

MINUTES OF THE REGULAR MEETING
CITY OF STAMFORD, CONNECTICUT
URBAN REDEVELOPMENT COMMISSION
Thursday, October 10, 2002

1. Chairman Stephen C. Osman called the meeting to order at 6:00PM. In attendance were:

Commission

Stephen C. Osman, Chairman
Eric M. Wormser, Vice Chairman
Joel P. Mellis, Secretary/Treasurer
James I. Nixon
Neal M. Jewell

Staff

Laszlo Papp, Executive Director
Rachel Goldberg, General Counsel
Sheila R. Kilcoyne, Fiscal Officer
Durelle Alexander

2. Approval of Minutes

(a) **August 8, 2002 Regular Meeting** - Commissioner Nixon made a motion to approve the minutes. The motion was seconded by Commissioner Mellis and carried. Commissioner Jewell abstained.

3. Announcements

None.

4. Correspondence

None.

Commissioner Nixon made a motion to address the agenda items out of order. The motion was seconded by Commissioner Jewell and carried unanimously.

5. Southeast Quadrant

(b) **Request for Use of Re-Use Parcel 36/ Summer Hotel Partners LLC** - Attorney Goldberg reported that the Commission had received a request to use the above mentioned property as a construction staging area for the proposed Courtyard by Marriott project. Assistant Project Manager Tracey Diehl noted that the project is scheduled to commence around November 15, 2002 with an expected completion on or about March 1, 2004. Ms. Diehl also noted that site occupancy would be limited to an office trailer and a minimum of overnight storage of miscellaneous and sundry building materials; further, that the site would accommodate parking for supervisory personnel and authorized visitors.

Following discussion, Commissioner Nixon made a motion to approve Summer Hotel Partners' use of Re-Use Parcel 36, subject to the following conditions:

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(i) compliance with insurance requirements; (ii) restoration of the property to its original condition; and (iii) successful negotiation by the Executive Director of a reasonable usage fee, with said fee to be approved by the Chairman. The motion was seconded by Commissioner Mellis and carried unanimously.

(c) **Request by SNET To Use Re-Use Parcel 36** - Attorney Goldberg reported that SNET, who maintains the parcel for the Commission, needs access to the property for a small crane for approximately an hour next week. Commissioner Jewell made a motion to give SNET access to Re-Use Parcel 36, subject to compliance with insurance requirements, to be approved by Attorney Goldberg. The motion was seconded by Commissioner Mellis and carried unanimously.

6. Mill River Corridor Project Plan

(b) **Parcels 17, 21 & 23 Richmond Hill Avenue/Dreyfus Site** - Planning and land-use consultant Rick Redniss, noting that he was assisting the Stamford Housing Authority (the SHA) in obtaining zoning approvals for the aforementioned properties, distributed copies of their application for a text change of the Stamford Zoning Regulations. The changes were briefly explained, as follows:

- (i) To *Article III, Section 9-I, Mill River District Sub-Section 1*: delete the minimum lot area to make the Zoning Regulations consistent with the Mill River Corridor Project Plan. This relates to applications for redevelopment of residences for low or moderate income, elderly and/or disabled persons. Current Zoning Regulations require a 20,000 sq. ft. minimum lot to be eligible for the MRDD. The URC's Mill River Corridor Project Plan stipulates a 30,000 sq. ft. minimum lot size, except for redevelopment in cooperation with the Stamford Housing Authority and/or the City as residences for low or moderate income elderly and/or disabled persons. Housing Authority Executive Director Richard Fox noted that this change will enable the former Dreyfus property on Richmond Hill Avenue to accommodate affordable housing.
- (ii) To *Mill River District, Sub-Section 3g*: add a provision that developments for low or moderate income elderly and/or disabled persons housing may have a minimum parking requirement of one space for every three dwellings. Note: A letter to the URC (copy attached as part of these official minutes) requests a text change for the same parking requirement in the Mill River Corridor Project Plan.
- (iii) To *Article IV, Section 12-B Automobile Parking & Loading Space, Sub-Section 1*: give the Zoning Board the right to reduce or waive the 5-foot parking setback from a building.

