

Memorandum

Received at

SEP 12 2013

To: Members, Planning and Zoning Commission
Copy To: Laurence Bradley, Planning and Zoning Director
From: Karen Johnson, DC Kemper-Gunn LLC
Date: September 12, 2013
Re: §8-24 Request for Lease of a Portion of 35 Elm Street ("Baldwin Lot"), PID #C10143000, Zone Res. A

P&Z.C. Public Hearing

Karen Johnson

As noted in Larry Bradley's memo to the Planning and Zoning Commission dated September 3, 2013 ("Director's Memo"), an approval is required from the Planning and Zoning Commission for any Municipal Improvement pursuant to C.G.S. §8-24. In this case, an §8-24 referral is required due to the contemplation to *lease any . . . municipally owned property*. A portion of the Baldwin Lot is proposed to be leased for the relocation and reuse of the historic Gunn House. The lease area is approximately 0.15 acres or approximately 6% of the overall area of the Baldwin Lot.

Plan of Conservation and Development

The Commission's primary consideration for an §8-24 referral is consistency with the 2007 Plan of Conservation and Development ("POCD"). The Director's memo does cite several references to the POCD however there are other relevant sections which are also critical to consider due to the location of the Baldwin Lot in the Westport Center.

The POCD "recognizes and supports redevelopment of existing commercial properties in Westport Center when such redevelopment is designed to be in keeping with its distinctive character." The Director's Memo refers to the Baldwin Lot as residential due to the zone designation of Residential A. The Baldwin Lot is clearly a commercial use and the proposed location of a commercial building on this property does not alter this condition.

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Therefore, with respect to Westport Center, the overall goals of the Plan are to:

- Create a dynamic, attractive, centrally focused yet expansive downtown area with varied points of interest for community life.
- Encourage the creation and execution of an overall, comprehensive conceptual design and plan that integrates and coordinates the extended physical elements already in the Center.

Page 7-10, last paragraph:

The Plan recognizes and supports redevelopment of existing commercial properties in Westport Center when such redevelopment is designed to be in keeping with its distinctive character. The Plan also promotes an energetic Westport Center with businesses and other attractions that will draw shoppers and patrons alike to the downtown area.

Zoning Designation

The Director's memo appropriately notes that there are many issues to be addressed regarding the most suitable zone for the leased lot. Also as noted, the likely zones under consideration are BCD and RORD. Both zones have merit and there are certain provisions with each that could be favorable to the reuse of the Gunn house as proposed. Neither zone is a perfect fit for the proposal; therefore relief from the Zoning Board of Appeals would be sought in either case. Although it is necessary to understand and consider next steps, a full zoning analysis seems premature for this discussion. If the §8-24 referral is favorable, we would seek to return to the Planning and Zoning Commission for this discussion at a later date. We have provided an Area Map that shows the existing zoning districts over and aerial photo of Westport Center. This clearly shows the current use of the Baldwin Lot as a paved parking lot surrounded by other paved lots as well as non-residential uses (i.e. Christ & Holy Trinity Church and existing and proposed commercial uses such as Bedford Square).

Planning Considerations

The Director's Memo appropriately states that the proposed structure will result in some loss of parking spaces within the Baldwin Lot and the proposed uses will generate demand for parking. The proposed demand will be generated from the retail and office uses contemplated for the Gunn House. Based on the time of day and day of the week, it could vary from 5 to 15 parking spaces and the resultant plan contemplates the removal of approximately 17 to 20 spaces (depending on the final layout and zoning setback considerations). Therefore, the projected impact could be 22 to 35 parking spaces.

The issue of any future use of the Baldwin Lot for structured parking was adequately addressed in a sketch plan provided by Rick Hoag and was meant for illustrative purposes only. This and any other future impacts related to the Baldwin lot or to Elm Street would require further review and consideration from the Planning and Zoning Commission as municipal improvements.

Conclusion

The critical issue at hand is – does the lease of approximately 0.15 acres of land further the goals of the Town of Westport as it relates to Historic Preservation, Westport Center redevelopment, and appropriate fiscal planning. Clearly there are questions to explore further however the next step towards addressing these matters can be made following a favorable §8-24 referral.