

28TH BOARD OF REPRESENTATIVES CITY OF STAMFORD

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RANDALL M. SKIGEN
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ANNIE M. SUMMERVILLE

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JOHN J. BOCCUZZI
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RESOLUTION NO. 3387 OF THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD, CONNECTICUT AMENDING THE URBAN REDEVELOPMENT PLAN FOR THE MILL RIVER CORRIDOR PROJECT

WHEREAS, the City of Stamford, Connecticut, Urban Redevelopment Commission (the "Commission") has been empowered in accordance with the provisions of Chapter 130 of the General Statutes of the State of Connecticut and the Code of Ordinances of the City of Stamford, Connecticut to prepare, approve and carry out redevelopment and renewal plans within the City of Stamford; and

WHEREAS, acting pursuant to such authority the Commission, on October 11, 2001, approved the Urban Redevelopment Plan (the "Plan") for the Mill River Corridor Project (the "Project"); and

WHEREAS, on November 7, 2001, the Board of Representatives of the City of Stamford, Connecticut, approved the Urban Redevelopment Plan for the Mill River Corridor Project (which, as amended, is hereby referred to as the "Plan"); and

WHEREAS, a Redeveloper/Property Owner in the Mill River Corridor Project Area (the "Project Area"), proposed an amendment to the Plan, to (i) reclassify 75 Tresser Boulevard from "Commercial" to "Hotel/Residential/Commercial" and (ii) modify section 402(d) Below Market Rate Dwelling Unit Standards to make the Plan consistent with a proposed text change to the BMR standards for the Mill River District in the City of Stamford Zoning Regulations (Article III, Section 9-1, subsection 7(c)); and

WHEREAS, the amendment proposed by the Redeveloper/Property Owner was posted on the Commission's website on or about June 9, 2010; and

WHEREAS, the amendment proposed by the Redeveloper/Property Owner is by definition a Substantial Change to the Plan, pursuant to section 1001 of the Plan, and as such requires the approval of the Board of Representatives; and

WHEREAS, on July 28, 2010, following notice published in the Stamford Advocate (on July 13, 2010, and July 16, 2010), the Land Use-Urban Redevelopment Committee of the Board of Representatives and the Commission held a joint Public Hearing at which time all persons wishing to be heard with respect to the amendment had an opportunity to do so; and

WHEREAS, at the joint Public Hearing, Commission staff presented an alternative to the amendment proposed by the Redeveloper/Property Owner to (i) permit the development of multi-family residential uses on all properties in the "Commercial" land use category rather than recategorize the property at 75 Tresser Boulevard from Commercial to Hotel/Residential/Commercial; (ii) require compliance with the Below Market Rate ("BMR") Dwelling Unit Standards set forth in section 402.d of the Plan; and (iii) amend said BMR Dwelling Unit Standards to make the Plan consistent with a proposed text change to Article III, Section 9-1, subsection 7(c) (the BMR standards for the Mill River District) of the City of Stamford Zoning Regulations, attached hereto as Exhibit A, (jointly, the "Proposed Amendment"); and

WHEREAS, the Proposed Amendment which was developed in cooperation with the Redeveloper/Property Owner, is comprised of four items, as follows:

1. Revise and amend Section 401.b(vi), as follows:

Commercial

Land designated on map MRCP-8 as "Commercial" shall be developed or redeveloped, or shall remain if previously so developed, for commercial and/or multi-family residential uses in accordance with Section 402.b below

2. Revise and amend the first sentence of Section 402(c), as follows:

Below Market Rate Dwelling Unit Standards (Except Hotel/Residential/Commercial and Commercial Use Category Categories)

3. Revise and amend the first sentence of Section 402(d), as follows:

Below Market Rate Dwelling Unit Standards (Hotel/Residential/ Commercial and Commercial Use Category Categories)

4. Revise and amend Section 402(d), as follows:

Every applicant shall submit a complete and detailed plan describing the creation, management and operation of Below-Market-Rate Dwelling Units (the "Affordability Plan") to the Commission and the Zoning Board for approval. The Mayor shall designate an Agency or Department of the City to provide oversight review of Affordability Plan compliance.