Mr. Redniss added, "You have in the URC Mill River Plan a density calculation whereas it is 75 units per acre except if you are developing affordable housing in conjunction with the Housing Authority, the City or a non-profit, where you can go up to 125 units an acre. What we didn't do in the Plan or in the zoning was to create parallel parking standards. Senior/supportive housing does not require one and a half spaces per dwelling unit; rather, one parking space (one car) per three dwelling units."

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Discussion followed about the parking ratio, a potential lack of parking, and location of the parking spaces. SHA Director Fox assured the Commission that "the Housing Authority wants full utilization of parking that they are entitled to."

Subsequently, Mr. Fox briefly outlined the Housing Authority's proposal to develop the property at 17 - 23 Richmond Hill Avenue, saying that said parcel would be "most appropriately developed for affordable, service-enriched housing for the non-elderly disabled." To develop the Richmond Hill residence, the Housing Authority would apply the MRDD zoning category allowing 125 units per acre for low-income housing for the disabled. As such, Mr. Fox said that the site could comfortably accommodate a total of 40 units on four stories above a street level service/parking floor. The Housing Authority would finance the proposed development utilizing a combination of HOPE VI capital funding, tax-exempt bond mortgage financing, and a land grant from the City of Stamford.

Attorney Goldberg noted that she had attended a meeting about this project this morning. Also attending were SHA Director Fox, SHA Director of Development Vincent J. Tufo, City of Stamford Public Safety, Health & Welfare Director Ben Barnes and URC Director Papp. Speaking for the Commission, Chairman Osman said, for the record, that "everyone involved is very pleased that we are setting the stage for a cooperative working environment with the Stamford Housing Authority and the Urban Redevelopment Commission as partners."

Attorney Goldberg reviewed the requisite steps in the process; i.e., amending the Mill River Corridor Project Plan, amending the Zoning Regulations, and securing the necessary approvals. She explained, "There is a process that is established to confirm whether or not a plan change should go before the Board of Representatives; that is, a meeting between the Chair of our Commission, the Planning Board, the Zoning Board and, in this case, the current co-chairs of the UR/Land Use Committee of the Board of Representatives. We would sit down, the Chairman, myself, and these other chair-people, to discuss the nature of this amendment to determine whether or not there was a general belief that this change is of significant import to go back before the entire Board of Representatives for approval or whether it is really not such a significant change that the Commission's' action alone would suffice."

Attorney Goldberg recommended to the Board that they approve the amendment to the Mill River Plan to permit parking at the ratio equivalent to the Zoning Board parking ratio for assisted housing of this nature, which is one parking space for every three units, subject to the determination by the various chair-people meeting together that either (a) our approval alone is all that is necessary, or (b) if there is a determination that the full Board of Representatives should review and approve it, then our approval is subject to their action.

Following further discussion, Commissioner Wormser made a motion to approve the amendment to the Mill River Corridor Project Plan (attached as part of these official minutes) requested by Mr. Redniss dated October 7, 2002 and submitted with the appropriate filing fee, subject to determining and obtaining the requisite approval as outlined by Attorney Goldberg.

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The motion was seconded by Commissioner Jewell and carried by unanimous vote. It was noted that this joint venture will only be possible if the Mayor does not extend the Dreyfus lease.

6. Mill River Corridor Project Plan

(a) **Presentation by Attorney Jay Sandak & Andrew Goldstein/Riverbank Motors** - Attorney Jay Sandak, representing Andrew Goldstein, President of Riverbank Motors, an automotive dealership located at 42 West Broad Street, explained that when Mr. Goldstein applied for approval from the Planning Board and the Zoning Board for his proposed upgrade and expansion, he was unaware that the Mill River Corridor Project Plan requires that he also submit an application to the URC, the Agency which has the responsibility of enforcing the redevelopment standards and regulations of the Plan." (Copy attached as part of these official minutes.) The dealership has received zoning variances to allow for a 400-square foot showroom addition with a front entrance. Mr. Goldstein said he needs to renovate in order to meet the requirements of Volkswagen of America. He said, "Volkswagen's new corporate identity for all dealerships nationwide dictates everything from the color of tiles, how cars are displayed, and the type of glass in the showroom window." He also noted that time constraints by VW require that renovations begin by the first of the year.

