

**Expansion City Center District
Caucus Room, 3rd Floor, City hall
22-Sept-2011**

Chairman Donald Taylor called the Committee meeting to order at 6:17pm.

COMMITTEE MEMBERS PRESENT: Don Taylor, Committee Chairman, Joseph Cavo, and Peter Nero.

Ex Officio Members: Jack Knapp, Ben Chianese, Paul Rotello, Duane Perkins, and Nancy Deep Damici.

ALSO PRESENT: Mayor Mark Boughton (arrived at 6:40pm), Laszlo Pinter, Deputy Corporation Counsel, Dennis Elpern, Director Planning and Zoning, Tom Devine, Chairman, City Center Council, and Andrea Gartner, Managing Director, City Center.

After making introductions, Chairman Taylor stated the charge of the committee was to make a recommendation to the City Council regarding the expansion of the City Center district to include Kennedy Place and to make a recommendation regarding hiring out an attorney to do so. Chairman Taylor then asked Ms. Gartner and Mr. Devine to explain the requested expansion for the committee. Ms. Gartner stated the property owner of Kennedy Place is looking to develop that location and has requested that the property be included in the City Center district. Mr. Devine discussed the benefits for City Center district and the property owner. Chairman Taylor commended Mr. Devine and Ms. Gartner for the fine job the City Center Council has done to promote downtown Danbury.

Chairman Taylor asked Mr. Elpern to discuss the expansion as it relates to zoning and the Downtown Revitalization Task Force. Mr. Elpern stated that the property is within the zone for the Revitalization Task Force so expanding it helps to coordinate the efforts between the two entities. In addition the additional revenue from the expansion is advantageous.

Mr. Taylor then asked Attorney Pinter to explain the process of expanding the district. Mr. Pinter reviewed the history of establishing the district and changes to the ordinance necessary to expand the district to include Kennedy Place. Mr. Pinter stated that since City Center is a separate legal entity, it should hire separate counsel to prepare the documents for expansion. Discussion regarding the legal process ensued.

Chairman Taylor opened the discussion to committee members. Mr. Cavo asked if there were any terms of participation or ownership requirements. Mr. Devine stated that once a property was included it remained in the district. Attorney Pinter clarified that the removal of a property would require an ordinance change similar to that required to expand the district. Mr. Knapp asked if the City Center assessment would change once the property was developed. Ms. Gartner stated that it would change as it is a function of the property value. However, it is also determined by the City Center budget which each member/property owner voted on. Further, with additional properties in the district the mill rate for the City Center assessment would actually go down. Mr. Knapp also asked if changes to the streetscape (to be consistent with the rest of the district) will be funded by the City Center or the City Council. Mr. Elpern stated that if changes were made ,it would be funded through Planning and Zoning typically through State Grants, which would come before the City Council for approval.

Further discussion ensued regarding the taxes assessments, the benefits to property owners, City Center Council voting, residential taxes, and possible development of the proposed property.

Mayor Boughton stated that he is supportive of the expansion and believes it furthers the cooperation and coordination between City Center and the Downtown Revitalization Task Force. Mr. Devine affirmed that the goal of both is to increase and sustain business downtown and that the expansion and development of this property would aid in reaching this goal. Mr. Elpern stated that in addition there is currently consideration being given to changing zoning, fees, permits, and regulations to promote the development of business in the Downtown area.

It was moved by Joseph Cavo and seconded by Peter Nero to recommend to the City Council as a whole that Danbury Ordinance Chapter 19B be amended by revision to Section 19B-4(a) such as to revise the property description referenced as "Schedule A" to incorporate additional property identified as Map/Lot #H14/356 on Kennedy Avenue, into the Danbury Downtown Special Services District boundaries; and to recommend authorizing the District to retain its own counsel, as required, to accomplish these

purposes in accordance with ordinance and law; and to further amend Ordinance Chapter19B by appending the revised "Schedule A" to the published ordinance. Vote, all in favor, motion unanimously approved.

As there was no further business before the committee, Mr. Cavo moved to adjourn the meeting. Mr. Nero seconded the motion. Vote, all in favor, motion unanimously approved. The meeting adjourned at 6:55 p.m.

