained within the City's Municipal Development Plan regarding the availability of safe and affordable housing, future land uses and densities, and proposed community facilities." In fact, the Planning Commission has not come to this conclusion and we have not chosen to delegate this decision-making to others.

In summary, due to our above mentioned concerns about the Public Hearing, We respectfully ask that the Public Hearing be postponed until we as a Planning Commission are able to perform the due diligence required to meet our legal obligations.

Thank you.

Emily Lee
Lee Buffinton

Meagan Tuttle

From: Eric Ode <ode.eric@gmail.com>
Sent: Wednesday, July 06, 2016 11:42 AM
To: Meagan Tuttle
Cc: Annie Ode
Subject: Supporting the Zoning Amendment

Meagan,

I'm a resident of the South End and Ward 5, living on Lyman Ave. My wife Annie and I are ardent supporters of the redevelopment plan for the Burlington Town Center Mall, and Burlington growing up and becoming a bigger engine for growth in the State of Vermont.

As a Burlington native, Burlington High School graduate, and now permanent resident I know Burlington is a special place to grow up and to live in as an adult. However, I fear the City's inability to accept progress and change in the form of economic development will continue to exacerbate many of the economic inequality issues that are so frequently discussed at City Council meetings. Economic development, commercial development, and residential development are the answers, not the problems. Mayor Miro sent a note with a reference to the NYTimes piece showing that restrictive zoning is "a major factor in creating a stagnant and less equal American economy." I read it this weekend and was blown away with the parallels to Burlington. This is a special place, and will continue to be only if we allow it to grow up and grow its productive commercial and residential populations.

I urge you to get this amendment passed, and to allow Burlington to realize its full potential.

Thanks,
Eric

--

Eric Ode
ode.eric@gmail.com
802.310.5092

Construction Cost Estimates for Underground Parking Garage in Burlington, Vermont

The following analysis estimates the cost to build an **underground parking garage** for Burlington, Vermont. Costs are derived from a building model that assumes basic components, using union labor for a 100000 square foot building.

Scope differences and market conditions can cause costs to vary significantly. To see an estimate of the costs to build an underground parking garage in a different city or metropolitan area, go to our index of underground parking garage models by state.

NOTE: This cost estimate uses 2013 RSMeans data. A more accurate estimate using current RSMeans cost data is available on RSMeans Online - our online cost estimating tool.

Underground Parking Garage Construction Cost Assumptions

Location:	Burlington, Vermont
Stories:	2
Story Height (L.F.):	10.00
Floor Area (S.F.):	100000
Basement Included:	No
Data Release:	Year 2013

UNDERGROUND PARKING GARAGE SQUARE FOOT COST ASSUMING REINFORCED CONCRETE /R/ CONC. FRAME

Cost Estimate (Union Labor)	% of Total	Cost Per SF	Cost
Total		\$52.39	\$5,239,000
Contractor Fees (GC,Overhead,Profit)	25%	\$13.10	\$1,309,800
Architectural Fees	7%	\$4.58	\$458,400
Total Building Cost		\$70.07	\$7,007,200

