

# **MILL RIVER CORRIDOR PROJECT PLAN**

**The City of Stamford, CT.  
Hon. David R. Martin, Mayor**

**The Stamford Urban Redevelopment  
Commission**

**Christopher D. Meek, Chairman  
Peter Sciarretta, Vice Chairman  
Michaëlle Jean-Pierre, Secretary/Treasurer  
Taylor R. Molgano  
Mayra M. Rios**

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# MILL RIVER CORRIDOR PROJECT PROJECT PLAN

## PREFACE

The Mill River Corridor Project is an ambitious "vision" of how the area bounded generally by I-95 on the south, Greenwich Avenue, West Main Street, Mill River Street and Schuyler Avenue on the west, the north limit of the UCONN parking garage property on the north, and Washington Boulevard on the east, might be redeveloped. It is the outgrowth of the Mill River Corridor Study prepared by Sasaki Associates with Economics Research Associates under contract to the City's Land Use Bureau. This intensive six-month planning process included significant public involvement and was concluded in January, 1998.

The project contemplates the addition of some 19 acres of parkland along both sides of the Rippowam (Mill) River, and the upgrading of 7 acres of existing parkland. In addition, it calls for the redevelopment by large-scale commercial uses at the south end of the corridor and along Washington Boulevard near the north end of the corridor, and the replacement of much of the low - and medium - density existing housing with higher density residential redevelopment. This residential redevelopment could more than double the number of residences in the corridor, providing desired close-in housing near the Central Business District and a residential "constituency" overlooking the new parkland.

The Sasaki/ERA Corridor Study suggests that several elements of public intervention and action will be needed to carry out its "vision." In addition to ordinary municipal capital and operating budget provisions, the plan recommends public assistance in assembling sites for private redevelopment and it recommends the use of Tax Increment Financing to supplement the City's capital budget allocations for the park development and other plan elements.

While the Mill River Corridor Study clearly anticipates that the commercial and residential redevelopment will be the responsibility of the private sector, it contemplates that the private sector alone will be unable to carry out the plan without various forms of public support. However, with that support, it is expected that not only will the quality and diversity called for in the plan be forthcoming, but that the assisted private sector will be able and willing to create and/or support some of the public facilities and amenities that otherwise would be solely public obligations. Public support is contemplated in terms of an organized implementation effort, physical improvements, and, especially, incentive zoning amendments.

One of the principal objectives of the Mill River Corridor Project is the replacement and expansion of the inventory of housing in the area affordable to and occupied by low- and moderate-income residents. This Project Plan contemplates that, through requirements for percentage set-asides in the zoning for the corridor as well as through redevelopments by not-for-profit housing developers and the Stamford Housing Authority, there will be more residences in and near the corridor affordable to low- and moderate-income households than existed at the inception of the project.

The Corridor Study recommends public assistance in the assembly of private redevelopment sites, and it recommends the use of Tax Increment Financing as a mechanism for funding implementation activities. The state laws provide for these activities to be undertaken through the Urban Redevelopment Commission (Chapter 130), the “redevelopment agency” (Chapter 132) or the “implementing agency” (Chapter 588L).

The City has previously assigned to the URC responsibility under the Urban Redevelopment and Urban Renewal statute (Chapter 130); the Municipal Development Projects statute (Chapter 132); and the Economic Development and Manufacturing Assistance statute (Chapter 588L). The specific conditions in the area of the Corridor Study and the specific redevelopment recommendations in that study have resulted in a finding by the Commission that the Mill River Corridor Project qualifies as a redevelopment and urban renewal area under Chapter 130.

By designating this project area as a redevelopment and urban renewal area, the City, acting through the Urban Redevelopment Commission as well as independently, will be able to undertake a variety of actions that will facilitate the replacement of blighted, deficient and obsolete buildings and inappropriate and incompatible uses of land that have been found in this portion of the corridor. The project will permit the creation of new housing and commercial uses along with a linear park along both sides of the Rippowam (Mill) River and a “Commons” connecting the riverfront with Columbus Park, Old Town Hall and Veteran’s Park in the heart of downtown. Achieving these goals is the purpose of this plan. Implementation of this plan, which is consistent with the City’s Master Plan, will revitalize this section of the City and will help to improve the connections between the central business district and the West Side neighborhood.

