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TOWN OF WEST HARTFORD

TOWN COUNCIL PUBLIC HEARING

September 27, 2016, 6:43 p.m.

Legislative Chambers

Re: Ordinance (Van Winkle) Amendment Application
on behalf of Lexham West Hartford Owner, LLC to
create a New Section for the Alteration of Floor
Area Ratio Standard in the BC Zone

ACCEPTED - @ 10.13.16 T.C. mtg
ADOPTED
DENIED
WITHDRAWN
TABLED
REFERRED
AMENDED

1 MAYOR CANTOR: I'd like to call the
2 6:30 public hearing to order. This is an
3 Ordinance Amendment Application on behalf of
4 Lexham West Hartford Owner, LLC, to create a New
5 Section for the Alteration of Floor Area Ratio
6 Standard in the BC Zone.

7 Roll call, Ms. Labrot.

8 MS. LABROT: Mr. Barnes.

9 COUNCILOR BARNES: Present.

10 MS. LABROT: Ms. Cantor.

11 MAYOR CANTOR: Here.

12 MS. LABROT: Ms. Casperson.

13 COUNCILOR CASPERSON: Here.

14 MS. LABROT: Mr. Davidoff.

15 DEPUTY MAYOR DAVIDOFF: Here.

16 MS. LABROT: Mr. Dodge.

17 COUNCILOR DODGE: Here.

18 MS. LABROT: We have Mr. Flynn sitting
19 in for Ms. Hall.

20 ZONING ALTERNATE FLYNN: Here.

21 MS. LABROT: Ms. Kerrigan.

22 COUNCILOR KERRIGAN: Here.

23 MS. LABROT: Mr. Wenograd.

24 COUNCILOR WENOGRAD: Here.

25 MS. LABROT: And Mr. Williams.

1 COUNCILOR WILLIAMS: Here.

2 MAYOR CANTOR: Thank you, Ms. Labrot.

3 We have a presentation from the
4 applicant.

5 MS. PEARSON: Good evening, Madam
6 Mayor, members of the Council and members of the
7 public. My name is Robin Pearson. I'm an
8 attorney with the law firm of Alter & Pearson in
9 Glastonbury, Connecticut. And I'm pleased to be
10 here on behalf of my client, Lexham West Hartford
11 Owner, LLC, on behalf of this application to amend
12 the zoning code for the Town of West Hartford.

13 Lexham West Hartford Owner, LLC, to
14 whom I'll continue to refer to just as Lexham,
15 owns property, a significant number of properties,
16 in West Hartford, but in particular, it owns 5365
17 LaSalle Road, which is the Webster Bank and
18 Becker's building on LaSalle Road, and 101
19 Farmington Avenue, which is the structure just
20 east of Fleet Feet on Farmington Avenue. As a
21 property owner in West Hartford, Lexham, therefore
22 has standing to bring this application to amend
23 the zoning code.

24 And I would like to introduce to you
25 several representatives that are here this evening

1 on behalf of Lexham. While they won't be
2 presenting as part of this application, I would
3 like you to be able to associate names with faces.

4 So first I'd like to introduce Marc
5 Lewis, who, if he could just wave out. He's
6 founder and managing principal of Lexham Private
7 Investors, LLC, which is located in Westport, but
8 they do have a local office here in West Hartford.
9 And with him is Jim Brady, who is head of property
10 management for Lexham. And also Tom Bailey is
11 here for Lexham as head of investment.

12 Another very important member of our
13 team this evening is Chuck Coursey, who is, of
14 course, with Coursey and Company and has handled
15 the extensive outreach that we have done with
16 regard to this application. Chuck and I will be
17 making the presentation this evening.

18 And before we get started in the
19 particulars, I would like to underscore for you
20 that the application is only to adopt a text
21 change to allow the increase in FAR, floor area
22 ratio, from 1.25 to 1.5 within the BC district.
23 Nothing more. That's it. That's the application.

