

MINUTES OF THE SPECIAL MEETING
CITY OF STAMFORD, CONNECTICUT
URBAN REDEVELOPMENT COMMISSION
WEDNESDAY, AUGUST 1, 2012

1. At 6:00pm, Chairman Jackie Heftman called the special meeting to order. The following were in attendance:

Commissioners:

Jackie Heftman, Chairman
Joel P. Mellis, Secretary/Treasurer
Taylor R. Molgano
Christopher D. Meek */via telephone*

Staff:

Rachel A. Goldberg, Interim Director
& General Counsel
Durelle Alexander
Daniel Doern, Architectural Consultant

Attendees:

Patrick Lee, Principal, Trinity Financial
Marzuq Muhammad, Assistant Project Manager, Trinity Financial
Frank Edwards, VP Design & Construction, Trinity Financial
Attorney William Hennessey, Sandak, Hennessey & Greco
Attorney Lisa Feinberg, Sandak, Hennessey & Greco
Attorney Patrick Hanna, Sandak, Hennessey & Greco
Rick Redniss, Redniss & Mead
Attorney John Mostyn, Corcoran Jennison
Attorney Joseph Capalbo, City of Stamford Corporation Counsel
Attorney Thomas Cassone
Peter Sciarretta

2. Southeast Quadrant

(a) **Park Square West/Trinity** – Chairman Heftman asked Attorney Goldberg to give the Commission a quick overview of exactly what the Urban Redevelopment Commission would be voting on to determine what's in the Commission's purview and what's not. Attorney Goldberg said, "There are two different types of items to be voted on. One will be the documents, an amendment to the Land Disposition Agreement along with associated documents that include the purchase money mortgage agreement and accompanying guarantees, notes and releases related to the legal transaction. However, there is one agreement that does not include us and that is a lease agreement for 93 parking spaces in the existing Summer Street garage. When we completed construction, we turned over control of that structure to the City so that lease agreement is purely between the City and Trinity. As to the design, the basic site plan has already been approved by the Commission and is in fact consistent with the Master Plan we had put together many years ago. The Phase II building is 98% the same building that the Commission previously approved. The unit count is nearly identical and the physical means of egress/ingress around the structure are all the same as what we previously approved. The Phase IV building and the Phase IV parking garage are different. The parking garage as designed by Park Square West/CorJen was originally ten feet away from the Summer Street garage with their structure connected by bridges and utilizing the existing ramp system in the Summer Street garage. They also had parking that extended into each of the Phase III and Phase IV buildings. It wasn't a terribly efficient parking arrangement and it was four stories of parking above retail with housing above it."

MINUTES OF THE SPECIAL MEETING AUGUST 1, 2012 – PAGE TWO:

Attorney Goldberg continued, "The re-design has eliminated the parking that was within the residential building and will physically connect the two parking structures and, by doing that, there's an efficiency that's gained in the garage circulation. There is, however, a need to be one floor higher than the Summer Street garage because of the number of cars they have to park, so not every floor will be without a ramp."

Chairman Heftman asked, "Will we be voting on an amendment to the site plan we approved or will we be re-voting?" Attorney Goldberg responded, "In our contract, we don't call it a site plan. It is part of the design set that we have. An exhibit to the amended Land Disposition Agreement is the design set that was submitted to zoning. Those plans need to be developed a little further. The Phase II building had a full construction drawing set before CorJen stopped and there will be some minor changes to that. The garage in the Phase IV building needs to get construction drawings. The developer hopes to get to that level of design completion by October."

Attorney Goldberg said, "The amended LDA, if it is ultimately approved by our Board and the Board of Representatives, the last two approvals necessary, will not get signed until closing because there are a variety of transactions, releases, formal assignment and our approval of the assignment of the development rights from Park Square West to Trinity. In advance of the closing, we're still using the existing LDA in terms of design plans. We have at this point what are essentially schematic designs. They need to move forward to a slightly greater level of detail at design development drawings. That's the last approval that this Board formally makes on the plans."

