

STAMFORD PLANNING BOARD
APPROVED MINUTES - REGULAR MEETING
TUESDAY, JUNE 5, 2018
GOVERNMENT CENTER - 4TH FLOOR CAFETERIA
888 WASHINGTON BOULEVARD, STAMFORD, CT

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jay Tepper, Vice Chair; Jennifer Godzeno (left at 8:00 p.m.) and Michael Totilo. Alternates: Claire Fishman, William Levin and Roger Quick. Absent: Michael Buccino, Voting Member. Present for staff: David W. Woods, PhD, AICP, Deputy Director of Planning.

Ms. Dell called the meeting to order at 6:30 p.m. and introduced the members of the Board and staff present and introduced the first item on the agenda.

REQUEST FOR AUTHORIZATION

SUPPLEMENTAL CAPITAL PROJECT APPROPRIATION REQUEST:

- 1. CAPITAL PROJECT CLOSEOUT RECOMMENDATIONS:** Pursuant to Stamford City Code Section 8-2, partial closeout is recommended on the following capital projects:

Project #	Project Name	Closeout Amount / Funding Source			
		City Bond	Federal Grant	State Grant	WPCA Bond
CP0096	SUT-CMAQ Funds with Local Match	-\$250,000.00			
CP0097	SUT - Phase I - STP 2009	-\$604,000.00			
CP0086	South End Collector Road			-1,685,450.48	
C5B005	Boyle Stadium	-\$865.47			
CP5901	Belltown Emergency Generator & Electrical Upgrades	-\$900.00			
CP6565	Solid Waste Building Renovation	-\$1,561.67			
CPB014	Toquam QZAB	-\$1,762.24			
CPB006	Cloonan QZAB	-\$1,770.00			
C44444	Strawberry Hill Acquisition	-\$19,828.47			
CP0058	Rogers Renovation	-\$20,541.24			
CP5223	Traffic Calming Master Plan	-\$571.42			
CP5506	Traffic Signal Communications & Control Hardware Upgrade	-\$840,000.00	-\$3,300,000.00		
CP8216	Vehicle Maintenance Equipment	-\$3,974.80			
CP6567	Mill River Stormwater Management	-\$1.16			
C50053	Repair/Replace Magee Avenue Wall				-\$243.00
C22045	Carriage Drive Sewers				-\$1,312,823.31
CP6758	911 Communications-CAD & Mobile Data Upgrade - Phase 2	-\$39,281.49			
C56143	Fishing Pier Replacement	-\$0.25			
CP0101	Public Water Supply Scofield	-\$710.00			
CPB095	Scofield Magnet Roof Replacements	-\$3,507.89			
C36668	Westhill HS Infrastructure Renovation	-\$31,313.45			
CP1372	Oakdale Road Culvert & Catch Basins	-\$5,544.92			
CPB121	Intercom Replacement	-\$5,881.53			
CP0055	Solid Waste Improvements	-\$9,747.44			
CP1075	Skymeadow Drive Drainage Improvement	-\$53,504.23			
TOTALS		-\$1,895,267.67	-\$3,300,000.00	-\$1,685,450.48	-\$1,313,066.31

OPM has gone through a yearly budget analysis and inventory of the status of all the Capital Budget projects that have been bonded. The 25 projects listed above have been completed, therefore, it is appropriate to close out these accounts and have the funds be repurposed at a later date. (Note: the minus signs next to each figure equals the amount that is left in the account; not an overage.) Staff recommends approval.

After a brief discussion, Mr. Levin recommended approval of the Capital Project Closeout Recommendations listed above and that this request has been reviewed pursuant to Connecticut General Statute Section 8-24 and Section C6-30-13 of the City Charter and finds this request to be consistent with CGS Section 8-24, and the City Charter Section C6-30-13, as well as consistent with the adopted 2015 Master Plan; Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).

PLANNING BOARD MEETING MINUTES:

05/22/18: After a brief discussion, Ms. Fishman moved to recommend approval of the Planning Board Minutes of May 22, 2018; Mr. Quick seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Totilo and Tepper).

Ms. Dell called for a motion to move Old Business before the Planning Board discussion. Mr. Tepper moved to take Old Business out of order before the Planning Board Discussion; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo).

OLD BUSINESS:

Staff requested amending ZBA Application #017-18 (110 Lenox Avenue) referral letter to include reference to Section 12 - Automobile Parking and Loading Space, Subsection C.I.a.b.c.

