

Brett B Truett
10-12 Liberty Street, Utica, NY 13502

Date: February 28, 2022

To: Oneida County Industrial Development Agency

Re: CUB, LLC (Eminent domain, new medical office building)

Thank you for considering the following input on this very important downtown development...

- 1) Good healthcare is critically important and CNY Cardiology appears to have a very good track record of providing care to Utica-area residents.
- 2) Investigating the downtown hospital project has been a passion of mine for 6-1/2 years. Research has been on healthcare, hospitals, medical office buildings, real estate, and downtown/urban development.
- 3) My education and career has been in engineering and product design. My first Utica "home" (as a student at SUNY) was the 10th floor of Hotel Utica in 1986. Since then I've become very familiar with downtown and also invested in several properties in hospital vicinity.
- 4) My critical assessment of the downtown hospital concept was born out of many key events;
 - a) The public never saw a study for the need,
 - b) Healthcare assessments never listed conditions of our hospitals as problems,
 - c) The Utica Master Plan and building design codes set by city legislation from the Scenic Canal Gateway Plan were being totally ignored,
 - d) When asked to consider public input on the location, our elected officials and downtown "yes" advocates shut debate down, and
 - e) Historically significant buildings were targeted for destruction as a suburban hospital design was shoe-horned into our small urban core, and
 - f) Clearly multiple and proven themes of smart urban development were being ignores as a large, single use, project reminiscent of old/failed urban renewal days materialized.
- 5) Surface parking has decimated downtown Utica and many other inner cities who faced decline. Urban living and downtown walkability is damaged by surface parking lots- especially large, clustered, surface parking lots. Consider:

In May of 2011, Paula Horrigan, Cornell University professor and an overseers of Utica's "Rust to Green" project stated, "**...more surface parking is the opposite direction in which cities are going.**"¹

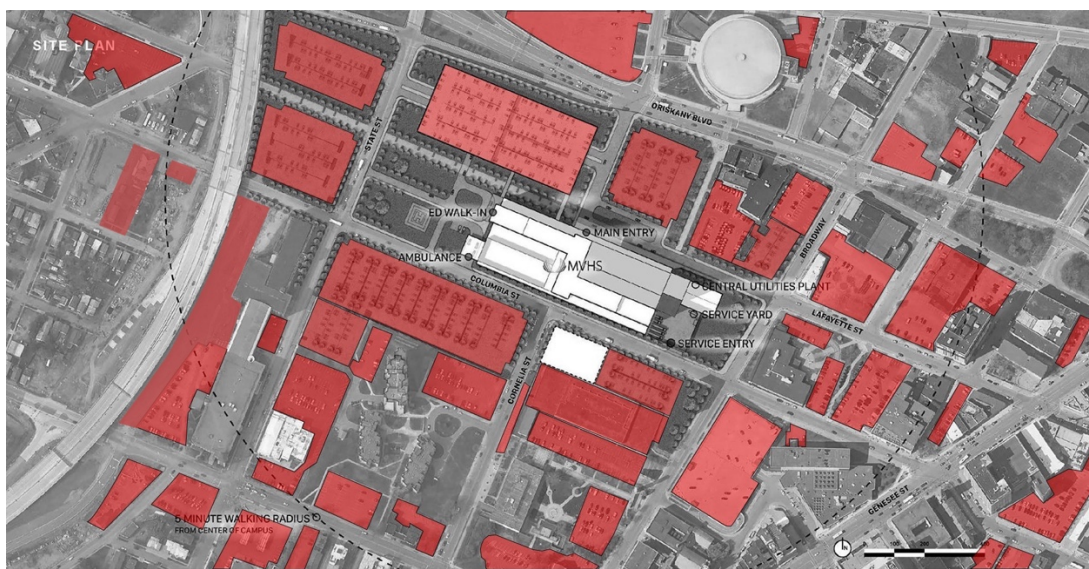
¹ Critics Assail Downtown Utica Parking Plan, Utica Observer-Dispatch, June 15, 2011, <https://www.uticaod.com/article/20110615/NEWS/306159857>

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- 6) Surface parking lots are a minimal help to cities, tax revenue is low as opposed to buildings, and this increase tax burden of taxpayers.
- 7) Early hospital plans talked of two parking garages, but in 2019 a downtown hospital site plan introduced five (5) surface parking lots and one large parking garage. See following figure for what is now The Wynn Hospital...



Looking at the above hospital site plan, then including additional parking facilities (mostly surface lots), downtown Utica presents a great deal of red...