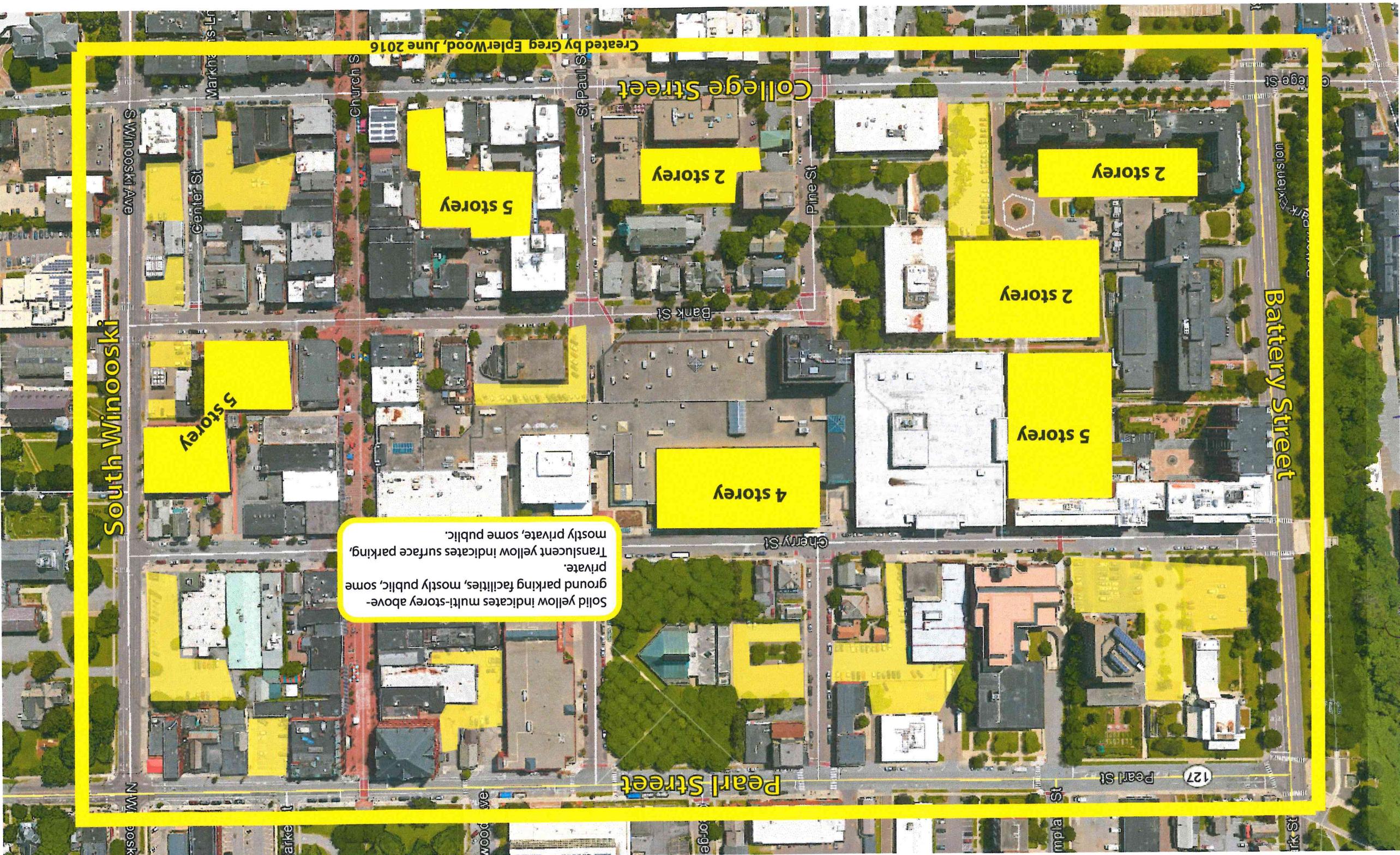
Cost Estimate (Open Shop)	% of Total	Cost Per SF	Cost
Total		\$46.81	\$4,681,100
Contractor Fees (GC,Overhead,Profit)	25%	\$11.70	\$1,170,300
Architectural Fees	7%	\$4.10	\$409,600
Total Building Cost		\$62.61	\$6,261,000

<https://www.rsmeans.com/models/underground-garage/list.aspx>

From a Eplerwood @ public hearing 7/16

Solid yellow indicates multi-story above-ground parking facilities, mostly public, some private.
Translucent yellow indicates surface parking, mostly private, some public.

Created by Greg EplerWood, June 2016



South Winooski

Battery Street

Pearl Street

College Street

5 storey

2 storey

2 storey

2 storey

5 storey

4 storey

5 storey

S Winooski Ave

Center St

Church St

St Paul St

Pine St

Bank St

Cherry St

Pearl St

127

College St

Meagan Tuttle

From: genesegrill <genesegrill1@gmail.com>
Sent: Friday, July 01, 2016 6:25 PM
To: Livable City Coalition
Subject: Misinformation in planning commission packet for Wednesday's meeting
Attachments: 20160706 Agenda Packet.pdf

