

29TH BOARD OF REPRESENTATIVES CITY OF STAMFORD

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MARY L. FEDELI

RESOLUTION NO. 3778

RESOLUTION OF THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD, CONNECTICUT AMENDING THE REDEVELOPMENT AND URBAN RENEWAL PROJECT 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 Part I (Redevelopment and Part II (Urban Renewal) of Chapter 130 of the General Statutes of the State of Connecticut (hereinafter "Chapter 130") 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 Project Plan (the "Plan") for the Mill River Corridor Project (the "Project"), subject to the approval of this Board; and

WHEREAS, on November 7, 2001, the Board of Representatives of the City of Stamford, Connecticut, approved Resolution No. 2668, thereby approving the Plan for the Project; and

WHEREAS, a Redeveloper/Property Owner in the Mill River Corridor Project Area (the "Project Area"), has proposed an amendment to the Plan (the "Proposed Amendment), as described hereinbelow and as set forth in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, the Proposed Amendment submitted by the Redeveloper/Property Owner was posted on the Commission's website on or about November 2, 2015; and

WHEREAS, the Proposed Amendment submitted 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, there are no Redevelopers other than the Property Owner affected by the Proposed Amendment within the meaning of Connecticut General Statutes §8-136 and Section 1001 of the Plan; and

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

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

WHEREAS, the Proposed Amendment provides that:

1. Modify the location of reference to BMR requirements in Section 402.b.2.iii of the Plan; and
2. Modify the development standards in Section 402.b.2.iv of the Plan to refer to the Stamford Zoning Regulations; and
3. Modify the BMR requirements in Section 402.c of the Plan to require 10% of units as below-market-rate affordable units and utilize standards, definitions and procedures provided in the Stamford Zoning Regulations; and
4. Modify the proposed street discontinuance in Section 601.a.ii of the Plan to reflect discontinuance of the portion of Division Street between the western limit of Clinton Avenue and the Rippowam River; and
5. Delete language in Section 601.b.ii of the Plan creating a cul-de-sac at the westerly terminus of Division Street; and
6. Modify Map MRCP-7 to remove the cul-de-sac at the westerly terminus of Division Street from "land to be acquired for public use"; and
7. Modify Map MRCP-7 to include the portion of Division Street between the western limit of Clinton Avenue and the Rippowam River as "right-of-way to be discontinued"; and
8. Modify Map MRCP-8 to include the portion of Division Street between the western limit of Clinton Avenue and the Rippowam River as "Residential" and remove the cul-de-sac; and
9. Modify the list of Maps and Exhibits in Chapter 12 of the Plan to reflect the modifications to map MRCP-7 and Map MRCP-8.

WHEREAS, on December 1, 2015 following notice published in the Stamford Advocate (on November 19, 2015 and November 24, 2015), 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 Proposed Amendment had an opportunity to do so; and

WHEREAS, at the joint Public Hearing the Redeveloper/Property Owner and Commission staff presented, discussed and explained the Proposed Amendment and responded to all questions, comments and suggestions posed by members of this Board; and

WHEREAS, on November 23, 2015, the Planning Board issued a written opinion confirming that the Plan as modified by the Proposed Amendment is consistent with the plan of conservation and development of the City (the Master Plan); and

WHEREAS, on December 1, 2015, the Commission approved the Proposed Amendment, subject to the approval of this Board; and

WHEREAS, on December 1, 2015, 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 portions 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, as amended to date, 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. The eligibility conclusions contained in Section 103 of the Plan and in Resolution 2668 of this Board, finding that the Project Area, as expanded, qualifies as a Redevelopment and Urban Renewal area pursuant to the provisions of Chapter 130, remain correct and appropriate.
3. 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 Part I (Redevelopment) and Part II (Urban Renewal) 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 and urban renewal area as defined in Part I (Redevelopment) and Part II (Urban Renewal) of 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 comprehensive or general plan (Master Plan) of the City of Stamford.
 - 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, affords 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.
4. In order to implement and facilitate the carrying out of the Plan and 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 Plan and Proposed Amendment; (b) requests the various officials, departments, boards and agencies of the City of Stamford likewise to cooperate to such end and to exercise their respective function and powers in a manner consistent with the Plan and Proposed Amendment; and (c) stands ready to consider and take appropriate action upon the proposals and measures designed to effectuate the Plan and 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 Plan is hereby amended and restated as set forth in Exhibit A attached hereto, and the Commission is hereby instructed to substitute the revised Plan provisions and Maps implementing this action.