Chairman Heftman welcomed Dan Doern, noting that he was formerly the architect for the Archstone project; further, that the Commission had previously retained him for design assistance for the project being constructed on the *Advocate* site on Tresser Boulevard. He has been hired by the Board to advise them and answer any questions they might have regarding the proposed Trinity project.

Attorney Hennessey introduced the Trinity team: Lisa Feinberg, Patrick Lee, Frank Edwards, Marzuk Muhammad and Rick Redniss. He said, "What you are referring to as the site plan has remained identical in terms of uses and general organization to what you're familiar with. The site we'll be talking about is 2.6 acres of surface lots, everything but Parcel 3 which is being reserved for future redevelopment."

Attorney Hennessey continued, "The idea is to take the site and develop it in the same basic fashion as CorJen had planned. There are two principle buildings. There's the so-called Phase II building which will be immediately south of the movie theater, south of the accessway that provides access into the parking garage. It should be noted that all the vehicular access points that exist now will be maintained. There is no change in traffic patterns. The Phase II building as Attorney Goldberg indicated is at the construction document stage, really ready to be brought to the Building Department for building permit application. There are 210 residential units. At the base of the building on the south side there is a building lobby and tenant amenity areas. On the north side, facing Summer Place and the movie theater, there is 6,800 square feet of retail space all along the bottom. The rear of the building on both sides and in the back is wrapped with five duplex units – live/work

MINUTES OF THE SPECIAL MEETING AUGUST 1, 2012 – PAGE THREE:

units – the idea here being to keep the base of the building at all points very active but not create retail space that will be impossible to rent. The notion is to try to create something a little bit different ... some active quasi-service uses, maybe artists, maybe some professionals.”

Attorney Hennessey said, “The other principle building is the so-called Phase IV building and that’s located at the corner of Washington Boulevard and West Park Place. That’s a slightly taller building - 19 stories and about 212 feet in height. The Phase II building is 15 stories and about 182 feet in height. In terms of zoning, this zone now allows buildings up to 400 feet in height. The Phase IV building, although taller, has slightly fewer units, 207, with some retail space, approximately 4,000 square feet, right at the corner. The parking for the building is serviced by means of an extension to the parking garage that the URC built. In that space there are 324 parking spaces for automobiles. This project contemplates the use of the City’s newly reduced parking standard in the zoning regulations of one space per unit. We need to provide a total of 417 spaces, which means that 93 spaces need to be leased from the City.”

Attorney Hennessey continued, “These are intended to be best-in-class buildings, top end of the rental market in Stamford. The buildings will be made of pre-cast products, all made in the factory under controlled circumstances, with brick embedded in the concrete pre-cast. This process has occurred at two buildings in Stamford, Canterbury Green and High Grove, as well as on the exterior panels on the Summer Street garage. All of the building is done with this high quality product – there is no back of any building.” Mr. Edwards showed the Phase II brick color sample, along with the granite base trim. Chairman Heftman asked, “This building has more of a feeling of High Grove than any other building you could compare it to?” Attorney Hennessey responded, “Yes. The color scheme is different but you have pre-cast at the base, granite at the base, the same brick system. The Phase IV building will be similar, a slightly different color, and some metal panels being used. Mr. Doern asked, “What are the materials for the garage?” Mr. Edwards responded, “Pre-cast to match what is there already.”

Commissioner Mellis asked, “Will there be any use for the roof, such as a roof garden or pool?” Mr. Edwards responded, “No, there are just a few private terraces.” Chairman Heftman asked, “On the south side of the Phase II building, between the building and the restaurant, how much room is there between your building and the building that is on the corner?” Mr. Edwards responded, “Around 20 feet.” Chairman Heftman asked, “What is envisioned to be in that space? Will the public be able to walk in that area?” Attorney Hennessey responded, “You’ll be able to walk but it’s also going to serve as an access point for vehicles and their deliveries that need to take place in the back of that building.” Mr. Doern asked, “Is this area only service or can people drive in there and get to the parking garage and park?” Mr. Edwards responded, “Yes, they can drive in there.” Chairman Heftman asked, “Can they drive out?” Mr. Edwards responded, “Yes. The opening is 20 feet which is the equivalent of a two-lane drive lane in the garage.” Attorney Goldberg noted that there would be substantially greater access than we currently have; further, that the circulation system has not changed from what was previously approved by the Commission.