Dear Councilors and Commissioners, and Members of the Press,

After attending the last four planning commission meetings and hearing a majority of planning commission members state unequivocally that they were not at all near ready to provide a yes or no answer regarding approval of the downtown overlay district zoning change, I was astonished to read the following in a letter addressed to the city council:

"The Planning Commission strongly supports the adoption of an amendment to create a Downtown Mixed Use Core Overlay District to facilitate the redevelopment of underutilized sites within the downtown core, including the Burlington Town Center. The area included in the proposed DMUC District is one of the most underdeveloped, and is an appropriate location for additional height and greater density within the City. The Commission believes that the current zoning for these sites is inadequate to facilitate the redevelopment of these sites in a way that significantly advances the vision of planBTV: Downtown and Waterfront, ensures a high level".

Not only is this a gross misrepresentation of the views of the commission, but this misrepresentation is the third of its kind to occur over the last few weeks. The first was exposed by Councilor Sharon Bushor, who noted that the packets made up for the planning commission asserted that the city council, strongly recommended approval of the zoning change. The second occurred at the planning meeting on Wednesday, when the summary of

commissioners' views was grossly misrepresented and, we thought, corrected, by the commissioners who were present.

This last, on the eve of an important, but rushed, public hearing, is the most grievous; and surely represents a dereliction of duty on the part of Mr. White. I am certain that the planning commissioners will speak up themselves about this, but as a citizen who has been watching the hard work of the commission over the last few weeks I wanted to testify to my outrage at this conduct. Whether the summary created by Mr. White and Meagan Tuttle can be corrected soon enough before the public hearing to allow all involved parties proper time to digest the material remains to be seen. Perhaps it will make more sense to put off the hearing until a faithful document can be produced for careful scrutiny by the planning commissioners before it is presented to the public. In any case, I will surely not be the only citizen who will have questions if this sort of thing is allowed to continue.

Sincerely,
Genese Grill

Meagan Tuttle

From: John Bertelsen <jo.bertel@gmail.com>
Sent: Wednesday, July 06, 2016 6:39 PM
To: Meagan Tuttle
Subject: Burlington Town Center Zoning

Meagan, I cannot be at tonight's meeting.

I do want to express my opposition to the zoning height request for the development of the Town Center.

It would be like parking an ocean liner on Cherry St. The size is beyond the scope of the rest of the city. It especially does not fit into my understanding of Plan BTV which so much work went into.

I have a problem with housing students downtown. Closer to campus is much more suitable.

The proposed affordable housing "ghetto" as it is now framed is going to be more like a jail to the residents than a welcome place to live. In addition ask the Shelburne Police Department with their experience of having a group of affordable housing clients grouped together in one building. Harbor Place on Rt 7 results in a steady stream of Police visits. It is better to scatter affordable housing so the residents will be a part of a more diverse community.

--

John Bertelsen
jo.bertel@gmail.com

Meagan Tuttle

From: Liam Griffin <liamgriffin@me.com>
Sent: Wednesday, July 06, 2016 12:14 PM
To: Meagan Tuttle
Subject: Mall thoughts

Hello Meagan,

I won't be able to make it to the Planning Commission meeting tonight, so I thought I'd share my thoughts via email.

In general, I'm supportive of this new development in downtown for a bunch of reasons. First, it provides some much needed housing in the downtown in a market that is currently very difficult for people looking for new living arrangements. I've had so many friends move out of town recently because they have not been able to find suitable accommodations here in Burlington. Many of those people want to live and work here in town, but are now forced into daily commutes, which only adds to Burlington's traffic problems. Adding units in the downtown area will allow more people to live and work in the same neighborhood, reducing sprawl and daily drives from outside of town.

If there is one place in this City where a 14 story development is appropriate, it is downtown, exactly where the Mall sits. Since both Bank & Cherry end at S. Winooski, there are no uphill view corridor issues like we'd have if this building were on Pearl, Main, College or any other east/west through street. Even though folks are hung up on the height, I don't feel like it is a major issue because of this specific location.