After a brief discussion, Mr. Tepper recommended *approval* of amending the referral letter for **ZBA Application #017-18** and that this is compatible with the neighborhood and consistent with the 2015 Master Plan; Mr. Levin seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Godzeno, Levin, Tepper and Totilo). (*Attachment #1 - Revised letter with map.*)

PLANNING BOARD DISCUSSION:

1. Continued discussion on the City's Affordable Housing Program.

Dr. Woods made a presentation framing all the information received to-date as a preamble to the Planning Board discussion. (*Attachment #2 - Dr. Woods' PowerPoint Presentation*)

2. Presentation of the Text Change application for the Village Commercial Districts (ZB #218-25).

Due to the late hour, the Board requested that ZB Application #218-25 be continued until the August meetings.

NEW BUSINESS:

Next regularly scheduled Planning Board meetings are:

- 06/19/18 - Current items to-date:
 - › ZB Application #218-29 - Barvinok 2 Children's Cultural Center, Inc. (Proposed Day Care Center)
 - › ZB Application #218-04 - Special Exception (Pacific Street Extension - P1 & P2)
 - › Amend ZB Application #218-14 & #218-15 (614 Shippan Avenue)
 - › Continued Public Hearing of Master Plan Amendment #429 & companion ZB Application #218-16 (1101 High Ridge Road)
 - › St. John's Tower Amendment
- Summer Hiatus - No scheduled meetings in July
- 08/07/18

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 9:35 p.m.

Respectfully Submitted,

Theresa Dell, Chair
Stamford Planning Board

NOTE: These proceedings were recorded on video only as there were technical difficulties with the audio recording equipment. The video is available for review in the Land Use Bureau located on the 7th Floor of the Government Center, 888 Washington Boulevard, during regular business hours.

MAYOR
David R. Martin



Director of Operations
ERNIE ORGERA

Land Use Bureau Chief
Ralph Blessing, PhD

Principal Planner
David W. Woods, PhD, AICP

**CITY OF STAMFORD
PLANNING BOARD
LAND USE BUREAU
888 WASHINGTON BOULEVARD
STAMFORD, CT 06904 -2152**

May 23, 2018
(Revised June 6, 2018)

ATTACHMENT #1
(2 Pages)

Ms. Claire Friedlander, Chair
Zoning Board of Appeals
City of Stamford
888 Washington Boulevard
Stamford, CT 06904

**RE: ZBA APPLICATION #017-18 - 110 LENOX, LLC -
110 LENOX AVENUE - Motor Vehicle**

Dear Ms. Friedlander:

During our regularly scheduled meeting held on Tuesday, May 22, 2018, the Planning Board reviewed the above captioned application referred in accordance with the provisions of the Stamford Zoning Regulations, and at its June 5, 2018 meeting the Planning Board revised and clarified its referral to the Zoning Board of Appeals.

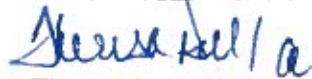
This property has an existing office building and an existing detached vehicle maintenance structure with a separate parking area for Park Avenue Coach. Applicant is requesting to have a K-7 License application approved to allow an existing automobile maintenance facility to be converted to an automobile repair facility without fuel pumps and a used automobile dealer. The subject existing building and parking area are located in the M-G (General-Industrial) Zone.

The Planning Board unanimously recommended the Zoning Board of Appeals *approve ZBA APPLICATION #017-18* with the recommendation that (1) the Zoning Board of Appeals designate no used cars can be sold on the lot facing Lenox Avenue and only on the northern boundary where indicated on the map and (2) the applicant submit a landscape plan developed by a qualified landscape professional to screen the five houses adjacent to the southwest portion of their lot and both sides of the front parking area fronting Lenox Avenue, which is subject to approval by Land Use Bureau staff. Said plan shall include the location, number, size, type and root type of each plant being proposed. [Refer to attached map for clarification]

It is the opinion of the Board that the proposed application is in keeping with the character of the neighborhood and finds this request consistent with the 2015 Master Plan.

Sincerely,

STAMFORD PLANNING BOARD

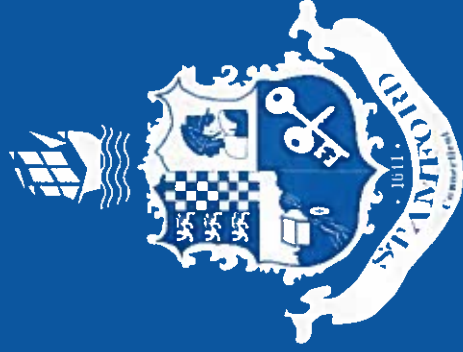

Theresa Dell, Chair

TD/lac

Affordable Housing

Planning Board

June 5, 2018



LU B

City of Stamford Land Use Bureau

Outline

- Introduction & background
- Master Plan – Chapter 6.1 Housing
- Stamford's Existing Affordable Housing Program
 - Guiding Principles of Affordable Housing
 - Section 7.4.4.[a-d] – Alternative Methods of Compliance & Norman Cole's Proposals
- Other Discussion Items
 - CC-N Incentive BMR Bonuses
 - Summary of Norman Cole's Recommendations
 - BLT's Special Exception Request