Respectfully Submitted,

Donald Taylor, Committee Chairman

Joseph Cavo

Peter Nero



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

CITY COUNCIL

_____ A.D. 2011

Be it ordained by the City Council of the City of Danbury:

That Chapter 19B of the Code of Ordinances of Danbury, Connecticut, is hereby amended by the addition of Section 19B-10 to read as follows:

Sec. 19B-10. Legal Description

All those certain pieces or parcels of land situate in The City of Danbury, county of Fairfield and State of Connecticut lying within the following perimeter description

Commencing at a point on the easterly highway line of Main Street, which point marks the intersection of said easterly highway line of Main Street with the southerly boundary line of land now or formerly of New York, New Haven and Hartford Railroad Company; said point being the point of beginning.

Thence running in an easterly direction along said southerly boundary line of land now or formerly of the New York, New Haven and Hartford Railroad company across Maple Avenue to its intersection with the westerly highway line of Balmforth Avenue;

Thence running along said westerly highway line of Balmforth Avenue in a southerly direction across White Street to the westerly highway line of Patriot Drive;

Thence continuing in a southerly direction along said westerly highway line of Patriot Drive across Independence Way and across Liberty Street to the southerly highway line of Liberty Street;

Thence running in a southerly direction along the westerly highway line of said Liberty Street to its intersection with the northerly highway line of Keeler Street;

Thence running across Keeler Street in a straight line to the northeast corner of parcel I14372 as shown on the Tax Assessor map, sheet I 14;

Thence running southerly along the easterly boundary line of said lot I14-372, 59' more or less to a point;

Thence turning and running in a westerly direction along the southerly boundary line of said lot I14-372 to a point;

Thence turning and running along the easterly boundary line of said lot I14-372 to a point lying along the northerly boundary line of lot I14-385 as shown on said Tax Assessor map I14;

- Thence turning and running along the southerly boundary line of said lot I14-372 to the northeasterly corner of lot I14-383 as shown on said Tax Assessor map I14;
- Thence turning and running along the easterly boundary line of said Lot I14-383 to the northerly highway line of Center Street;
- Thence turning and running along said northerly highway line of Center Street to its intersection with the easterly highway line of Main Street;
- Thence running in a southwesterly direction in a straight line across Main Street to the intersection of the westerly highway line of said Main Street with the northerly highway line of Boughton Street;
- Thence running along said northerly highway line of Boughton Street to its intersection with the easterly highway line of Foster Street;
- Thence turning and running along said easterly highway line of Foster Street to its intersection with the southerly highway line of West Street;
- Thence running across West Street to the intersection of the northerly highway line of said West Street with the easterly boundary line of Terrace Place, being the southwesterly corner of Tax Assessor lot I14-148 as shown on said Tax Assessor map I14;
- Thence running along said easterly boundary line of Terrace Place, along the westerly boundary line of said lot I14-148, 156' more or less to the northwesterly corner of said lot I14-148 and the southwesterly corner of lot I14-149 as shown on said Tax Assessor map I14;
- Thence turning and running along the northerly boundary line of said lot I14-148 to the northeasterly corner of said lot I14-148 lying along the westerly boundary line of Tax Assessor lot I14-147 as shown on Tax Assessor map I14;
- Thence running across said lot I14-147 to the southwesterly corner of Tax Assessor lot I14-174;
- Thence turning and running in a northerly direction along the westerly boundary line of said lot I14-174 to the southerly boundary line of Tax Assessor lot I14-150 as shown on said Tax Assessor map I14;
- Thence turning and running in an easterly direction along said southerly boundary line of said lot I14-150, 10' more or less to the southwesterly corner of Tax Assessor lot I14-172;
- Thence turning and running along the westerly boundary line of said lot I14-172 to the northwesterly corner of said lot I14-172 lying along the southerly boundary line of Chapel Place;
- Thence running across said Chapel Place to the southwesterly corner of Tax Assessor lot I14-170 as shown on Tax Assessor map I14;

157
Thence running along the westerly boundary line of said lot I14170 to the northwesterly corner of said lot I14-170 lying along the southerly boundary line of Tax Assessor lot I14-164;

Thence turning and running in a westerly direction along the southerly boundary line of said lot I14-164 to the southwest corner of said lot I14-164;

Thence turning and running in a northerly direction along the westerly boundary line of said lot I14-164 to a northwesterly corner of said lot I14-164 and the southwest corner of Tax Assessor lot I14-161;

Thence turning and running in an easterly direction along a northerly boundary line of said lot I14-164 to the southeasterly corner of said lot I14-161;

Thence turning and running along a westerly boundary line of said lot I14-164, being the easterly boundary line of said lot I14-164 to the southerly boundary line of Library Place;

Thence turning and running along said southerly boundary line of Library Place to a point opposite the southwest corner of Tax Assessor Lot I14-016 as shown on Tax Assessor map I14;