Following discussion, Attorney Goldberg said, "Although we are dealing with a non-conforming use with property designated for residential in the Plan, I think this 3% increase to the building, which is a vast improvement to the existing architecture, in fact constitutes a very minor change." The question was raised as to whether the Plan had to be amended "to make a specific provision as to what to do with non-conforming uses." Attorney Goldberg responded, "Clearly an existing non-conforming use can continue to exist. The question I have is 'should we or do we need to amend the Plan to deal with a situation where the non-conforming use is either being expanded or improved upon.' I'd like to consult with Director of Legal Affairs Tom Cassone and zoning specialist Jim Minor, assistant corporation counsel, and get their views re: how the Plan is currently construed and if they believe that we should amend the Plan to provide for continued non-conforming uses being improved up to a certain level."

Following further discussion, Commissioner Nixon made a motion to approve the application of Riverbank Motors for a non-conforming use as defined in the Mill River Corridor Project Plan as presented on this date, subject to conversations between the City of Stamford Law Department, URC General Counsel and Attorney Jay Sandak re: the appropriateness of granting such approval under the existing Plan. The motion was seconded by Commissioner Mellis and carried unanimously.

7. Agency Administration

(a) **Committee Reports**

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- (i) Park Square West Phase I: Director Papp reported that Corcoran Jennison has received final project sign-off from all required City Departments with the exception of the Building Department. They will issue the Final Certificates of Occupancy after URC and Zoning approval. Director Papp will accompany Marty Jones Tuesday afternoon (October 16th) for a final walk-through and site inspection.

Park Square West Phase II: Marty Jones will update the Commission on her concept/revised design plans for Phase II at a meeting scheduled for 11:00am on Tuesday, October 16th.

- (ii) Kiwanis Park: Commissioner Jewell reported that he had attended a meeting yesterday, and that renovation plans are progressing slowly. The DSSD has asked to be included in the planning meetings. Commissioner Jewell noted they had been invited to and attended meetings scheduled by he and Commissioner Wormser, Co-Chair of the Sub-Committee.
- (iii) Mill River: Chairman Osman encouraged the Commissioners to attend the annual meeting of the Stamford Conservation Land Trust on Thursday, October 17th. Habitat restoration expert Laura Wildman is scheduled to discuss the waterways, specifically Mill River. Ms. Wildman is also an associate director of dam programs for American Rivers.

Chairman Osman reported that he had attended a meeting with some thirty federal government officials who expressed their willingness to spend \$7 million to redo/redevelop the river. The City of Stamford will be asked to make a 35% in-kind contribution; i.e., land.

- (vi) Archstone Project: Director Papp reported that construction has been delayed until April, 2003.

There were no further Committee reports at this time. Director Papp reported that he had been invited to attend a meeting re: development of the Lotstein property. The Chairman recused himself from the discussion stating that his brother-in-law, Michael Gray, is related to the Lotsteins. Also attending the meeting on October 17th were architects from Perkins Eastman, Land Use Bureau Chief Robin Stein and Principal Planner Norman Cole. Commissioner Mellis was appointed to serve on a new Sub-Committee pertaining to the potential development of the Lotstein property.

- (b) **Approval of Contract Addendum: Bennett Kielson Storch & DeSantis -** Commissioner Mellis made a motion to approve the above referenced contract extension (from September 30, 2002 to September 30, 2003). The motion was seconded by Commissioner Nixon and carried by unanimous vote.

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(c) **Budgets - Administrative & Project - FY 02/03** - Following a brief review of the project budget by Attorney Goldberg, Commissioner Nixon made a motion to approve the FY 02/03 Administrative & Project Budgets as presented. The motion was seconded by Commissioner Mellis and carried by unanimous vote.

5. Southeast Quadrant

(c) **Status, Litigation** - At 7:55PM, Commissioner Jewell made a motion to go into Executive Session to discuss on-going litigation with Target. The motion was seconded by Commissioner Nixon and carried by unanimous vote. Fiscal Officer Sheila Kilcoyne left the meeting at this time. Attorney Goldberg participated in the discussion. No motions were made and no votes were taken. At 8:05PM, Commissioner Mellis made a motion to return to Open Session. The motion was seconded by Commissioner Nixon and carried by unanimous vote.