- 8) The design offered by CUB LLC, for a medical office plan (MOB) and ambulatory surgical center (ASC), reveals a two-story building with two separate surface parking lots. When compared to older downtown buildings, while their modern and clean design appears to offer an improvement, it repeats

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the mistake the hospital site plan committed- adding too much surface parking and consuming too much land. Consider this urban observer²...



Ryan McGreal
@RyanMcGreal



John St N: urban surface parking lots are viscerally unpleasant and disorienting to walk past

#HamOnt



1:48 PM · Oct 23, 2017 · Twitter for Android

CUB LLC should seek to build taller and increase the building density of downtown, again like the hospital site, their plan is more appropriate for a suburb landscape.

- 9) One could argue the CUB LLC was too focused on, “getting into a downtown MOB, nearby the new hospital” AND watching their finances (to maximize their profits), while being allowed to ignore their building plan’s longer-term impact on downtown’s overall urban design. Not to mention taking advantage of much poor taxpaying residents in the city and county.
- 10) The owners of CUB LLC should develop a plan that utilizes a taller building and less surface parking. CUB LLC should be encouraged to work with Bowers Development to this end. Relying on the

² Ryan McGreal, <https://twitter.com/RyanMcGreal/status/922520142944358402>

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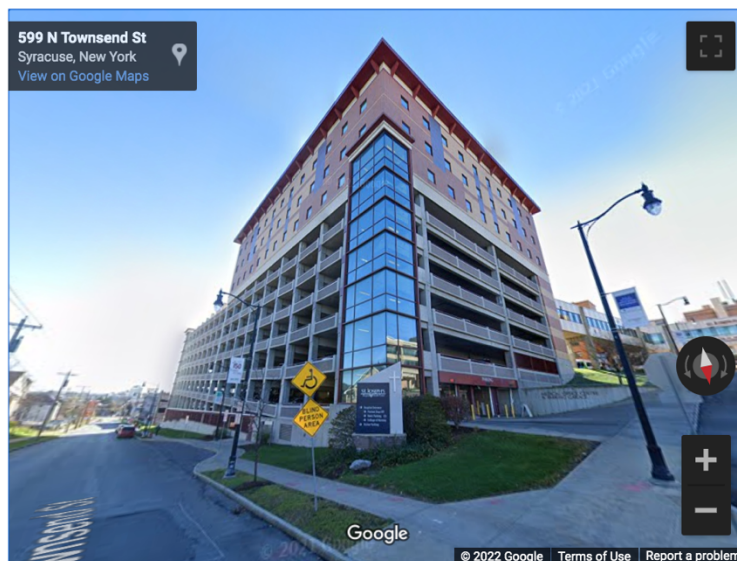
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government, eminent domain, and relationship with MVHS – **ignoring to acquire site control was wrong** – was wrongheaded, unethical, and hopefully the courts will decide this!

11) Dr. Kelberman in his prior OCIDA public hearing stated roughly, “**the current cardiac care Utica-area residents can obtain is better than what 97% of resident in the United States can expect.**” This is truly wonderful news! However, it seems important to realize their results are being achieved with their current MOB, the Marion Medical Building adjacent to St. Elizabeth Medical Center (SEMC). This building is four stories and directly connected by an elevated walkway to SEMC...



12) St. Joseph's hospital in Syracuse offers ideas for The Wynn Hospital neighborhood. Planners there placed their medical office building on top of a parking garage.³



³ Google Street View, Syracuse St. Joseph hospital MOB, <https://goo.gl/maps/E1w6AU47cosEuxmKA>

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13) President of MVEDGE, Steve DiMeo, was heavily involved in placing the hospital into downtown. Mr. DiMeo provided a spreadsheet to Utica's common council showing that three (3) MOB's. It was these three MOB's that would provide the needed tax revenues to city, replacing taxes paid by property owners being displaced...

