

The Mission of the Church Street Marketplace District Commission is to Provide Responsible Management Leading to an Economically Successful Downtown Which Is Vibrant, Clean and Safe, for the Benefit of the Fee Payers Community Members and Visitors.

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## CHURCH STREET MARKETPLACE DISTRICT COMMISSION

Wednesday, May 13, 2008 at 8:00 a.m.  
Marketplace office, 2 Church Street 2<sup>nd</sup> Floor

- I. Come to Order
- II. Agenda
- III. Minutes
- IV. Public Forum
- V. Presentation and Public Hearing re: Fy 09 Operating Budget & Common Area Fee
- VI. Commission Adoption of Proposed Budget and Common Area Fee
- VII. Chair's Report
  - A. Presentation by Pat Buteau, Assistant Director, Dept. of Public Works
    - i. Proposed increase in daily rate for three municipal garages
    - ii. Proposed increase in 2 Hours Free Parking

§ 325. Annual taxation for downtown improvement district; free parking for two hours in public lots and garages; annual budget of church street marketplace district.

(a) The Church Street Marketplace commission shall annually recommend and the city council shall annually assess upon nonresidential properties (as defined in Sec. 81 hereof) located within the downtown improvement district a tax upon the dollar of the property grand list to be used for the herein enumerated purposes of the downtown improvement district, which tax shall not exceed \$0.12 unless a larger amount has been authorized by the city council upon affirmative recommendation of the Church Street Marketplace commission. The revenues from such tax will be utilized for the purpose of providing a parking program which shall include not less than two free hours of parking for anyone parking in any designated municipally or privately owned or operated parking garage or parking lot located within the downtown improvement district pursuant to regulations to be established by the public works commission.

- VIII. EXECUTIVE DIRECTOR'S REPORT
  - A. Request to approve FY 09 Cart Vendor Rules & Regulations
  - B. Request for expanded sidewalk café from Ri-Ra during Discover Jazz Festival
  - C. Request for expanded sidewalk café from Three Tomatoes Trattoria
- VII. COMMITTEES (if time is available)
- IX. ADJOURN

Agenda available in alternative media forms for people with disabilities. For disability access information call 865-5348 (TTY:865-7142).

----- Original Message -----

**From:** [Jed Davis](#)

**To:** [Ron Redmond](#)

**Cc:** [Robert M](#) ; [Jim R](#)

**Sent:** Monday, May 05, 2008 11:43 AM

**Subject:** Three Tomatoes

Ron,

Good to chat with you this morning.

See attached memo regarding additional outdoor seating for Three Tomatoes. I am very willing and eager to take direction from you and the Association as to how we can get something positive from this. The dates in the memo are suggestions.

Also willing to share concerns (as we discussed) regarding the future of the Marketplace. I think this trend and our request for additional outdoor seating are connected.

From a broader perspective the decreased outdoor seating supply should be a concern for the Association. There are afterall 2 less restaurants on the Marketplace this year. The clear trend for the Marketplace is toward more nationally branded retail tenants, squeezing out independent retail and independent restaurants. If this is the future, the Marketplace will lose much of its identity as a hot spot for interesting, eclectic, locally owned and operated retail/dining spaces. In light of this I feel that the Association should help out the independents wherever possible - such as with my request.

Thanks,

Jed Davis

Three Tomatoes Trattoria

**TO:** Church Street Marketplace Association  
**FROM:** Jed Davis, Three Tomatoes Trattoria  
**DATE:** May 5, 2008  
**RE:** Proposal to temporarily expand outdoor seating capacity

Formally requesting permission to expand our outdoor seating by 6' to the north (6' x 14') giving us 3 to 4 additional tables for the following dates:

June 13, 14, 15  
June 20, 21, 22  
June 27, 28, 29  
July 4, 5, 6  
July 11, 12, 13  
July 25, 26, 27  
July 30  
Aug 1, 2, 3  
Aug 8, 9, 10  
Aug 15, 16, 17  
Aug 22, 23, 24  
Aug 29, 30  
Sept 1

With our disproportionately small outdoor seating area as well as the tough economic times that everyone is experiencing, Three Tomatoes Trattoria Burlington must be increasingly creative in looking for ways to maintain sales. Given our subterranean location our outdoor seating capacity is extremely critical to our success.

We also feel strongly that the Association should think about this issue from the broader perspective of outdoor seating supply on the Marketplace. With several recent Church Street restaurant closings, additional outdoor seating capacity is needed from existing restaurants in order for the area to remain a desirable outdoor dining destination. As recent restaurant closings suggest, with rent trends the way they are it is increasingly difficult for independent restaurants to make it on Church Street. We (and other restaurateurs) get frequent complaints during summer months about the long waits for outdoor tables. This potentially creates a negative dining/shopping experience for Marketplace guests making it a less desirable place to visit during peak summer weekends. We would support the notion of all Church Street restaurants having the opportunity for additional outdoor seating on a case by case basis.

The above dates are our desired dates for consideration. We are more than willing to take direction from the Association in regards to specific dates granted as well as time restrictions, i.e. "dinner only" etc.

By granting us these exceptions, the Association will help ensure Three Tomatoes has its fair share of the outdoor seating pie, and improve overall dining service to Marketplace guests.

***Why do we feel this is justified?***

- 1) Our outdoor footprint represents about ½ of our total indoor footprint giving us a disproportionately narrow space to work with compared to other restaurants.
- 2) The space in question is “dead space” considering the location of the tree.
- 3) Exceptions in one form or another have been given to most Marketplace restaurants over the years giving them a competitive advantage during peak months. (Sweetwater’s, Leunig’s, Ken’s, Church Street Tavern, Smokejacks, Ri-Ra, Halvorson’s, Quiznos). Most recently, Red Square as well. Leunig’s has received permission to completely close off the corner sidewalk in front of their restaurant. (we do not object to this)
- 4) Of high volume restaurants on the Marketplace Three Tomatoes has the smallest outdoor seating capacity. Coupled with our subterranean location, we feel our outdoor seating is even more critical to our success than other restaurants.
- 5) We have written permission by the neighboring business (Urban Outfitters) as well as permission from the building owner. Urban Outfitters feels it would be better for their business.

***Why should the board be amenable to our proposal?***

- 1) There is no objection from the neighboring business, in fact they encourage it.
- 2) The space in question (in front of Urban) is neither functionally nor aesthetically critical to the Church Street Marketplace.
- 3) We’re not asking for much.
- 4) This decision will provide better service to Marketplace guests.
- 5) Most other restaurants have some sort of exception.
- 6) We’re good local people and long time Marketplace residents.