

MINUTES OF THE SPECIAL MEETING
CITY OF STAMFORD, CONNECTICUT
URBAN REDEVELOPMENT COMMISSION
FRIDAY, JULY 30, 2010

1. At 3:07pm, Chairman Stephen C. Osman called the special meeting to order. The following were in attendance:

Commissioners:

Stephen C. Osman, Chairman
James I. Nixon, Vice Chairman
Joel P. Mellis, Secretary/Treasurer
Robert S. Robins
Jackie Heftman

Staff:

Christopher L. Bergstrom, Executive Director
Rachel Goldberg, General Counsel
Durelle Alexander

Attendees:

William J. Hennessey, Jr. Esquire, Sandak Hennessey & Greco
Jackie N. Olschan-Kaufman, Esquire, Sandak Hennessey & Greco
Elizabeth Kim, Stamford Advocate

2. Mill River Corridor

(a) **Proposed Amendments to the Mill River Plan** - Commissioners Heftman and Mellis stated, for the record, that they had read the transcript of the Joint Public Hearing held on Wednesday, July 28, 2010. Attorney Goldberg distributed a draft resolution. She noted that the changes to the affordable housing regulation do not go into effect until the Zoning Board approves the proposed text change to the zoning regulations. Commissioner Mellis asked, "Any idea when that change will be approved by the Zoning Board?" Attorney Hennessey responded, "Probably some time in October."


A brief discussion ensued. The Chairman asked Attorney Goldberg to point out the commercial properties affected by the proposed amendment, permitting development of multi-family residential uses on all properties in the commercial land use category. Attorney Goldberg responded, "RBS, all properties south of the newly-aligned Richmond Avenue, two office buildings to the north between Richmond & Division, and the Advocate property. On the north side of West Broad Street, the other commercially designated properties are the Nine West building and the Getty Station on the corner."

Following further discussion, Commissioner Robins made a motion to approve the "Resolution of the City of Stamford, Connecticut, Urban Redevelopment Commission, Amending the Urban Redevelopment Plan for the Mill River Corridor Project," dated July 30, 2010 and presented on this date. A copy is attached as part of these official minutes. The motion was seconded by Commissioner Nixon. Following discussion, the question was called. The motion was passed unanimously.

3. Adjournment

There being no further business before the Board, Commissioner Nixon made a motion to adjourn. The motion was carried by unanimous vote and the meeting was adjourned at 3:29pm.

Respectfully submitted,


Joel P. Mellis
Secretary/Treasurer

RESOLUTION NUMBER 436
RESOLUTION OF THE CITY OF STAMFORD, CONNECTICUT
URBAN REDEVELOPMENT COMMISSION 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) recategorize 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, the Commission has caused the Proposed Amendment to be submitted to the Board of Representatives for its review and approval; 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 9-1 (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 (the Master Plan); and

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

WHEREAS, it is in the public interest, consistent with the historical use of the properties in the Mill River Corridor Project Area and consistent with the Plan and with Chapter 130 of the General Statutes of the State of Connecticut to so amend the Plan; and

NOW, THEREFORE, be it resolved by the City of Stamford, Connecticut Urban Redevelopment Commission, that:

1. All of the findings, declarations and resolutions approving the Urban Redevelopment Plan for the Mill River Corridor Project and approving previous amendments 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 Commission 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. Subject to the approval of the Board of Representatives of the City of Stamford, Connecticut, the Urban Redevelopment Plan for the Mill River Corridor Project shall be amended as described hereinabove.

This resolution shall become effective upon the approval of the Proposed Amendment by the Board of Representatives of the City of Stamford, Connecticut; 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.

Approved 

Stephen C. Osman, Chair

July 30, 2010

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~~