I know that opponents of this project have been very vocal, but I've been very turned off with how they always resort to personal attacks when people speak out in favor of this (or any) development in Burlington. There are a number of people I know who support this project who got so turned off by how opponents handle themselves that they'll no longer show up to speak in public forums because they don't want to deal with the fallout. These ad hominem attacks are very off putting and unfortunate. I'm fine with disagreeing with folks on these issues, but feel it would be more appropriate to focus on the issue itself and not the people speaking for (or against) the project.

The current Mall is a huge blockade in our downtown that currently serves no good purpose. Each version of the proposal we've seen from Sinex has gotten us closer to something that works for the whole community. Opening the street grid, providing good space for businesses, and adding much needed housing stock to Burlington are all good things that we should be supporting.

Thanks for reading, good luck with the meeting tonight.

Best,

Liam Griffin

Meagan Tuttle

From: Leslee MacKenzie <leslee@hickokandboardman.com>
Sent: Wednesday, July 06, 2016 1:02 PM
To: Leslee MacKenzie; Meagan Tuttle
Cc: ybradley@vermontrealestate.com; bbaker@cdbesq.com; l.buffinton@gmail.com; emilyannicklee@gmail.com; andym@montrolllaw.com; roen@burlingtontelecom.net; jwb@burlingtontelecom.net
Subject: Please Support Downtown Redevelopment

Dear Planning Commission Members:

I ask you to support the zoning changes needed to move forward the redevelopment of the Burlington Town Center project. As a Burlington resident, parent of school age children and a local business owner, I appreciated the chance to speak before you a few weeks ago in support of the project. To respect your time---I am choosing to email you today vs. speak again this evening.

I know you have an important decision before you. As a local business owner and a property tax payer, I ask that you consider the vitality and future of downtown and Burlington as you consider this vote.

Downtown Burlington faces a real challenge. Our Mall was built for a different era and like most nationwide it either urgently needs a renovation or will be completely obsolete. It is an embarrassment ---in the heart of our city. Not to mention a wasted economic opportunity.

As a result, it represents a unique opportunity to re-vitalize Burlington's future. A big part—a necessary part -- of that opportunity is to develop a taller structure than is typical. I believe that more height does work in this location.

We need more downtown housing, office and vibrant retail. The proposed mixed use development brings all of that. More and more people—of all economic means would like to live downtown. For residents to live, eat and shop downtown they need to feel it is safe, attractive, affordable and the mix of businesses meets their needs. We cannot depend only on tourists and students. Further, we have an opportunity to build our grand list while serving the needs of our community.

Another important benefit of this project is the re-connected street grid. That is a critical piece. With a more vibrant street grid, more workers, more residents, and a renewed town center; Burlington will become more vibrant and more sustainable. It will move closer towards becoming a safe and vital community for all of us.

Please vote to pass the zoning changes needed to move this project forward.

Thank you for all of your time and hard work on behalf of our city.

Leslee

Leslee MacKenzie

President & Owner

Coldwell Banker Hickok & Boardman Realty

802-846-9533

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Meagan Tuttle

From: Michael Green <migreen276@gmail.com>
Sent: Wednesday, July 06, 2016 9:44 AM
To: Meagan Tuttle
Subject: Town Center redevelopment

To the extent the Planning Commission is seeking public comment, I am one of those who support the zoning amendment.

We should not allow "the perfect to be the enemy of the good."

--

Michael Green
276 South Union Street
802.999.0882
migreen276@gmail.com

Meagan Tuttle

From: Michael Nedell <michaeljnedell@gmail.com>
Sent: Wednesday, July 06, 2016 11:49 AM
To: Meagan Tuttle
Subject: Zoning Changes

Meagan,

Hello. I am a ward 3 resident, home-owner, landlord, business owner and employer. I do not agree with the proposed changes allowing additional height in the downtown core. I think it will effect the view residents have of the city in too many ways that will be jarring and not fitting with the town.

I also think imagining the view is hard, and the council should have a 3d printed model before this is voted on. In addition to being a resident, home-owner, business owner and employer, I am a national and international award winning snow sculptor. My team was recognized by the city in 2012. That being said - I have a certain expertise in imagining structures that do not exist yet - it is a hard mental process. Without a 3d model i feel you are asking the council to vote in a very uninformed manner.