8. Old Business

None.

9. New Business

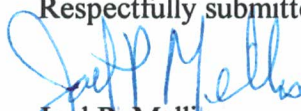
(a) **Dock Street Connector/Stamford Urban Transitway** - Attorney Goldberg reported that he and the Chairman met with Project Director Louis Casolo and Assistant Corporation Counsel Burt Rosenberg to discuss the URC's involvement as a contract vendor for the City. The status of the project will be determined in the next few weeks.

10. Adjournment

No date has been set for the next Commission meeting.

Commissioner Nixon made a motion to adjourn. The motion was carried by unanimous vote and the meeting was adjourned at 8:20PM.

Respectfully submitted,


Joel P. Mellis
Secretary/Treasurer

Attachments(2)

10/7/02 Mill River Project Plan Parking Text Change
Section 402: Redevelopment Standards & Regulations, Mill River Approved Plan

Redniss & Mead Inc.

October 7, 2002

Mr Laszlo Papp, FAIA, Executive Director
City of Stamford
Urban Redevelopment Commission
888 Washington Boulevard
Stamford, CT 06904-2152

Re: Mill River Corridor Project Plan Parking Text Change

Dear Laszlo:

On behalf of the Stamford Housing Authority (SHA), we request that the URC modify Section 402 b (viii), per Section 1001, of the Mill River Corridor Project Plan, by adding the following text to the second sentence of Section 402b (viii):

402 b (viii) - The parking standards of Section 12-D of the Zoning Regulations shall apply, except as otherwise provided herein. There shall be a minimum residential off-street parking requirement of one and one-quarter (1.25) spaces for each residential unit, **except for parcels intended for redevelopment by, for, or in cooperation with the Stamford Housing Authority, non-profit housing developers and/or the City of Stamford (the "City") as residences for low or moderate income elderly and/or disabled persons, there shall be a minimum of one space for every three (3) dwelling units.** Parking for non-residential uses shall be subject to the determination of the Zoning Board and may be shared where the hours of the use of stalls would not be in conflict. The potential for shared use of parking stalls shall constitute an additional standard for consideration of parking reduction. Required parking may be provided off-site provided a determination is made by the Zoning Board that the location and availability of said parking is satisfactory.

We look forward to discussing this at your October 10th, 2002 meeting and reviewing how this change relates to the SHA plan for the former Dreyfus property on Richmond Hill Avenue.

Sincerely,



Richard W. Redniss, AICP

cc: Robin Stein
Norman Cole
Rachel Goldberg, Esq.

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(vii) Public

Land designated on Map MRCP-8 as "Public" shall be developed or redeveloped, or shall remain if previously so developed, for uses other than parkland and public open space by the City of Stamford (Government Center) and the State of Connecticut (UConn).

Section 402. Redevelopment Standards and Regulations

a. Standards and Regulations Applicable to all lands and redevelopment

(i) In addition to all approvals otherwise required by the City of Stamford (such as but not limited to Coastal Area Management, Zoning Board Site Plan, Building and Fire Prevention Code, etc.), any development or redevelopment within the boundaries of the Mill River Corridor Project shall be subject to the review by the Urban Redevelopment Commission pursuant to §404, below, for conformity with the requirements of this Project Plan, and specifically with the standards and regulations applying to respective development sites and with the design guidelines set forth in Section 403, below. Developers are advised to pursue approvals concurrently so as to maximize the coordination among the several approving bodies.

(ii) All site plans, architectural plans and drawings and such other documentation prepared in relation to the proposed physical development of each development site, including all public spaces, shall be consistent with this Project Plan and with the design guidelines listed herein. While proposed redevelopers are given latitude in concept, design and layout within the standards and guidelines specified in this Plan and the City's Zoning Regulations, all structures, facilities, other improvements and public areas must reflect distinguished architectural expression and techniques in order to assure attractiveness, quality and permanence, and to produce a coherent residential community.

b. Standards and Regulations Applicable to Specific Development and Redevelopment Sites

1. Residential, Residential-Assisted Housing and Residential/Commercial lands

(i) The minimum area of a redevelopment site shall be thirty-thousand (30,000) square feet, except for sites intended for