Each residential redevelopment, and each residential component of a mixed- or multi-use development, shall provide ~~on the site~~ not less than 9% of its residential

units as below-market rate affordable units according to the following: standards set forth in Article III, Section 9-I (Mill River District), subsection 7 (c) of the City of Stamford Zoning Regulations, as may be amended from time to time.

~~1. 4% of dwelling units to be developed on any site, in the same distribution of unit sizes as pertains to the entire proposed development, shall be affordable to households earning not more than 25% of the Stamford Area Median Income. In addition,~~

~~2. 3% of dwelling units to be developed on any site, in the same distribution of unit sizes as pertains to the entire proposed development, shall be affordable to households earning not more than 50% of the Stamford Area Median Income. In addition,~~

~~3. 2% of dwelling units to be developed on any site, in the same distribution of unit sizes as pertains to the entire proposed development, shall be affordable to households earning not more than 60% of the Stamford Area Median Income.~~

4. Below Market Rate Dwelling Units shall be well distributed among the market-rate units in any development, and shall be maintained as affordable for so long as the building and/or the development exists. ...

WHEREAS, no additional families, individuals or businesses will be relocated as a result of the Proposed Amendment; and

WHEREAS, there are no Redevelopers (as defined in Section 8-136 of the Connecticut General Statutes and Section 1001 of the Plan) affected by the Proposed Amendment; and

WHEREAS, the Commission has submitted the Proposed Amendment to this Board for its approval; and

WHEREAS, on July 28, 2010, the Planning Board has issued a written opinion confirming that the Plan and the Proposed Amendment are consistent with the plan of conservation and development of the City (Master Plan); and

WHEREAS, on July 30, 2010, the Commission approved the Proposed Amendment; and

WHEREAS, on July 28, 2010, the Land Use-Urban Redevelopment Committee of the Board of Representatives reported favorably to this Board on the Proposed Amendment; and

WHEREAS, members of this Board have personal knowledge of the Mill River Corridor Project Area and particularly the portion affected by the Proposed Amendment.

NOW, THEREFORE, be it resolved by the Board of Representatives of the City of Stamford, Connecticut that:

1. All of the findings, declarations and resolutions set forth in Resolution 2668 approving the Urban Redevelopment Plan for the Mill River Corridor Project and in Resolution 2881 approving the first amendment of the Plan, are hereby ratified, confirmed and made applicable to the Plan and are incorporated herein by reference as if fully set forth herein, except in so far as they are inconsistent with the terms of the Proposed Amendment.
2. It is hereby found and determined that:
 - a. The Plan as modified by the Proposed Amendment will continue to meet all of the requirements of Chapter 130 of the General Statutes of the State of Connecticut relative to urban redevelopment and renewal plans and includes sufficient details to give this Board adequate information.
 - b. The Project Area of the Plan, which will not be modified by the Proposed Amendment, is a redevelopment area as defined in Chapter 130 of the General Statutes of the State of Connecticut.
 - c. The carrying out of the Plan and Proposed Amendment will result in materially improving the conditions of the Project Area.
 - d. The Plan and Proposed Amendment do not displace families and in any event sufficient living accommodations are available within a reasonable distance of the Project Area or provided for in the Plan at prices or rentals within the financial reach of residents in the Project Area.
 - e. The Plan and Proposed Amendment are satisfactory as to site planning and relation to the plan of conservation and development of the City (the Master Plan).
 - f. The Planning Board has issued a written opinion confirming that the Plan and the Proposed Amendment are consistent with the plan of conservation and development of the City (the Master Plan).

