



City of New Haven

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Legislation Details (With Text)

File #: LM-2020-0444 **Version:** 2 **Name:**
Type: Order **Status:** Passed
File created: 10/19/2020 **In control:** City Clerk
On agenda: **Final action:**

Title: ORDER OF THE BOARD OF ALDERS OF THE CITY OF NEW HAVEN APPROVING THE DISPOSAL OF THE CITY OWNED PARCELS IN DIXWELL PLAZA KNOWN AS 200 DIXWELL AVENUE AND 26 CHARLES STREET; THE PUBLIC WAY; THE PUBLIC PLAZA AND RELATED COMMON SPACE TO CONNCORP, LLC SUBJECT TO A DEVELOPMENT AND LAND DISPOSITION AGREEMENT.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Checklist Dixwell Plaza October 19 2020 (1), 2. Dixwell Plaza Cover Letter October 18 2020, 3. Dixwell Plaza DLDA, 4. Dixwell Plaza Supplemental Graphics October 18 2020, 5. Fiscal Impact Statement Dixwell Plaza October 18 2020, 6. Prior Notification Form Dixwell Plaza October 18 2020, 7. 10W2549-CONNCAT PLACE DIXWELL Presentation, 8. 10W2508-Exhibits to DLDA, 9. LM-2020-0444

Date	Ver.	Action By	Action	Result
2/16/2021	1	Board of Alders	Passed	Pass
2/2/2021	1	Board of Alders	Noted	
1/21/2021	1	Community Development Committee	Favorable Report	
10/19/2020	1	Board of Alders	Referred	

ORDER OF THE BOARD OF ALDERS OF THE CITY OF NEW HAVEN APPROVING THE DISPOSAL OF THE CITY OWNED PARCELS IN DIXWELL PLAZA KNOWN AS 200 DIXWELL AVENUE AND 26 CHARLES STREET; THE PUBLIC WAY; THE PUBLIC PLAZA AND RELATED COMMON SPACE TO CONNCORP, LLC SUBJECT TO A DEVELOPMENT AND LAND DISPOSITION AGREEMENT.

WHEREAS, Dixwell Plaza, located in the Dixwell neighborhood, is a former redevelopment parcel on Dixwell Avenue containing approximately 6.74 acres of land in total, which consists of 12 fee parcels, including the undivided interest of each fee parcel in and to an area of Common Space; a Public Way and Public Plaza. The City of New Haven (the "City") is the owner of 2 of those certain fee parcels of land located in Dixwell Plaza, located at 26 Charles Street (Map 294, Block 345, Lot 1600) and 200 Dixwell Avenue (Map 294, Block 345, Lot 1100) as well as the Public Way and Public Space (together the "Property"); and

WHEREAS, On September 1, 2019, the City and ConnCORP, LLC ("ConnCORP") entered into a Memorandum of Understanding (the "MOU") to provide ConnCORP an opportunity to perform certain pre-development tasks necessary to present a development plan to the City so as to facilitate the negotiation of legally binding agreements with regard to the proposed development; and

WHEREAS, ConnCORP seeks to acquire the Property from the City for the total sum of \$750,000.00 and redevelop the same in accordance with the attached Development and Land Disposition Agreement (the "DLDA") as negotiated between the City and ConnCORP during the term of the MOU; and

WHEREAS, the DLDA provides for the construction of a mixed-used project that will promote affordable housing and will consist of a residential facility development containing at least 150 residential units, of which no fewer than 30 units shall be restricted and divided at various levels of affordability for twenty (20) years, together with 50,000 square feet of leasable commercial and/or retail space (the "Project"); and

WHEREAS, 200 Dixwell Avenue is currently occupied by the New Haven Free Public Library, Stetson Library Branch (the "Library") and 26 Charles Street is currently occupied by the City of New Haven Police Department Substation (the "Substation"); and

WHEREAS, recognizing the importance of both the Library and the Substation on Dixwell Avenue and acknowledging that until the Library and the Substation are relocated to the Q House, both the Library and the Substation need to continue to operate at their current respective locations, the City as tenant and ConnCORP as landlord shall enter into short term lease agreements for 200 Dixwell Avenue and 26 Charles Street in accordance with the terms as set forth in the attached Letters of Intent.

NOW, THEREFORE, BE IT ORDERED that the Mayor of the City be and hereby is authorized to execute and deliver on behalf of the City the DLDA substantially in the form attached hereto (meaning that no "substantive amendments" may be made to the same without further approval by the Board of Alders, "substantive amendments" being as defined by the Board of Aldermen by resolution adopted April 30, 2002), and to execute and deliver a quit claim deed conveying the Property to ConnCORP, in accordance with the DLDA and to execute and deliver such other instruments and agreements as may be described in the DLDA or otherwise necessary or appropriate, from time to time, in order to implement and effect the intent and purposes of this Order, including without limitation any instrument necessary to reflect the abandonment of the Public Way and/or Public Plaza (the "Ancillary Documents") and that the City-Town Clerk of the City be and hereby is authorized to impress and attest the official seal of the City upon the DLDA, the Ancillary Documents (to the extent necessary) and this Order; and

FURTHER, IT IS HEREBY ORDERED that the sale of the Property to ConnCORP for the sum of \$750,000.00 subject to the terms of the DLDA is hereby approved; and

FURTHER, IT IS HEREBY ORDERED that the Mayor of the City be and hereby is authorized to release and terminate any and all land disposition agreements, development agreements (hereafter collectively the "LDAs") and/or provisions in deeds from the City with respect thereto or with respect to covenants set forth in such LDAs affecting any of the fee parcels constituting part of Dixwell Plaza or proposed to be acquired by ConnCORP and to be incorporated into the Property; and

FURTHER, IT IS HEREBY ORDERED that the Mayor of the City be and hereby is authorized to provide to ConnCORP a written proxy so that ConnCORP can vote the City's interests and percentage ownership at Dixwell Plaza in further matters concerning the acquisition of any remaining fee parcels not yet owned by ConnCORP; and

FURTHER, IT IS HEREBY ORDERED that the Mayor of the City be and hereby is authorized to enter into the lease agreements as required for the continued occupancy of the New Haven Free Public Library, Stetson Library Branch and the City of New Haven Police Department Substation substantially in accord with the terms as set forth in the attached Letters of Intent; and

FURTHER, IT IS HEREBY ORDERED that the Mayor (or the Economic Development Administrator, to the extent expressly empowered under the DLDA), are each hereby authorized and empowered to execute, acknowledge and deliver such other documents as may be considered necessary or appropriate from time to time, to implement and effect the intent and purposes set forth in the DLDA and this Order.