MINUTES OF THE SPECIAL MEETING AUGUST 1, 2012 – PAGE FOUR:

Attorney Goldberg asked Mr. Edwards to describe the vertical design element on the corner building because it is such as visible site as one travels north on Washington Boulevard. Mr. Edwards said, "What Attorney Goldberg is referring to is the striking design element – the four columns that will be lit from the top down" and pointed them out on the drawings and the model.

Chairman Heftman said, "What I like the best about this is having the garages in the middle of the block, not under buildings. It is such a huge benefit not to have to look at four or five floors of garage as you're walking by, but to have an active streetscape." Attorney Goldberg asked Mr. Edwards to further explain the accessway to the Phase II site. Mr. Edwards showed the 20-foot travel aisle and access/egress on the drawings, noting that both garages will look like and operate as one garage. Chairman Heftman asked, "There is no connection to the building?" Mr. Edwards responded, "No. In the CorJen plans there was a series of glass bridges at three different levels from their garage into the building." Attorney Goldberg asked about the public art component. Mr. Edwards responded, "The intention is to name the two buildings after famous jazz artists, Duke Ellington and Ella Fitzgerald, and follow through with the theme by using an interactive installation across the street from the movie theater to further enliven the streetscape. There are no schematics yet."

Attorney Hennessey briefly reviewed the approval's process, noting that with all requisite approvals, Trinity foresees a closing date not later than December 14, 2012. The URC will vote on approval of the project and approval of the "Second Amendment to Contract for Sale of Land for Private Redevelopment, Re-Use Parcels 19 & 19B" including purchase money mortgages and notes on Monday, August 13th. Attorney Hennessey said, "The sequence of construction is to begin with the Phase II building, which has a construction period of about 24 months. At the 12-month stage, construction of the garage and the Phase IV building will begin. At the 24-month point, the Phase II building and the garage are done. The Phase IV building will have about another 12-month period of construction left so at the three-year mark, the whole project is done."

Commissioner Mellis asked, "What about Phase III?" Attorney Hennessey responded, "We've had a lot of conversations with non-profits including COC, UConn, which is about to launch a study on their housing needs, and Charter Oak. Charter Oak's need is less acute today as they are facing uncertain federal funding. If they choose to exercise their 24-month option on the Phase III property, we would have the obligation to purchase it from the City for approximately \$2,000,000 and convey it to them for a dollar. Chairman Heftman said that she wants to increase the affordable housing in the downtown and would like to see an actual project rather than a fee-in-lieu payment to the City.

At 7:08pm, Chairman Heftman called for a brief recess. The meeting resumed at 7:15pm.

2. Southeast Quadrant/Park Square West Trinity

(ii) **Ratification of Right-of-Entry Agreement** – Commissioner Molgano made a motion to ratify and approve the proposed Right-of-Entry Agreement to permit the subcontractor for Trinity to conduct additional test borings on the site. The motion was seconded by Commissioner Mellis and carried by unanimous vote.

MINUTES OF THE SPECIAL MEETING AUGUST 1, 2012 – PAGE FIVE:

(iii) **Ratification of Contract with Daniel Doern** – Commissioner Mellis made a motion to ratify and approve the proposed contract with architectural consultant Dan Doern for an amount not-to-exceed \$8,000.00; further, to amend the FY 2012/13 budget to move \$8,000 into the budget line for architectural consultants. The motion was seconded by Commissioner Molgano. Discussion ensued. The question was called and the motion was passed by unanimous vote.