Taxing Jurisdictions		Loss of Property Tax Revenues Downtown Site	Estimated MOB #1 Property Tax Revenues	Difference MOB #1 Property Taxes less Existing Taxes within MVHS downtown Site	Est. Real Estate Taxes w/ MOB #2 + MOB #3	Net Increase in MOB Build Out	Spreadsheet by Steve DiMeo, MVEDGE to Utica Common Council on July 27, 2017
City		\$115,293	\$123,882	\$8,589	\$247,764.26	\$256,353	
County		\$46,536	\$50,003	\$3,467	\$100,005	\$103,472	
School		\$115,976	\$135,561	\$19,585	\$271,121	\$290,706	
Total:		\$277,805	\$309,446	\$31,641	\$618,891	\$650,532	
\$\$\$ (3) Utica MOB tax revenues \$\$\$							
Existing Sales Taxes St. E's & St. Luke's		Sales Tax St. E's (Cafeteria + Gift Shop)	Sales Tax St. Lukes (Cafeteria + Gift Shop)				
Taxable Sales	Sales Tax Share	\$900,000	\$1,200,000				
City - share of sales tax	2.00%	\$18,000	\$24,000			\$42,000	Retain St. E's pick up St. Lukes. If hospital shifts outside of Utica then Utica loses \$18,000
County - share of sales tax	2.50%	\$22,500	\$30,000			NA	County loses \$24,000 in hospital taxable sales with shift of hospital into downtown Utica
Avoided Costs	Amortization 2.6%, 15 Yrs.						
Kennedy Garage	\$3,000,000					\$241,743	Remove from City Capital Plan & Add to MVHS project
Demolition - City Owned Buildings	\$1,000,000					\$80,581	MVHS picks up demo & other Costs for City owned Properties
Economic Impact - Construction (3 Yrs.)		Annual	3 - Years				
Est. Construction Impact - 3 Yrs.	\$200,000,000	50%				Potential Local Sales Tax - Impact From Construction (3 Yrs.)	
City - share of sales tax	2.00%	\$2,000,000				\$6,000,000	Estimated 3 Yr Impact - sales tax impact attributable to MVHS construction
County - share of sales tax	2.50%	\$2,500,000				\$7,500,000	Estimated 3 Yr. Impact - sales tax attributable to MVHS construction

14) The hospital project has removed taxpaying properties for two years now. This is lost revenue to city and increasing burden on taxpayers. The MOB(s) real estate is many years away as buildings have yet to be constructed, and it is almost assured PILOT(s) will be requested once MOB(s) are built.

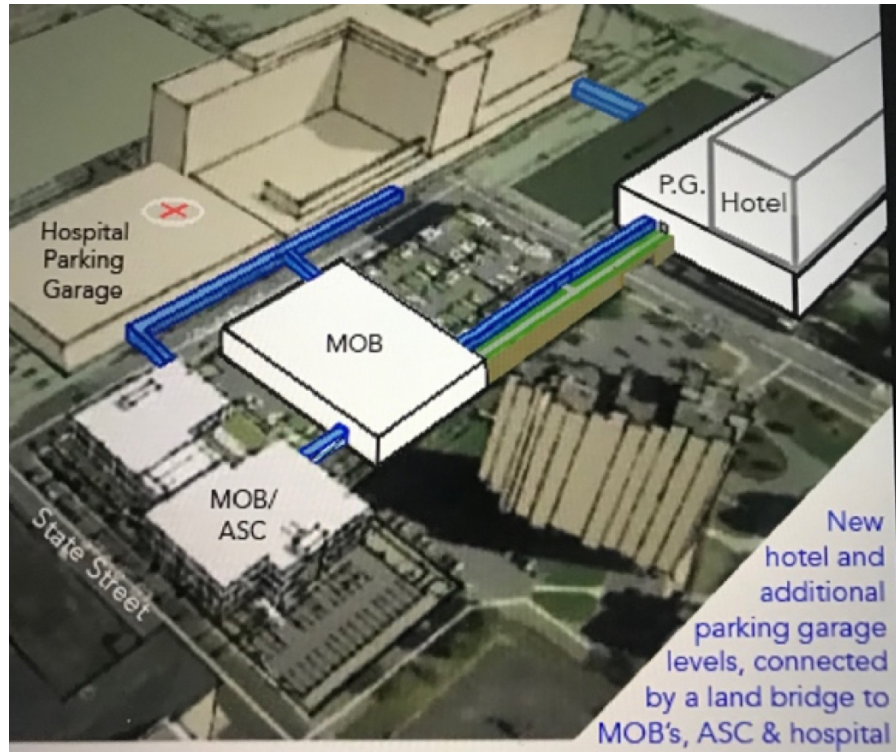
15) Ten cardiologists are listed as owners of CUB LLC. and the business will employ other cardiology professionals.

16) Various planning documents for the downtown hospital have shown three to four different locations for proposed MOB's. One plan within the SEQR study illustrated two potential MOB's; (1) Southwest corner of Columbia and Cornella, and (2) Southwest corner of Lafayette and Washington. Both are closer to The Wynn Hospital and if built today would be on land already owned by MVHS.