--

Michael Nedell
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802-735-2196

Meagan Tuttle

From: Phil Merrick <phil@augustfirstvt.com>
Sent: Wednesday, July 06, 2016 11:51 AM
To: Meagan Tuttle; ybradley@vermontrealestate.com; bbaker@cdbesq.com; l.buffinton@gmail.com; emilyannicklee@gmail.com; andym@montrolllaw.com; roen@burlingtontelecom.net; jwb@burlingtontelecom.net
Subject: Planning Commission

To: Meagan Tuttle and Commissioners, Burlington Planning Commission

My name is Phil Merrick, I am a Burlington resident, and a partner in August First in downtown Burlington.

I am concerned about the zoning amendment that you will be voting on today. My biggest concern is that it will not be passed. The zoning amendment that is being proposed is critical for the redevelopment of our half-century old mall. Our zoning laws are probably nearly as old, if not in fact, at least in thinking. Our old zoning has kept smart development out of our downtown for far too long. The results have been disastrous for our low and moderate income families which require affordable housing.

As an employer of low income individuals I see the whole process. I have limitations on wages that my business will profitably support. My employees low wages have limitations on the housing they can afford, and there isn't any in Burlington. Most of my employees, who make between 11 and 22 dollars an hour, have housing issues. Many share small, poorly maintained properties in order to make it affordable.

High rents are created by housing shortages. Building any kind of housing will reduce the shortage, building enough housing is the only thing that will have a meaningful impact on both the quantity and quality of housing in Burlington. Until we have more vacancy, landlords will have no incentive to lower, or even stabilize, rents. Who among you would sell your house for \$50,000 under market value? Why should any landlord lower rents when they don't need to?

It may not seem to many Burlington residents that we are at crisis level with the lack of affordable housing, or if they are aware of it they may think that we need to build more "affordable" housing, by which they mean subsidized housing. The reality of it is that we have lots of properties that based on condition and location should be affordable, really affordable, but we have hardly any moderately priced, nicer properties that are available. The people who can afford renting the nicer properties have displaced those who cannot from the properties that should be renting for about 57% of their current lease prices. This crisis has been caused by the very people who keep screaming for more affordable housing, but block every attempt to build more housing where it is most needed: downtown.

The mall redevelopment will bring some additional housing to our downtown core. Denser residential/commercial zones are good for the environment for many reasons. Reduction in heating/cooling costs, and fewer miles traveled attack the two largest consumers of fossil fuel and contributors to greenhouse gasses.

The mall redevelopment will open up traffic in a way that will benefit businesses in all areas of the city. When the Mall was originally built and closed off flow through traffic, it essentially isolated one side of downtown from the other. With the creation of the one-way streets, N. Winooski, N. Champlain, etc., the O.N.E. became completely isolated from our main business district. It has been bad for business anywhere north of Bank Street, and devastating to any business north of Pearl. Opening up any cross Mall traffic, on foot, by car, by bike, will

help to alleviate some of this isolation. For far too long our city has been divided by the current mall.

The mall redevelopment is good for Burlington. It will contribute to our housing stock and open up commerce. It would be sad indeed if antique zoning regulations based on an earlier era's needs kept us from creating solutions for some of the biggest issues facing our city today. A lot has been learned over the past half-century regarding smart development. It is time for Burlington to use some of that knowledge.

Thank you,
Phil Merrick
August First

Meagan Tuttle

From: Paul Ode <pode@drm.com>
Sent: Wednesday, July 06, 2016 10:13 AM
To: Meagan Tuttle
Cc: 'mayormiroweinberger@gmail.com'
Subject: FW: Burlington Town Center [DRM-ID.FID828807]

Hi, Meagan. Attached is a note that I sent to the members of the Planning Commission in May expressing support for approval of the zoning overlay district.

For employers looking to expand or relocate in the downtown core of Burlington, the market is very tight. We saw a reminder of this just a week or two ago when the various functions operating out of Memorial Auditorium announced that they could not find 20,000 contiguous square feet and would need to split up after they leave the aging Memorial Auditorium facility.