24 There is no request to allow additional
25 height with regard to the text change. Four

1 stories are currently allowed for anyone
2 developing within the BC district, and no change
3 to that height limit is proposed. There is no
4 request to exempt structured parking in any way
5 from being considered in the calculation of floor
6 area ratio. There is no request to allow a higher
7 floor area ratio for office buildings or any other
8 type of building other than those that have
9 residential incorporated within the use for which
10 the development application has proposed. The
11 opportunity to apply for the higher FAR that we
12 are suggesting would be appropriate for the zoning
13 code in West Hartford is only available when one
14 proposes to build residential housing above the
15 ground floor.

16 And most importantly, even though this,
17 I believe it's fair to say, small increase in FAR,
18 25 percent or .25 percent, will not be available
19 to any property owner as a matter of right, even
20 though one can build at the current FAR standard
21 of 1.25 without having to get town council zoning
22 approval.

23 What that means is no one will be able
24 to come in and take advantage of this proposed
25 additional FAR opportunity unless they pursue a

1 special development district application and they
2 come back before the town council and the
3 community because any special development district
4 application, by requirement of town council
5 policy, requires an extensive amount of outreach
6 first before the town council will make a decision
7 on that particular application. So that means no
8 one will be able to take advantage of the proposed
9 .25 percent FAR increase without first going back
10 to you and to the community.

11 In terms of our presentation, I will go
12 through the text of the proposed zoning code
13 amendment, and I will show you, hopefully, through
14 visual exhibits that we will put on the screen so
15 that the public will have an opportunity to see
16 those also, what we believe will be the limited
17 effect of adopting this text amendment. We
18 believe it will show you that this text amendment
19 is supportive of infill development and the
20 creation of housing in the center, a good thing.
21 We believe it will not open the door to unwanted
22 development which is incompatible with the center
23 and its surrounding neighborhoods. And we believe
24 this is indeed a logical step in line with many of
25 the goals of your plan of conservation and

1 development to sponsor good development in the
2 town center.

3 After that Chuck Coursey will come up
4 and present the outreach efforts that he has
5 undertaken and explain on behalf of Lexham -- and
6 explain why Lexham went to the community with the
7 perspective of what can actually -- the
8 perspective is a rendering of what they might
9 actually be able to build on their property should
10 this be approved.

11 So why is Lexham proposing this modest
12 increase in the FAR? Lexham owns a number of
13 surface parking lots, primarily behind buildings
14 and in the center of the block bordered by
15 LaSalle, Farmington Avenue and partially by
16 Arapahoe Road. Lexham believes that surface
17 parking is not the most desirable use for this
18 real estate. It is not particularly attractive,
19 surface parking lots. All that blacktop is not
20 necessarily environmentally beneficial. It is not
21 smart growth to continue to utilize valuable real
22 estate in the town center for surface parking, and
23 frankly it does little to benefit the grand list
24 for the Town of West Hartford by doing so.

25 Lexham believes that residential

1 housing in the center of town would be a much
2 better use worthy of a significant investment by
3 Lexham of its dollars in its property which it
4 owns in the center. It knows that building on
5 parking lots will be expensive, because the only
6 place then to put parking to serve the buildings
7 that it would like to construct will be under the
8 buildings and predominantly underground. Creating
9 underground parking, especially working in the
10 tight confines of the center with surrounding
11 businesses and uses is extremely difficult and
12 expensive to do.

13 Therefore, we believe that infill
14 development in the center requires more
15 flexibility in the FAR regulation to address the
16 unique situation where parking must go underground
17 and there are no longer large surface lots to help
18 achieve a lower FAR. FAR is easy to meet when you
19 have large surface lots because that means you
20 have a large parcel, and therefore the FAR is
21 reduced because it's the comparison of the
22 building size to the lot size.