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- 17) As overseers of development and closely tied to Oneida County planning and MVEDGE, the OCIDA should strive for creating the smartest downtown design. While not an architect, or urban planner, it isn't overly hard to see that the plans of CUB LLC and Bowers can be achieved...



MOB concept illustration (Truett)

The above illustration shows two MOB's interconnected, connected to two different parking garages, and directly to The Wynn Hospital! Both the hospital administration and doctors of CUB LLC are touting being close to hospital as most ideal. Thus the above concept is more ideal for patients, their care, and safety.

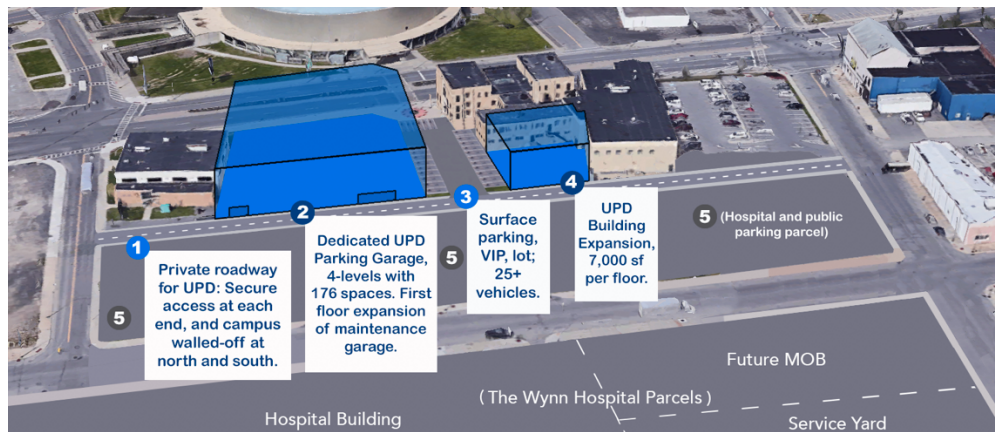
- 18) In the current CUB LLC concept, patients walking from the hospital to the CUB's proposed MOB/ASC routes them by 80,000 annual (219 per day) visitors to emergency departments entrances/exits. The Wynn Hospital's ambulatory entrance, ambulance parking and driveways all front the CUB LLC design. A better design is possible.
- 19) Placing MOB's closer to hospital would make it easier and less expensive to one day add an elevated/overhead pedestrian bridge to hospital structure.
- 20) Hospital administration has consistently stated an adjacent and well-connected parking garage is essential to success of the new hospital, due to Utica weather conditions as well as aging/ailing patients it'll serve. Why not achieve better connectivity today and reduce surface parking?
- 21) **Not directly concerned with this MOB/ASC issue, but nevertheless very important:** Two historic buildings (418 and 442 Lafayette Street) and Carton Avenue offer the hospital neighborhood a great

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opportunity. Carton avenue is between these above mentioned buildings and Enterprise Rent-A-Car, and was named in honor of a boiler-making and inventor Mr. John Carton. His factory stretched from 12 to 46 Carton Avenue adjacent to the Erie Canal. At one time downtown Utica had over twenty boiler and furnace manufactures. Why bulldoze buildings that could help celebrate Boilermaker history for generations to come? The Wynn Hospital neighborhood has room for historical preservation, MOB's and greenspace, learn more at www.BetterUticaDowntown.com/narrative.php

- 22) Why not involve the public in the planning of these critical community healthcare and downtown developments? And if so, why not sooner? Input from residents that live close to this project should have an equal voice as doctors and officials that most certainly do not.
- 23) The ASC aspect of the CUB LLC project will require a Certificate of Need (CON) from the NYS Department of Health. Law requires public input to be considered, so I'll do my best to make these and other points clear to them. Why? Both MVHS and officials touted "downtown development" as to why hospital made sense in downtown. So let us not forget the proper development of the downtown as "experts" in healthcare make their plans for downtown buildings, that will impact downtown for many years to come.
- 24) Per Bowers Development, they pressed CNY Cardiology and MVHS to acquire "site control" in early talks about MOB development. It is wrong to simply rely on threat of and now eminent domain.
- 25) The downtown hospital site plan is pushing out the Utica Police Department (UPD), as confirmed by the police department and multiple news stories.⁴ Downtown building density should be maximized and there is room for the UPD; keep and expand the new police maintenance garage, add significant and dedicated UPD parking, secure the campus, increase access with a new road, and still contribute to The Wynn Hospital footprint. See below illustration:



Utica Police Department remains- Expands in place, secure parking and campus, centrally located.