Thence turning and running across said Library place to said southwest corner of lot I14016;

Thence running along the westerly boundary line of said lot I14-016 to the northwesterly corner of said lot I14-016;

Thence turning and running in an easterly direction along the northerly boundary line of said lot I14-016 to a point where the most westerly boundary line of Tax Assessor lot I14-015 intersects with said northerly boundary line of said lot I14-016;

Thence turning and running in a northerly direction along said westerly boundary line of lot I14-015 to the northwesterly corner of said lot I14-015;

Thence turning and running in an easterly direction 7' more or less along the northerly boundary line of said Tax Assessor lot I14-015 to the southwest corner of Tax Assessor lot I14-014 as shown on Tax Assessor map I14;

Thence turning and running along the westerly boundary lines of Tax Assessor lots I14-014, I14-013, I14-274 and I14-012 all as shown on Tax Assessor map I14 to the northwesterly corner of said lot I14-012 lying along the southerly boundary line of Lot I14-011;

Thence turning and running in a westerly direction along said southerly boundary line of lot I14-011 to the easterly boundary line of Tower Place, being the southwest corner of said lot I14011;

Thence turning and running in a northerly direction along the said easterly boundary line of Tower Place being the westerly boundary line of said lot I14-011 and the westerly boundary line of Tax Assessor lot I14-010 to a point marking the northeasterly terminus of said Tower Place and the southwest corner of Tax Assessor lot I14-009;

13-5

Thence running in a northerly direction along the westerly boundary line of said lot I14-009 to the southerly boundary line of Tax Assessor lot I14-007, being the northwesterly corner of said lot I14-009;

Thence turning and running in a westerly direction along the southerly boundary lines of Tax Assessor lots I14-007, I14-004, I14-003 and I14-002 to the southwest corner of said lot I14-002;

Thence turning and running in a northerly direction along the westerly boundary line of said lot I14-002 to the southerly highway line of Elm Street, being the northwesterly corner of said lot I14-002;

Thence running in a northwesterly direction across Elm Street to the southwest corner of Tax Assessor lot H14-356 as shown on Tax Assessor map H13 said point being the intersection of the northerly highway line of Elm Street with the northerly highway line of Kennedy Avenue;

Thence running in a northwesterly direction along said northerly highway line of Kennedy Avenue, being the southerly boundary line of said tax lot H14356 to the intersection of the northerly highway line of Kennedy Avenue with the southerly highway line of Rose Street said point being the northwesterly corner of said lot H14-356;

Thence running along said southerly highway line of Rose Street, being the northerly boundary line of Lot H14-356 to the northeasterly corner of said lot H14-356 and the northwesterly corner of a parcel labeled UNK 1.358A on Tax Assessor map H13;

Thence continuing along said southerly highway line of Rose Street along the northerly boundary of said Parcel labeled UNK 1.358A to its northeasterly corner and the northwesterly corner of Tax Assessor lot H13-289 as shown on Tax Assessor map H13;

Thence continuing along said southerly highway line of Rose Street along said lot H13-289 to the northeasterly corner of lot H13-289 lying along a westerly boundary line of Tax Assessor lot H13-290;

Thence turning and running along a jog in the said southerly highway line of Rose Street, along said lot H13-290 to the northwesterly corner of said lot H13-290;

Thence turning and continuing along said southerly highway line of Rose Street along the northerly boundary line of said lot H13-290 and H13-294 to the westerly highway line of the aforementioned Main Street, said point being the northeasterly corner of lot H13-294;

Thence running diagonally across said Main Street to the point of beginning.

THAT CHAPTER 19B OF THE CODE OF ORDINANCES OF DANBURY, CONNECTICUT IS HEREBY AMENDED BY THE ADDITION OF SECTION 19B-10 TO READ AS FOLLOWS:

Sec. 19B-10. Legal Description

All those certain pieces or parcels of land situate in The City of Danbury, county of Fairfield and State of Connecticut lying within the following perimeter description

Commencing at a point on the easterly highway line of Main Street, which point marks the intersection of said easterly highway line of Main Street with the southerly boundary line of land now or formerly of New York, New Haven and Hartford Railroad Company; said point being the point of beginning.