**Chapter 1.**  
**PROJECT AREA**

**Section 101. Boundary Description**

The boundaries of the Project area, located in the City of Stamford, State of Connecticut, are shown on Map No. MRCP-1, Boundary Description, dated 16 September '98, attached hereto, and are described as follows:

All that certain tract, piece or parcel of land situated, lying and being in the City of Stamford, County of Fairfield and State of Connecticut, said land being bounded and described as follows:

BEGINNING at a point on the westerly right-of-way line of Washington Boulevard, which point represents the intersection of the northerly property line of the University of Connecticut, which property is improved with the parking structure for the UCONN Stamford Campus (lot no. 0007047 of the Tax Assessor Map of the City of Stamford), with the westerly right-of-way line of Washington Boulevard, and proceeding and continuing west along an extension of the aforesaid northerly property line across the Rippowam River to the easterly property line of lot no. 0004131;

Thence, in a southerly direction along the easterly property lines of lots no. 0004131, 0021439, and 0019249 to the northerly property line of property known as "9 West Broad Street" (lot no. 0023729);

Thence along the northerly property line of 9 West Broad Street to a point on the easterly right-of-way line of Hanrahan Street;

Thence, northerly along the easterly right-of-way line of Hanrahan Street to a point opposite the northerly property line of lot no. 0018652;

Thence, westerly across Hanrahan Street and along the northerly property line of lots no. 0018652 and 0018653 to a point at the northwesterly corner of said lots;

Thence, in a southerly direction along the westerly property line of lots no. 0018652 and 0018653 to the northerly property line of lot no. 0008494;

Thence, in a westerly direction along the northerly property line of lot no. 0008494, and said line extended to the west, to the westerly right-of-way line of Adams Avenue;

Thence, in a southerly direction along the westerly right-of-way line of Adams Avenue, and the southerly extension of said line, to the southerly right-of-way line of West Broad Street;

Thence, easterly along the southerly right-of-way line of West Broad Street to the westerly right-of-way line of Schuyler Avenue;

Thence, southerly along the westerly right-of-way line of Schuyler Avenue to a point opposite the intersection of the easterly right-of-way line of Schuyler Avenue with the southerly property line of lot no. 0008892;

Thence, easterly along the westerly extension of the southerly property line of lot no. 0008892 to the easterly right-of-way line of Schuyler Avenue;

Thence, easterly along the southerly property line of lot no. 0008892 to the westerly property line of lot no. 0022076;

Thence, in a southerly direction along the westerly property line of lot no. 0022076 and lot no. 0007789 to the southwest corner of lot no. 0007789;

Thence, easterly along the southerly property line of lot no. 0007789 to the westerly right-of-way line of Mill River Street;

Thence, southerly along the westerly right-of-way line of Mill River Street to the intersection of the westerly right-of-way line of Mill River Street with the northerly right-of-way line of Smith Street;

Thence, across Smith Street to the point of intersection of the southerly right-of-way line of Smith Street with the northerly right-of-way line of Greenwood Hill Street;

Thence, in a westerly direction along the northerly right-of-way line of Greenwood Hill Street to a point opposite the intersection of the westerly property line of lot no. 0018849 with the southerly right-of-way line of Greenwood Hill Street;

Thence, in a southerly direction across Greenwood Hill Street along the northerly extension of the westerly property line of lot no. 0018849 to the southerly right-of-way line of Greenwood Hill Street;

Thence, southerly along the westerly property line of lot no. 0018849 to the northerly property line of lot no. 0008045 and lot no. 0008046;

Thence, westerly and southerly along the northerly property line of lot no. 0008045 and lot no. 0008046 and the westerly property line of lot no. 0008045 to the northerly property line of lot no. 0026917;

Thence, westerly and southwesterly along the northerly property line of lot no. 0026917 to the westerly corner of said lot no. 0026917;

Thence, southeasterly and southerly along the westerly property lines of lots no. 0026917, 0024862, 0024863, and 0012612 to a point;

Thence, southerly along the westerly property lines of lots no. 0012612 and 0008792 to the northerly property line of lot no. 0023912;

Thence, southwesterly, southeasterly and southwesterly along the northerly property line of lot no. 0023912 to the easterly right-of-way line of Stillwater Avenue;

Thence, southwesterly along the southwesterly extension of the northerly property line of lot no. 0023912 across Stillwater Avenue to the westerly right-of-way line of Stillwater Avenue;

Thence, southeasterly along the westerly right-of-way line of Stillwater Avenue, and the southeasterly extension of the westerly right-of-way line of Stillwater Avenue across West Main Street to a point on the southerly right-of-way line of West Main Street;

Thence, easterly along the southerly right-of-way line of West Main Street and along a curve to the right connecting the southerly right-of-way line of West Main Street with the westerly right-of-way line of Greenwich Avenue to the westerly right-of-way line of Greenwich Avenue;

Thence, in a generally southerly direction along the westerly right-of-way line of Greenwich to the northerly right-of-way line of lands of the State of Connecticut Department of Transportation (I-95);

Thence, in a northeasterly direction along the northerly right-of-way line of I-95, across Greenwich Avenue and across the Rippowam River to the southerly right-of-way line of North State Street;

Thence, easterly along the southerly right-of-way line of North State Street to the easterly right-of-way line of Washington Boulevard;

Thence, in a northerly direction along the westerly right-of-way line of Washington Boulevard, and continuing in a generally northerly direction along the westerly right-of-way line of Washington Boulevard, the POINT OF BEGINNING.