I continue to believe that the proposed zoning change opens up an exciting opportunity to increase the vibrancy of the City. It allows Burlington to compete. If we miss this opportunity now, it may not come again—and we will watch the number of people living and working in the suburbs grow while Burlington relies upon a shrinking tax base to fund its operations.

Thank you.

Paul H. Ode, Jr. | Director | Managing Partner
Downs Rachlin Martin PLLC | **Business Sense · Legal Ingenuity**
199 Main Street, PO Box 190 | Burlington, VT 05402-0190
Direct: 802-846-8309 | Main: 802-863-2375 | Fax: 802-862-7512
pode@drm.com | www.drm.com

From: Paul Ode [<mailto:pode@drm.com>]
Sent: Tuesday, May 24, 2016 2:33 PM
To: 'ybradley@vermontrealestate.com'; 'bbaker@cdbesq.com'; 'l.buffinton@gmail.com'; 'emilyannicklee@gmail.com'; 'andym@montrorllaw.com'; 'roen@burlingtontelecom.net'; 'jwb@burlingtontelecom.net'
Subject: Burlington Town Center [DRM-ID.FID828807]

I am writing in support of approval of the zoning overlay district for the Burlington Town Center redevelopment project.

I am the Managing Partner of Vermont's largest law firm, and we have approximately 70 employees working out of 26,000 square feet in our downtown Burlington office. We have been in our current location since 1988. Our people shop, eat and entertain downtown, and they participate in the community in many ways.

We are currently exploring relocation. We are finding very few options in the downtown core. There are numerous suburban options, both existing inventory and projects in the works. Many offer attractive amenities at lower rents. The Burlington Town Center project will allow Burlington to compete for good employers that might be casting an eye toward the suburbs. If Burlington is going to compete successfully for these employers, however, the employers need to know that the project will move forward. They also need to have confidence in the timeline for its completion.

The BBA has spoken articulately as to the appropriateness of the height and massing of the project, as well as the vitality that it will bring to the downtown core. I urge the Planning Commission to take advantage of the opportunity that this project presents for Burlington, and press forward with approval of the zoning overlay district.

Thank you.

Paul H. Ode, Jr. | Director | Managing Partner

Downs Rachlin Martin PLLC | **Business Sense · Legal Ingenuity**

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pode@drm.com | www.drm.com

Richard Deane, AIA
48 Brookes Avenue
Burlington, VT 05401

July 5, 2016

Dear Members of the Planning Commission,

I am unable to attend the Public Hearing scheduled for Wednesday night since I am away on vacation with my family.

I would like to advocate for **Tomorrow's Burlington**, a city where many more people than today can enjoy living, working, shopping and providing for their families while enjoying the support of a larger community all without the daily need for a car. In this Burlington walking, public transportation and bicycles offer a healthy, environmentally friendly and fun way to get us where we need to go.

Newly constructed buildings on currently open or underutilized sites in and around the downtown core provide places to live and work that are inherently more energy efficient and less resource demanding than the alternative of individual dispersed development of homes and businesses.

Tomorrow's Burlington has sufficient financial resources generated from enhanced economic activity and vitality that we can boast of a top-tier school system where newly renovated and newly constructed energy-efficient school buildings provide a supportive environment for 21st Century collaborative learning. A school system that encourages young Vermont families and young professionals to stay in our community or come back to Vermont to build a future.

This healthy economy of **Tomorrow's Burlington** also provides the financial support to enhance and maintain tree-lined streets with generous sidewalks and integrated storm-water management strategies helping to protect the precious natural resource of Lake Champlain. The water and sewer infrastructure that runs beneath those streets is renewed and ready to sustainably support the future residents of a vibrant city including a state-of-the-technology wastewater treatment plant that recycles resources and generates energy to offset the energy it uses.

In **Tomorrow's Burlington** non-profit organizations working toward equity and social justice, affordable housing, mental health and support for youth and the elderly are generously and passionately supported by a business community that is thriving in the vibrant local economy built for the larger community of citizens living in Burlington. The arts community hears the word 'yes' when it asks for business' and citizen's financial support for new and continuing initiatives to engage our minds and lift our spirits.