Introduction – Questions for Discussion

- Should the City raise the BMR requirement it to 15% or leave it at 10%?
- What is the best way to provide developer incentives to keep the BMRs on-site?
- Should the fee-in-lieu calculation be amended, and if so, by what mechanism, such as, requiring a greater percentage than on-site, e.g., 10 or 15% on-site; 15 or 20% if opting to request to pay a fee-in-lieu?
- Another idea that came out of the Planning Board's earlier discussion on affordable housing is should we keep the BMR rate stable (10% now or raise it to 15%) but increase the amount per unit to at a minimum price per BMR unit (e.g., raise the cost of fee-in-lieu to \$250,000 per unit approximately 25% increase using the Area Median Income (AMI) for 2018 or approximately 20% using the AMI for 2017)?
- What is the difference in taxes between a non-encumbered building and an encumbered building? **Answer: approximately 5% more for an unencumbered building, assuming comparable market conditions and amenities [e.g., if the Zoning Board approves the Special Exception for fee-in-lieu alternative for the P1/P2 buildings, then the City would net approximately 5% more in taxes than P4/P5 buildings]**

Master Plan Goals: Affordable Housing

The City's Master Plan 2015-2025 is organized as proceeding from broad guiding Goals, to general Policies, onto more specific Implementation Strategies.

- The **goals** provide the broad principles, policies and general direction; whereas, the strategies are designed to implement the policy goals
- The Planning Board continued the guiding policies of the 2002 Master Plan, especially in its housing element, in adopting the 2015 Master Plan.
- The 2002 Master Plan established the goal of providing decent, affordable housing for all of the residents of Stamford, whatever their economic conditions.
- To address the continuing loss of affordable housing, coupled with the increasing affordability gap and growing housing demand, the City of Stamford has established the goal of producing a minimum of 8,000 affordable housing units, in addition to what is currently available
- In addition, the 2002 Master Plan defined "affordable housing" as housing (rental or ownership) that is affordable for residents at or below 80% of Area Median Income (approximately \$108,000)
- The 2015 Master Plan focused on affordability for rent or mortgage challenged, as those households who pay more than 30% of their gross income on housing

Master Plan Goals: Affordable Housing

Section 6.9 Housing Goals of the Master Plan [MP 2015: 133]:

Preserve the character of the residential neighborhoods

- Encourage neighborhood revitalization
- Maintain affordable housing
- Streamline the permitting process
- Promote better housing choices for older adults and people of disabilities

MP Policy 6A: Maintain residential neighborhood character.

Implementation Strategy #6A.2 Create neighborhood focused revitalization.

Implementation Strategy #6A.3 Support neighborhood generated revitalization plans.

MP Policy 6B: Preserve existing and create new affordable housing.

Implementation Strategy #6B.3 Encourage rehabilitation.

Implementation Strategy #6B4: To maintain a diverse housing stock and provide continued housing opportunities for low- and moderate-income households.

Guiding Principles for Affordable Housing

1. No stand alone income restricted buildings (with very few exceptions) - a general rule of thumb is a minimum of 50% market rate.
2. An increased number BMR units need to be produced as an alternative to on-site BMR units and advances other City goals, such as historic preservation, affordable home ownership, and/or larger bedroom size units and/or units for families below the required targeted income brackets.
3. Fee-In-Lieu funds should be awarded on a competitive basis.
4. Some preference should be given to Stamford residents and persons employed in Stamford; the City must be assured that it gains as much as possible whichever process is approved.

Guiding Principles for Affordable Housing [Cont.]

5. The income eligibility to participate must be expanded from the existing 50% of AMI to include from at least 40% of AMI to the most 80% of AMI.
6. In general, on-site development of BMR units is to be strongly preferred over contributions to fee-in-lieu funds because this enhances the City's income integration with its associated racial and ethnic aspects.
- [Note: Guiding principle No. 6 above is similar to the fifth principle in the 2002 Master Plan, which states "the goal is not to build housing for its own sake, to keep Stamford a place that people from a variety of backgrounds and with a variety of incomes can call home. ... [and] have as much to do with social diversity as with housing affordability" (*Citywide Policy Report 2002: 16*).

Section 7.4 Below Market Rate Dwelling Units

- It is the public purpose and policy of the City of Stamford is to achieve a diverse and balanced community with housing available for households of all income levels.
- Economic diversity fosters social and environmental conditions that protect and enhance the social fabric of the City and are beneficial to the health, safety and welfare of its residents and to the environmental quality and economy of the region.
- The inclusionary housing program defined is necessary to provide continuing housing opportunities for low and moderate income households and working people.
- It is necessary to help maintain a diverse housing stock and to allow working people to have better access to jobs and upgrade their economic status.