- g. The public benefits resulting from the Plan and Proposed Amendment outweigh any private benefits.
 - h. The existing use of certain real property cannot be feasibly integrated into the overall Plan.
 - i. The Proposed Amendment does not require acquisition by eminent domain and any acquisition necessary for the implementation of the Plan is for public park purposes and affordable housing purposes.
 - j. The Plan and Proposed Amendment are not for the primary purpose of increasing local tax revenues.
 - k. The Plan and Proposed Amendment, to the greatest extent feasible, afford maximum opportunity consistent with the sound needs of the City of Stamford as a whole to redevelop the Mill River Corridor Project Area by private enterprise.
 - l. The Proposed Amendment does not change the general purposes or objectives of the Plan as previously adopted by this Board.
3. In order to implement and facilitate the carrying out of the Proposed Amendment, certain official actions must be taken by this Board as herein below provided and accordingly this Board hereby: (a) pledges its cooperation in helping to carry out the proposed Amendment; (b) requests the various officials, departments, boards and agencies of the City of Stamford likewise cooperate to such end and to exercise their respective function and powers in a manner consistent with the Proposed Amendment; and (c) stands ready to consider and take appropriate action upon the proposals and measures designed to effectuate the Proposed Amendment.

IT IS FURTHER RESOLVED that the Proposed Amendment of the Urban Redevelopment Plan for the Mill River Corridor Project is hereby approved and the Commission is hereby instructed to implement this action.

IT IS FURTHER RESOLVED that the Urban Redevelopment Plan for the Mill River Corridor Project, as modified by the Proposed Amendment (the "Amended Plan") be and hereby is in all respects approved and the Commission is authorized and directed to take all steps necessary to carry out the Plan as so amended, in an expeditious and timely manner, and to utilize all powers granted by any pertinent legislative enactment,

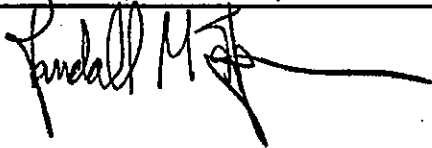
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including all powers vested in redevelopment agencies by Chapter 130 of the General Statutes of the State of Connecticut.

IT IS FURTHER RESOLVED that the Commission be and hereby is authorized and directed to furnish such documents and/or other information that may be required pursuant to the approval of the Proposed Amendment.

IT IS FURTHER RESOLVED (i) that the effective date of this resolution shall be upon passage; provided however, that, until such time as the proposed zoning text change is approved, the existing provisions of section 402.d of the Plan shall remain in effect.

This resolution was approved on the Consent Agenda at the regular monthly meeting of the 28th Board of Representatives held on Monday, August 2, 2010.



Randall M. Skigen, President



Annie M. Summerville, Clerk

cc: Mayor Michael Pavia
Donna Loglisci, Town & City Clerk
Ernie Orgera, Director of Operations
Fred Flynn, Director of Administration
Michael Larobina, Esq., Director of Legal Affairs
Rachel Goldberg, Esq., URC

EXHIBIT A

Proposed Text Change to the Stamford Zoning Regulations

Amend Article III, Section 9-I Mill River District (MRD), subsection 7, as follows:

7. Mixed-Use Commercial Development

In order to encourage land zoned C-G General Commercial to be developed for residential purposes, the following special standards shall apply to parcels that are zoned C-G for at least 50% of their site area and where commercial use does not exceed a floor area ratio of 0.30 and is limited to ground floor retail and service uses accessible to the general public:

- a) The total floor area ratio for all uses shall not exceed three (3.0), excluding ground floor retail and service uses and excluding portions of parking structures that do not exceed twenty-five (25) feet above grade (excluding parapet walls) and are suitably screened from pedestrian views.
- b) Building height shall not exceed 125 feet.
- c) The total area occupied by principal structures shall not exceed sixty-five percent (65%) of the site. Portions of parking structures and other accessory structures may cover an additional twenty percent (20%) of the site, as described in subsection 3(e) above.

ed) All projects shall satisfy the Below Market Rate (BMR) standards set forth in Subsection 5-Article III Section 7.4 above, except that the required number of BMR units shall be calculated as six nine percent (69%) of the total number of dwelling units at fifty percent (50%) of the Area Median Income pursuant to Article III Section 7.4-C-4(f).

~~Example: Site Area = 64,861 sq. ft. (C-G) + 18,566 sq. ft. (R-H)
Total MRD Dwelling Units = 244~~

~~Required BMR Units = 6% x 244 = 15 BMR units~~