23 If a sufficiently-sized building
24 compatible with the character -- I'm sorry, the
25 character of the center can be built over parking

1 lots, this type of infill development will have
2 obvious benefits for the center and town. I'd
3 like to just run through some of those.

4 More people living in the center will
5 provide more customers for the retailers,
6 restaurateurs and personal service providers such
7 as your yoga studios, your workout places, hair
8 salons and haircutting places. More customers
9 means a higher likelihood that these center
10 businesses will thrive. More residential units
11 mean more pedestrians on the street contributing
12 to street vitality.

13 Walkable infill center development is
14 smart development. That is smart development that
15 leaves residents less reliant on their cars. Such
16 infill development opportunities will create
17 housing for people working in the center. This is
18 a plus also for office, banking and other
19 employers who will be better able to entice good
20 employees to come work and live in this very
21 walkable community. We believe, indeed, it will
22 be a marketing opportunity for businesses that
23 already exist who would like to have their
24 employees live in the center.

25 We've also heard from realtors who say

1 having more rental housing in the center is also a
2 boon for single-family development in the rest of
3 the town, particularly around the center, as it
4 entices young professionals to move to apartments
5 in the center, get to know and love West Hartford
6 and its walkable center, and then want to buy in
7 the area. In fact, I have a direct experience
8 with that in that two associates in my office
9 actually did so. They rented on North Main Street
10 north of the center and loved it so much they
11 bought a house on Fern Street close to the center
12 basically so that they could walk to the center
13 and meet their friends there who would also walk
14 to the center.

15 So it happens. It's very real. And
16 the realtors with whom we spoke felt that that was
17 the case. They also said that this type of
18 development will be very attractive to
19 empty-nesters and that a regulation that allows
20 more FAR to allow for possible infill residential
21 development will entice them to trade their
22 single-family homes for easy-care rental units in
23 the center conducive to the new lifestyle they are
24 looking for.

25 And at this point I'd -- well, actually

1 we'd like the slides to come down. But again, to
2 underscore it, the reason this works for
3 empty-nesters is because the center would be a
4 very walkable pedestrian-friendly place for
5 empty-nesters to reside, extremely attractive.

6 So as this is getting set up, I'd just
7 like to say that currently there are locations in
8 the center, though limited, that could benefit
9 from the requested amendment. And as an example
10 of that -- and again there is no Lexham
11 application before you -- but as an example of
12 that, I'd like to -- could you just show me what
13 do I do here?

14 MR. BRADY: Sure.

15 MS. PEARSON: So, as an example, I
16 think it's helpful to look to the properties that
17 Lexham does own to give you an example, and the
18 audience an example, of what can be done with the
19 additional flexibility built into this regulation.

20 So this is a photograph taken recently
21 at the corner of Arapahoe and LaSalle. It is
22 looking -- you can see on the right-hand side of
23 the slide the side of the Webster Bank building.
24 It is a view into those parking lots that Lexham
25 owns that services a building at 101 Farmington,

1 which you can see in the distance, that is located
2 on Farmington Avenue, and it has parking behind
3 it, and it also services the buildings that Lexham
4 owns on LaSalle Road. I think it underscores the
5 fact that, while we have some beautiful buildings
6 in the center that set the character of the
7 center, we also have some not necessarily as
8 attractive features such as open parking lots like
9 this.

10 This is an aerial view of properties
11 that could benefit from this increased FAR
12 opportunity. And we've put two circles on the
13 parking lots that Lexham owns that for which it
14 would propose, should this amendment be approved,
15 to do some infill development. The one is at the
16 corner of Arapahoe and LaSalle, and the other is,
17 again, behind the building it owns at 101
18 Farmington Avenue. There are other opportunities
19 in the center for this type of infill development,
20 but this amendment would certainly accommodate
21 that where currently it's felt the current
22 regulations do not.

23 The next exhibit is an example of what
24 could be done using the increase in FAR. These
25 are infill developments that meet the height