IT IS FURTHER RESOLVED, that the Plan for the Mill River Corridor Project, as modified by the Proposed Amendment be and hereby is in all respects approved as a redevelopment and urban renewal plan 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, including all powers vested in redevelopment agencies by Part I (Redevelopment) and Part II (Urban Renewal) of 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, that the effective date of this resolution shall be December 7, 2015.

This resolution was approved on the Consent Agenda at the Regular Monthly Meeting of the 29th Board of Representatives held on Monday, December 7, 2015.



Randal M. Skigen, President
29th Board of Representatives



Annie M. Summerville, Clerk
29th Board of Representatives

cc: Mayor David R. Martin
Ernie Orgera, Director of Operations
Michael Handler, Director of Administration
Kathryn Emmett, Esq., Law Department
Ted Jankowski, Director of Public Safety, Health & Welfare
Jay Fountain, Director of OPM
Thomas Madden, Director of Economic Development
Donna Loglisci, Town Clerk

Exhibit A

Proposed Text and Map Changes to the Mill River Corridor Project Plan

Amend the following subsections of Section 402 by adding the language in red and highlighted and deleting the stricken language:

Section 402. Redevelopment Standards and Regulations

a. Standards and Regulations Applicable to all lands and redevelopment

- (i) In addition to all approvals otherwise required by the City of Stamford (such as but not limited to Coastal Area Management, Zoning Board Site Plan, Building and Fire Prevention Code, etc.), any development or redevelopment within the boundaries of the Mill River Corridor Project shall be subject to the review by the Urban Redevelopment Commission pursuant to §404, below, for conformity with the requirements of this Project Plan, and specifically with the standards and regulations applying to respective development sites and with the design guidelines set forth in Section 403, below. Developers are advised to pursue approvals concurrently so as to maximize the coordination among the several approving bodies.
- (ii) All site plans, architectural plans and drawings and such other documentation prepared in relation to the proposed physical development of each development site, including all public spaces, shall be consistent with this Project Plan and with the design guidelines listed herein. While proposed redevelopers are given latitude in concept, design and layout within the standards and guidelines specified in this Plan and the City's Zoning Regulations, all structures, facilities, other improvements and public areas must reflect distinguished architectural expression and techniques in order to assure attractiveness, quality and permanence, and to produce a coherent residential community.

b. Standards and Regulations Applicable to Specific Development and Redevelopment Sites

1. Residential, Residential-Assisted Housing and Residential/ Commercial lands

- (i) The minimum area of a redevelopment site shall be thirty-thousand (30,000) square feet, except for sites intended for redevelopment by, for or in cooperation with the Stamford Housing Authority and/or the City as residences for low-or moderate-income elderly and/or families and/or disabled persons. In general, sites should encompass development blocks delineated on Map MRCP-8, Prop. Land Use.
- (ii) Uses shall be as follows:
 - (a) Attached one- and two-family homes
 - (b) Apartment building
 - (c) Professional offices opening directly to the public street.

(d) On sites with frontage on West Main Street, Clinton Avenue, the southerly side of Main Street or the westerly side of Washington Boulevard only, retail and personal service establishments opening directly to the public street.

(iii) Below-Market-Rate Dwelling Unit Standards shall apply as described in Section 402.c., below.

(iv) Unless otherwise restricted by the requirements above, all development within the Mill River Project Plan Boundary shall conform to the standards set forth in Article III, Section 9-I (Mill River District) of the Stamford Zoning Regulations, as may be amended from time to time.