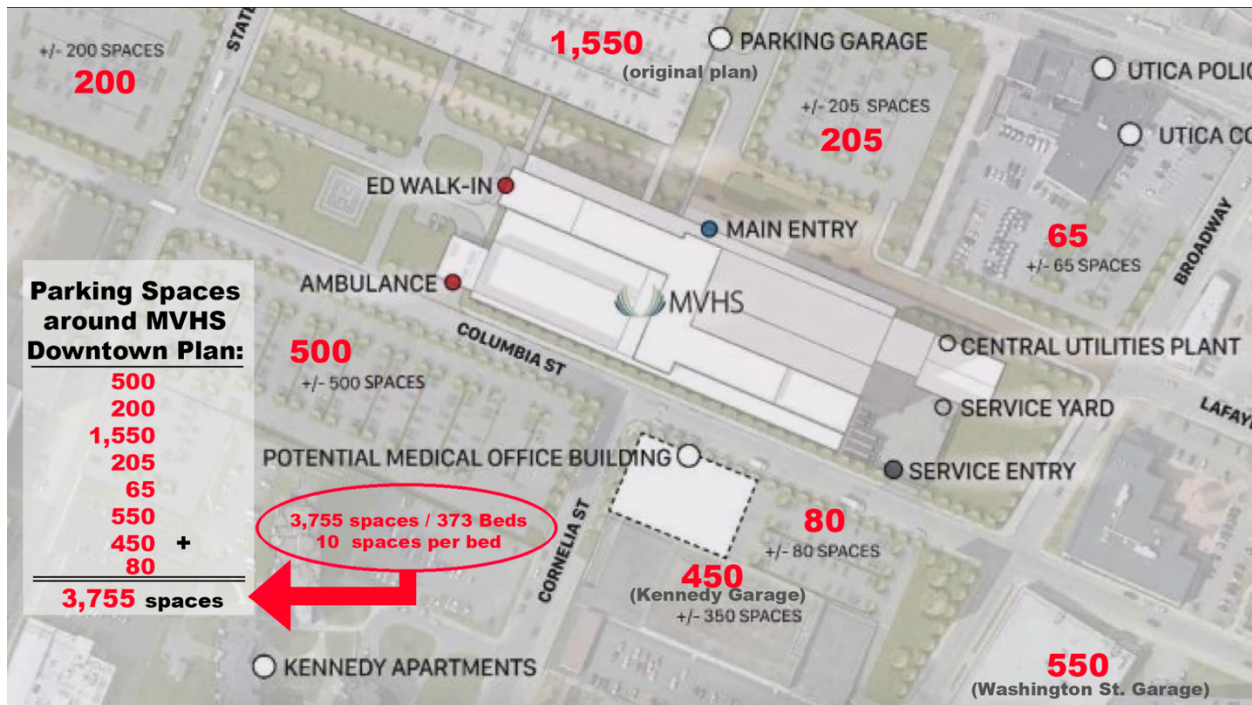
- 26) Other building redevelopment projects, in and around the hospital neighborhood, are in progress. They will need parking. Parking garages should be used rather than surface lots; garages with smaller footprints and taller structures are better solutions. Bowers Development has proposed adding two

⁴ UPD and hospital headlines, <https://nohospitaldowntown.com/parking.php>

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levels to the Kennedy Parking garage, this is smart a smart development design. Bowers has agreed to pay \$1 million to purchase this garage, while it was reported MVHS (and CUB LLC?) did not except an offer by the Utica Mayor Palmieri to acquire the Kennedy Garage for FREE!

27) Another examination shows the volume of parking in and around the hospital, again too many surface lots...



Much history and urban character has been destroyed and displaced in the above image. Both the hospital and CUB LLC plans are introducing suburban designs and are subtracting neighborhood elements downtown dwellers and tourist seek; walkability, numerous and various venues, gathering space to socialize, shops, restaurants and entertainment venues.

28) Downtown people will not want to be in and will largely avoid these suburban designs, unless seeking hospital care. In closing, please consider an alternative to another improper eminent domain effort and plan, learn about **The Wynn-BUD Initiative**⁵

The Wynn-BUD Initiative
Brett Truett
Call/Txt: (315)794-0401
BetterUticaDowntown.com
"There's plenty of room for Downtown Utica's Boiler-maker History."
A Better Hospital Neighborhood

Wynn-BUD

⁵ The Wynn-BUD Initiative, A Better Hospital Neighborhood www.betteruticadowntown.com/wynn-bud-initiative-introduction.php