Thence running in an easterly direction along said southerly boundary line of land now or formerly of the New York, New Haven and Hartford Railroad company across Maple Avenue to its intersection with the westerly highway line of Balmforth Avenue;

Thence running along said westerly highway line of Balmforth Avenue in a southerly direction across White Street to the westerly highway line of Patriot Drive;

Thence continuing in a southerly direction along said westerly highway line of Patriot Drive across Independence Way and across Liberty Street to the southerly highway line of Liberty Street;

Thence running in a southerly direction along the westerly highway line of said Liberty Street to its intersection with the northerly highway line of Keeler Street;

Thence running across Keeler Street in a straight line to the northeast corner of parcel I14372 as shown on the Tax Assessor map, sheet I 14;

Thence running southerly along the easterly boundary line of said lot I14-372, 59' more or less to a point;

Thence turning and running in a westerly direction along the southerly boundary line of said lot I14-372 to a point;

Thence turning and running along the easterly boundary line of said lot I14-372 to a point lying along the northerly boundary line of lot I14-385 as shown on said Tax Assessor map I14;

Thence turning and running along the southerly boundary line of said lot I14-372 to the northeasterly corner of lot I14-383 as shown on said Tax Assessor map I14;

Thence turning and running along the easterly boundary line of said Lot I14-383 to the northerly highway line of Center Street;

Thence turning and running along said northerly highway line of Center Street to its intersection with the easterly highway line of Main Street;

Thence running in a southwesterly direction in a straight line across Main Street to the intersection of the westerly highway line of said Main Street with the northerly highway line of Boughton Street;

- Thence running along said northerly highway line of Boughton Street to its intersection with the easterly highway line of Foster Street;
- Thence turning and running along said easterly highway line of Foster Street to its intersection with the southerly highway line of West Street;
- Thence running across West Street to the intersection of the northerly highway line of said West Street with the easterly boundary line of Terrace Place, being the southwesterly corner of Tax Assessor lot I14-148 as shown on said Tax Assessor map I14;
- Thence running along said easterly boundary line of Terrace Place, along the westerly boundary line of said lot I14-148, 156' more or less to the northwesterly corner of said lot I14-148 and the southwesterly corner of lot I14-149 as shown on said Tax Assessor map I14;
- Thence turning and running along the northerly boundary line of said lot I14-148 to the northeasterly corner of said lot I14-148 lying along the westerly boundary line of Tax Assessor lot I14-147 as shown on Tax Assessor map I14;
- Thence running across said lot I14-147 to the southwesterly corner of Tax Assessor lot I14-174;
- Thence turning and running in a northerly direction along the westerly boundary line of said lot I14-174 to the southerly boundary line of Tax Assessor lot I14-150 as shown on said Tax Assessor map I14;
- Thence turning and running in an easterly direction along said southerly boundary line of said lot I14-150, 10' more or less to the southwesterly corner of Tax Assessor lot I14-172;
- Thence turning and running along the westerly boundary line of said lot I14-172 to the northwesterly corner of said lot I14-172 lying along the southerly boundary line of Chapel Place;
- Thence running across said Chapel Place to the southwesterly corner of Tax Assessor lot I14-170 as shown on Tax Assessor map I14;
- Thence running along the westerly boundary line of said lot I14-170 to the northwesterly corner of said lot I14-170 lying along the southerly boundary line of Tax Assessor lot I14-164;
- Thence turning and running in a westerly direction along the southerly boundary line of said lot I14-164 to the southwesterly corner of said lot I14-164;
- Thence turning and running in a northerly direction along the westerly boundary line of said lot I14-164 to a northwesterly corner of said lot I14-164 and the southwesterly corner of Tax Assessor lot I14-161;
- Thence turning and running in an easterly direction along a northerly boundary line of said lot I14-164 to the southeasterly corner of said lot I14-161;
- Thence turning and running along a westerly boundary line of said lot I14-164, being the easterly boundary line of said lot I14-164 to the southerly boundary line of Library Place;