~~(iii) The maximum residential density shall be seventy five (75) dwelling units to the acre (minimum 580 square feet of lot area per dwelling unit). On parcels intended for redevelopment by, for or in cooperation with the Stamford Housing Authority and/or the City as residences that are designated solely for low or moderate income elderly and/or disabled persons, the maximum density shall be not greater than one hundred twenty five (125) units per acre (minimum 350 square feet of lot area per dwelling unit). This specifically excludes private sector development which provides affordable housing in the ratios set forth in §402.c and d., hereof.~~

~~The maximum non residential density shall be a floor area ratio of 0.30.~~

~~Density computations shall be made prior to and shall survive the conveyance, if any, to the City of lands for park and/or right of way purposes.~~

~~(iv) The maximum height of buildings shall be seven (7) stories or seventy five (75) feet except:~~

~~(a) Buildings on the westerly side of Clinton Avenue to a depth of seventy five (75) feet west of the westerly right of way line of Clinton Avenue shall not exceed five (5) stories or fifty (50) feet above the average height of the curb. Beyond seventy five (75) feet west of the westerly right of way line of Clinton Avenue, buildings shall not exceed three (3) stories or forty (40) feet above the average height of the curb.~~

~~(b) Buildings fronting on the westerly side of Mill River Street shall not exceed eight (8) stories or ninety (90) feet above the average height of the curb.~~

~~(c) Buildings fronting on the easterly side of Schuyler Avenue shall not exceed five (5) stories or fifty (50) feet above the average height of the curb.~~

~~(v) To serve residential development, except for development by, for or in cooperation with the Stamford Housing Authority and/or the City, a~~

~~minimum of one hundred (100) square feet of usable open space per dwelling unit shall be provided on-site, which open space may be at-grade or as specified in (vi), below. On sites which directly abut public open space in the Mill River corridor, this requirement may be waived.~~

- ~~(vi) — The total area occupied by principal structures may not exceed sixty percent (60%) of the site. Accessory structures may occupy an additional twenty five percent (25%) of the site, provided that the site coverage of all structures shall not exceed eighty five percent (85%) and that accessory parking structures do not exceed twenty five (25) feet in height above the average grade excluding parapet walls, and include a landscaped roof with direct access for the benefit of the residents of the development as useable open space. Parking structures in compliance with this provision shall not be included in the computation of site coverage.~~
- ~~(vii) — Buildings shall be set back not less than five (5) feet and not more than fifteen (15) feet from the right-of-way line of any street.~~
- ~~(viii) — The parking standards of § 12-D of the Zoning Regulations shall apply, except as otherwise provided herein. There shall be a minimum residential off-street parking requirement of one and one-quarter (1.25) spaces for each residential unit. Parking for non-residential uses shall be subject to determination by the Zoning Board and may be shared where the hours of the use of stalls would not be in conflict. The potential for shared use of parking stalls shall constitute an additional standard for consideration of parking reduction. A portion of required parking may be provided off-site provided a determination is made by the Zoning Board that the location and availability of said parking is satisfactory.~~
- ~~(ix) — The principal entrance and/or lobby of every building shall be accessed directly from the abutting public sidewalk. Portals serving interior courtyards and private open spaces shall be secondary only.~~
- ~~(x) — Below Market Rate Dwelling Unit Standards shall apply as described in Section 402.c., below.~~

[SUBSECTION 2, HOTEL/RESIDENTIAL/COMMERCIAL AND SUBSECTION 3, COMMERCIAL AND PUBLIC LANDS TO REMAIN UNCHANGED]

c. Below Market Rate Dwelling Unit Standards (Except Hotel/ Residential/Commercial Use Category)

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 redevelopment, shall provide ~~on-the-site~~ not less than **10%** ~~12%~~ of its residential

units as below-market-rate affordable units in accordance with the standards, definitions and procedures contained in Article III, Section 7.4 of the Zoning Regulations, as may be amended from time to time, according to the following:

- ~~1. 5% 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. 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 50% of the Stamford Area Median Income. In addition,~~
- ~~3. 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 60% of the Stamford Area Median Income.~~
4. The below-market-rate 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. In the event of development as, or conversion to, for-sale housing, provisions shall be made in deeds to carry out and effectuate this obligation, which provisions shall be subject to the review and approval of the chief legal officer of the City of Stamford.