Section 7.4.4 [a-d] Alternative Methods

The BMR requirement may be satisfied through Special Exception –

- a. **Land Dedication:** *dedication of land within the City in-lieu of providing affordable housing on-site*
- b. **Dedication of Existing Units:** *restricting the rental or sale price of existing dwelling units within the City, through covenants, contractual arrangements, or resale restrictions, the form and content of which are acceptable to the Zoning Board*
- c. **Off-Site Construction of BMR Units:** *off-site construction or substantial rehabilitation of BMR dwelling units within the City of Stamford*
- d. **Fee-in Lieu Payment:** *in whole or in part, through the payment of a “fee-in-lieu” cash contribution to a City of Stamford fund, or other approved non-profit or for-profit organization dedicated to affordable housing initiatives.*

CC-N Bonus Incentives – for example, Tower A

Staff recommendations are:

- (1) do away with all bonuses in the CC-N zone except for additional BMR over 10% [if kept on-site], and for every additional BMR unit provided the developer gets one market rate unit;
- (2) allow a maximum FAR of 5.0 for residential development without BMR bonuses and a maximum of 6.0 FAR with bonuses;
- (3) allow a maximum FAR of 6.0 if the developer markets their building at least 80%affordable (80% AMI or less); and
- (4) Commercial developments at 2.5 FAR.

Some of Norman Cole's Recommendations

1. Expand the 50% AMI to three-tiers – 50%, 65% and 80% AMI (Note: Workforce Housing), and increase BMR to 15%
2. Recalibrate Fee-in-Lieu standard on a regular basis (including increasing percentage for fee-in-lieu alternative vs. on-site)
3. Create a Housing Trust to receive *and* distribute funds competitively
4. Streamline the Management of the Funds
5. Establish a centralized BMR waiting list

P1/P2 Special Exception – Fee-In-Lieu

BLT is requesting an Special Exception in order to pay a fee-in-lieu for P1/P2 buildings instead of providing the BMR units on-site: 435 units or 43.5 BMR units (approximately \$8.5 million using 2018 AMI)

- At its June 4th meeting, the Zoning Board approved Site & Architectural Plans for P1/P2
- BLT has proposed to place the fee-in-lieu funds with the Stamford non-profit Housing Development Fund

P1/P2 Special Exception – Fee-In-Lieu [Cont.]

Option 1: Housing Development Fund

- (1) build new affordable units;
- (2) a revolving loan fund that would provide loans to eligible property owners to be paid back at sale of the property for rehabilitating the existing buildings; and
- (3) mortgage assistance (identifying potential buyers who meet the income criteria, help with cleaning up credit, and actual lending of portions of the needed down payment).

P1/P2 Special Exception – Fee-In-Lieu [Cont.]

- From a planning perspective, this proposal seems to meet additional affordable housing needs in the South End neighborhood; many of these existing houses may be historic.
- However, of equal concern by the LUB staff is that having only one proposal, regardless of its merits, violates the key guiding principle of being awarding fee-in-lieu funds on a competitive basis
- With only one option: how can the City evaluate whether this proposal is the most advantageous to the City and to the neighborhood?
- This is why: Staff is requiring the applicant to develop a second option to present to the Boards.

P1/P2 Special Exception – Fee-In-Lieu [Cont.]

Option 2: Escrow Account plus funding a consultant study for the development Housing Management Plan

This option has not been fully developed by the applicant nor vetted by staff, but in essence the outlines of its components are:

- (1) At the time of applying for a building permit or if BLT doesn't want to take the chance of the AML increasing make the payment in 2018, place the funds in an escrow account;
 - (a) Separate and apart from the funds placed in an escrow account, make a payment of \$250,000 to allow the LUB to hire a housing consultant in order to –
 - (a) update its housing needs assessment (Citywide), and
 - (b) to propose an Affordable Housing Implementation Plan, which can be adopted by the Zoning Board and implemented by the City.

P1/P2 Special Exception – Planning Board Options

The Planning Board has a number of options relating to this Special Exception referral to the Zoning Board including:

- A. Postpone the decision on the Special Exception request until after the South End Neighborhood Study has been approved.
- B. Once the proposal has been vetted - legally and operationally - approve the Special Exception request and start implementing the HDF program as proposed.
- C. Place the funds in an Escrow Account; along with a separate payment of \$250,000 so that the LUB can pay for a consultant to develop an Affordable Housing Program starting with an citywide affordable housing needs assessment.
- D. Deny the request and require that 10% BMR units be provided on-site, which entails no loss for the City because this ensures that the required BMR units are actually built, and provides 10% BMR units as is our normal expectation.