- Thence turning and running along said southerly boundary line of Library Place to a point opposite the southwesterly corner of Tax Assessor Lot I14-016 as shown on Tax Assessor map I14;
- Thence turning and running across said Library place to said southwesterly corner of lot I14016;
- Thence running along the westerly boundary line of said lot I14-016 to the northwesterly corner of said lot I14-016;
- Thence turning and running in an easterly direction along the northerly boundary line of said lot I14-016 to a point where the most westerly boundary line of Tax Assessor lot I14-015 intersects with said northerly boundary line of said lot I14-016;
- Thence turning and running in a northerly direction along said westerly boundary line of lot I14-015 to the northwesterly corner of said lot I14-015;
- Thence turning and running in an easterly direction 7' more or less along the northerly boundary line of said Tax Assessor lot I14-015 to the southwesterly corner of Tax Assessor lot I14-014 as shown on Tax Assessor map I14;
- Thence turning and running along the westerly boundary lines of Tax Assessor lots I14-014, I14-013, I14-274 and I14-012 all as shown on Tax Assessor map I14 to the northwesterly corner of said lot I14-012 lying along the southerly boundary line of Lot I14-011;
- Thence turning and running in a westerly direction along said southerly boundary line of lot I14-011 to the easterly boundary line of Tower Place, being the southwesterly corner of said lot I14011;
- Thence turning and running in a northerly direction along the said easterly boundary line of Tower Place being the westerly boundary line of said lot I14-011 and the westerly boundary line of Tax Assessor lot I14-010 to a point marking the northeasterly terminus of said Tower Place and the southwesterly corner of Tax Assessor lot I14-009;
- Thence running in a northerly direction along the westerly boundary line of said lot I14-009 to the southerly boundary line of Tax Assessor lot I14-007, being the northwesterly corner of said lot I14-009;
- Thence turning and running in a westerly direction along the southerly boundary lines of Tax Assessor lots I14-007, I14-004, I14-003 and I14-002 to the southwesterly corner of said lot I14-002;
- Thence turning and running in a northerly direction along the westerly boundary line of said lot I14-002 to the southerly highway line of Elm Street, being the northwesterly corner of said lot I14-002;
- Thence running in a northwesterly direction across Elm Street to the southwesterly corner of Tax Assessor lot H14-356 as shown on Tax Assessor map H13 said point being the intersection of the northerly highway line of Elm Street with the northerly highway line of Kennedy Avenue;
- Thence running in a northwesterly direction along said northerly highway line of Kennedy Avenue, being the southerly boundary line of said tax lot H14356 to the intersection of the northerly highway line of

13-9

Kennedy Avenue with the southerly highway line of Rose Street said point being the northwesterly corner of said lot H14-356;

Thence running along said southerly highway line of Rose Street, being the northerly boundary line of Lot H14-356 to the northeasterly corner of said lot H14-356 and the northwesterly corner of a parcel labeled UNK 1.358A on Tax Assessor map H13;

Thence continuing along said southerly highway line of Rose Street along the northerly boundary of said Parcel labeled UNK 1.358A to its northeasterly corner and the northwesterly corner of Tax Assessor lot H13-289 as shown on Tax Assessor map H13;

Thence continuing along said southerly highway line of Rose Street along said lot H13-289 to the northeasterly corner of lot H13-289 lying along a westerly boundary line of Tax Assessor lot H13-290;

Thence turning and running along a jog in the said southerly highway line of Rose Street, along said lot H13-290 to the northwesterly corner of said lot H13-290;

Thence turning and continuing along said southerly highway line of Rose Street along the northerly boundary line of said lot H13-290 and H13-294 to the westerly highway line of the aforementioned Main Street, said point being the northeasterly corner of lot H13-294;

Thence running diagonally across said Main Street to the point of beginning.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT
CITY COUNCIL

_____ A.D. 2011

Be it ordained by the City Council of the City of Danbury:

Sec. 19B-4. - Boundary of the district.

(a) *Description.* The boundary of the district shall be all that certain piece or parcel of land described in Section 19B-10 and as revised in 2011.

(b) *Eligibility of tax-exempt property.* All property therein shall be included in the district. For the purpose of this district, the property owners of tax-exempt property within the district will not be eligible to vote, nor will they be subject to any tax levies, unless the tax-exempt status changes. If the tax-exempt status changes, the property shall be subject to the district tax levy in accordance with Section 19B-7 of this chapter, and such levy shall be pro-rated to cover the period from the change of the tax status to the end of the fiscal year.

THAT SECTION 19B-4 OF THE CODE OF ORDINANCES OF DANBURY, CONNECTICUT IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 19B-4. - Boundary of the district.

(a)

Description. The boundary of the district shall be all that certain piece or parcel of land described on ~~Schedule A attached hereto~~ IN SECTION 19B-10 and made a part hereof AND AS REVISED IN 2011.

(b)

Eligibility of tax-exempt property. All property therein shall be included in the district. For the purpose of this district, the property owners of tax-exempt property within the district will not be eligible to vote, nor will they be subject to any tax levies, unless the tax-exempt status changes. If the tax-exempt status changes, the property shall be subject to the district tax levy in accordance with Section 19B-7 of this chapter, and such levy shall be pro-rated to cover the period from the change of the tax status to the end of the fiscal year.