Reference is directed to the "Survey of Current Population and Housing" which is annexed to this Project Plan as *Exhibit B*. Each redevelopment must demonstrate how it contributes to the fulfillment of the requirements for affordable housing as set forth in *Exhibit B*.

Units set aside as below-market-rate affordable pursuant to this §402.c. shall be fully interchangeable with market-rate units of comparable configuration (e.g. 2-bedroom) as to square footage, appliances and amenities provided. Below-market-rate units shall include parking spaces in conformity with the applicable requirements of the use area in which they are located.

In addition, this Project Plan contemplates that housing affordable to low- and moderate-income households will be provided via public and public-private not-for-profit initiatives in and near the corridor project.

[REMAINDER OF CHAPTER 4 AND CHAPTER 5 ARE UNCHANGED]

Chapter 6.

STREETS, UTILITIES, FACILITIES

Section 601. Streets

- a. The Project Plan contemplates no major modifications in the existing street system of the Mill River Corridor Project. Six street discontinuances are proposed, as indicated on Map No. MRCP-7 and described as follows:

- (i) That portion of North State Street between the southbound entrance ramp of the Connecticut Turnpike (I-95) east of Washington Boulevard and the intersection of Richmond Hill Avenue with Clinton Avenue [completed];
 - (ii) The westerly-most portion of Division Street extending from the western limit of Clinton Avenue to approximately 70 to 80 feet in length, of Division Street where it dead-ends at the Rippowam River;
 - (iii) Part of that portion of West Park Place west of the westerly right-of-way line of Washington Boulevard, in connection with the re-alignment of West Park Place;
 - (iv) The northerly portion of Mill River Street resulting from the relocation of that section of the street westward;
 - (v) The westerly portion of Whittaker Place;
 - (vi) All of Rippowam Place between Main Street and Washington Boulevard.
- b. The Project Plan contemplates minor adjustments in public rights-of-way as indicated on Map No. MRCP-7 and described as follows:
- (i) The “rounding” of property corners at the intersections so that the right-of-way may provide for a public sidewalk at each corner. Such “rounding” generally calls for a curve of a radius not less than 15-feet connecting right-of-way lines at corners;
 - ~~(ii) The creation of a cul-de-sac at the new westerly terminus of Division Street;~~
 - ~~(iii)~~ (ii) The realignment westward of West Main Street south of its intersection with Mill River Street, Smith Street and Greenwood Hill Street, to ease the curve at the westerly approach to the Main Street bridge over the Rippowam River.

[REMAINDER OF CHAPTER 6 IS UNCHANGED]

Chapter 12.

MAPS & EXHIBITS

The following exhibits are included in and are part of this Project Plan:

Project Boundary	MRCP-1	Dated April 3, 2001
Project Boundary Extension North	MRCP-1a	Dated April 1, 2013
Project Boundary Extension South	MRCP-1b	Dated April 1, 2013
Existing Conditions:		
Land Use	MRCP-2	Dated April 3, 2001
Zoning	MRCP-3	Dated April 3, 2001
100 – Year Floodplain	MRCP-4	Dated April 3, 2001
100 – Year Floodplain Extension North	MRCP-4a	Dated April 1, 2013
100 – Year Floodplain Extension South	MRCP-4b	Dated April 1, 2013
Conditions of Buildings & Land	MRCP-5	Dated April 3, 2001
Automotive Use Properties	MRCP-6	Dated April 3, 2001

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Land Acquisition	MRCP-7	Dated April 3, 2001
Proposed Land Use	MRCP-8	Dated February 6, 2006
Proposed Land Use Extension North	MRCP-8a	Dated April 1, 2013
Proposed Land Use Extension South	MRCP-8b	Dated April 1, 2013

[REMAINDER OF PROJECT PLAN TEXT IS UNCHANGED]