(iv) **Approval of Budget Amendment/Cushman & Wakefield** – Attorney Goldberg reported that she had previously contacted the Commissioners and informed them of the need to retain an appraiser to value the proposed non-exclusive easement on the west side of the Phase III site. It was noted that Cushman & Wakefield had done the original and update appraisal work for this project. It was also noted that the Director of Department of Economic Development had agreed to pay half of the expense. Cushman & Wakefield has valued the easement at \$60,000.00 for a non-exclusive easement at a total cost of \$2,350.00 (\$1,175.00 to be paid by the Commission.) Commissioner Molgano made a motion to ratify and approve the proposed contract with Cushman & Wakefield at a total cost of \$2,350.00, with said cost being shared by the Department of Economic Development; further, to amend the FY 2012/13 budget to move \$1,175.00 into the budget line for miscellaneous expenses. The motion was seconded by Commissioner Mellis and carried by unanimous vote.

Commissioner Mellis made a motion to address the remaining agenda items out of order. The motion was seconded by Commissioner Molgano and carried by unanimous vote.

4. Agency Administration

(a) **Budget/Ratify Correction** – Commissioner Mellis made a motion to ratify and approve the budget correction on the Administrative Assistant line. The motion was seconded by Commissioner Molgano and carried by unanimous vote.

3. Mill River Corridor Project

(b) **Review/Approval of Proposed Settlement Agreement/Weiss, LLC** – Attorney Goldberg reported that as part of the Mill River Plan, there were several properties that had been identified as acquisition properties for either affordable housing or the park. She said, “The park acquisitions fall into two categories – buying the properties outright in the main part of the park and easement acquisitions to complete the linear connection along the east bank of the Mill River between the main park and the RBS development.”

Attorney Goldberg continued, “The City used state open space money over a period of years to acquire all but one property. Last year, this Board held a public hearing and took all the statutory steps to approve the acquisition by eminent domain of a small parcel that used to be the parking lot for Robert Weiss Insurance. The building on the site was sold to the City but the City was unable to reach a negotiated agreement on the parking lot. The URC had the property appraised, went through the legal process of acquiring title to the property by eminent domain which we have completed, and the property is now owned by us.”

MINUTES OF THE SPECIAL MEETING AUGUST 1, 2012 – PAGE SIX:

Attorney Goldberg explained, "The property owner hired the Bridgeport firm of Zeldes & Cooper to represent it in a valuation appeal. I have negotiated a proposed settlement agreement, which I reviewed with City Corporation Counsel Joseph Capalbo today, increasing the compensation being paid to \$650,000.00, which will be paid out of the Mill River TIF bond financing." Discussion ensued.

Following discussion, Commissioner Mellis made a motion to authorize Attorney Goldberg to prepare the Settlement Agreement and releases necessary to complete the paperwork to finalize the proposed settlement with Robert Weiss. The motion was seconded by Commissioner Molgano. Following further discussion, the question was called and the motion was carried by unanimous vote.

At 7:39pm, Commissioner Molgano made a motion to go into Executive Session to specifically discuss the status of contract negotiations between the City, CorJen, Trinity and the Urban Redevelopment Commission - agenda item 2a(iv). The motion was seconded by Commissioner Mellis and carried by unanimous vote. Durelle Alexander was excused from Executive Session. Peter Sciarretta, who is in the process of being appointed to the Commission, and Attorney Goldberg participated in the discussion. No motions were made and no votes were taken.

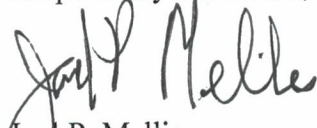
At 8:45pm, Commissioner Mellis made a motion to return to Open Session. The motion was seconded by Commissioner Molgano and carried by unanimous vote.

5. Adjournment

There will be a special meeting on Monday, August 13, 2012 at 6:00pm.

There being no further business before the Board, Commissioner Mellis made a motion to adjourn. The motion was carried by unanimous vote and the meeting was adjourned at 8:46pm.

Respectfully submitted,


Joe P. Mellis
Secretary/Treasurer