But all the promise of **Tomorrow's Burlington** will remain unrealized unless we as today's citizens and planners can lay the initial groundwork for this brighter future. We have to have the courage and foresight not to let nostalgia for strict preservation of 'Burlington as we have known it in our lifetimes' hinder us from acting to let Burlington grow and change. We have to be willing to take a calculated risk.

The Church Street Marketplace was just such a risk – some said it would destroy retail and economic activity on Church Street. How could we imagine today’s Burlington without it?

The proposal for a densely developed, multi-story downtown core in this Overlay District will serve as the core of **Tomorrow’s Burlington** and is based on a community developed planning document (Plan-BTV) that is rooted in sound urban planning principals built on respect and appreciation for the life of the resilient city.

The city is resilient because it supports the people that live in it. It affords the opportunity to work and live and build community by generating sufficient financial resources to support schools and streets and sidewalks and sewers and parks as well as municipal workers and emergency responders. Burlington’s needs have grown and the costs associated with addressing those needs have grown, but the number of families and businesses in the city who generate the financial activity to pay the fees and taxes to support those needs have not. Those who are reluctant to step beyond the familiar, who worry that we will somehow imperil the future of ‘their city’ argue for stasis, timidity and a smaller vision for the future. But if we want to serve others, provide equity in housing and opportunity and minimize our impact on our natural resources and environment we must provide the guidance and opportunity for the change that supports a brighter future.

I urge the members of the Planning Commission to look forward to the promise of **Tomorrow’s Burlington**, make the clarifications and changes needed to the ordinance language in keeping with your mission, and then allow the planning process to move forward with the necessary height and density to make development of this critical site feasible.

The specifics of the Burlington Town Center Development proposal are in process. Let this process move forward with trust that the guiding language of the ordinance plus the critical guidance and ongoing input from Burlington’s Design Advisory Board, Development Review Board and the elected representatives of our City Council in the months ahead will improve and tailor the BTC proposal until it balances Burlington’s needs with the financial needs of a successful project. The results of that process can in the end either be supported or not-supported by all of Burlington’s citizens in a city wide vote on TIF Funding to support the project. Shouldn’t all of Burlington’s citizens be given that opportunity to weigh-in on Burlington’s future.

Thank you for your efforts and careful consideration,

Richard Deane, AIA
Form-Based Code Committee Member
Principal, TruexCullins Architecture + Interior Design

Meagan Tuttle

From: Theresa Lefebvre <trlefebvre@comcast.net>
Sent: Wednesday, July 06, 2016 10:09 AM
To: Meagan Tuttle
Subject: Plans for Downtown

Hello Meagan,

Please share this e-mail with members of the Planning Commission and those attending the meeting this evening.

I apologize that I am unable to attend the meeting of the Planning Commission this evening, but I wanted to express my concerns about the proposed development downtown.

First and foremost, if I wanted to live in Boston, I'd move there. I do not want to see Burlington become a city with 14-story buildings blocking the view of our beautiful lake. The downtown area cannot accommodate the further traffic congestion that will be caused by building 200 more housing units in such a small area.

I am also sincerely concerned about how the increase in the population density downtown will affect the city's infrastructure. Traffic is only one consideration. Others include run-off into the lake, additional trash, the ability of our fire and safety departments to provide services, and the social problems that arise when too many people are living in too small an area. The new "mixed income" housing has no accommodations for children. There are no playgrounds close by and no schools within a safe walking distance. How will these children be able to play outside?

The primary reason for the housing shortage in Burlington, and for the outrageous cost of housing, particularly rentals, is that the colleges in the area are not required to provide adequate housing for their students. Students are not required to live on campus. I believe the colleges should not be allowed to enroll more students than they can provide housing for. I've lived in Burlington for all of my 65 years and I've seen these problems grow and grow as UVM and UVMCC grow and grow. Burlington residents should not be required to foot the bill for student housing. The argument that college students should be able to live where they want to live is fine, but it doesn't hold up when it means that working residents can't find affordable housing due to student over-population.

I believe if we want Burlington to continue to be one of the best cities in the USA to live in, we need to focus on maintaining what we have, not growing and growing until we've lost sight of who and what we are. We have already reached our saturation point.

Thank you for your attention.

Theresa Lefebvre