**Section 101.A. Boundary Description – Extension North**

The boundaries of the Project area Extension North, located in the City of Stamford, State of Connecticut, are shown on Map No. MRCP-1a., Boundary Description Extension North, dated April 1, 2013, attached hereto, and are described as follows:

All that certain tract, piece or parcel of land situated, lying and being in the City of Stamford, County of Fairfield and State of Connecticut, said parcel being depicted on a map entitled “Compilation Plan Depicting Mill River Corridor Extension North in Stamford, Connecticut prepared for City of Stamford”, prepared by Rocco V. D’Andrea Inc., and dated April 1, 2013, said parcel being more particularly bounded and described as follows:

Beginning at a point on the easterly street line of Hanrahan Street, where the same is intersected by the division line between the parcel herein described and land of Rose C. Graham, Et Al, now or formerly, then running north along said street line

North 16°05’36” West, a distance of 62.30 feet

to the point formed by the intersection of the easterly street line of Hanrahan Street with the southerly street line of Green Street, then running across Green Street

North 7°06’00” West, a distance of 27.02 feet

to the intersection of the northerly street line of Green Street with the division line between Parcels “A” and “B” on map numbered 11982 in the Stamford Land Records, then turning and running along said division line the following courses and distances:

North 5°49’11” West, a distance of 49.29 feet;

North 6°50’11” West, a distance of 58.83 feet

to the division line between Parcel “A” on Map No. 11982 and Parcel “A-2” on Map No. 12259 in the Stamford Land Records, then turning and running along said division line

South 81°14’54” West, a distance of 3.05 feet

to the division line between the parcel herein described and land of the City of Stamford, Hart Elementary School, Cloonan Middle School, and Parcel “A-3” on map numbered 12295 in the Stamford Land Records, then turning and running along said division line the following courses and distances:



North 26°34'05" West, a distance of 98.73 feet;

An Arc distance of 111.53 feet, along a circular curve to the right, and having a radius of 285.30 feet;

North 4°10'15" West, a distance of 45.29 feet;

North 3°08'45" West, a distance of 272.45 feet

to the southerly street line of West North Street, then running across West North Street and through land of the City of Stamford, Cloonan Middle School, the following courses and distances:

North 3°35'35" West, a distance of 182.93 feet;

North 8°22'01" West, a distance of 254.18 feet;

North 29°29'35" East, a distance of 150.47 feet;

North 30°29'17" East, a distance of 3.28 feet

to the division line between the parcel herein described and land of the State of Connecticut, Wright Technical School, on map numbered 6034 in the Stamford Land Records, then turning and running along said division line the following courses and distances:

North 79°46'15" East, a distance of 10.47 feet;

North 28°34'15" East, a computed distance of 214.63 feet

to a point, then turning and running through land of the State of Connecticut, Wright Technical School, on map numbered 6034 in the Stamford Land Records, and land of the City of Stamford, each in part, the following courses and distances:

North 61°25'45" West, a distance of 0.76 feet;

North 30°29'17" East, a distance of 5.95 feet;

North 25°25'08" East, a distance of 126.76 feet;

North 51°28'31" East, a distance of 104.82 feet;

South 51°02'52" East, a distance of 23.55 feet;

North 59°40'53" East, a distance of 168.49 feet;

North 56°38'15" East, a distance of 271.04 feet;

North 85°20'34" East, a distance of 57.38 feet

to the Westerly street line of Washington Boulevard, then turning and running along said street line, the following courses and distances:

South 14°43'43" East, a distance of 32.16 feet;

an Arc distance of 5.23 feet, along a circular curve to the right, and having a radius of 2598.68 feet;

to the division line between the parcel herein described and land of the City of Stamford, then turning and running along said division line the following courses and distances:

South 78°37'48" West, a distance of 60.73 feet;  
South 36°52'45" West, a distance of 45.89 feet;  
South 6°14'53" East, a distance of 30 feet, more or less

to the edge of the Mill River or Rippowam River, then turning and running southerly along said river, and along land of Victor St. Clair Wright, and Arlene F. Benedict, now or formerly, each in part

a distance of 165 feet, more or less,

then continuing along said river, and being the division line between the parcel herein described and various owners (18 Court Street Condominiums) on map numbered 11364 in the Stamford Land Records

South 57°59'37" West, a distance of 63.53 feet

then continuing along said river, and being the division line between the parcel herein described and land of Franklin Ferreras, Joseph G. Capone, Joseph G. Capone, Jr., and Court St. Realty Inc., now or formerly, each in part

a distance of 569 feet more or less

to land of Strawberry Business Center, LLC, Alexis D. Waters, and George Stout, now or formerly, each in part, and being Plots "A" and "B" on map numbered 3247 in the Stamford Land Records, then running along said plots the following courses and distances:

South 42°36'37" West, a distance of 22.36 feet;  
South 36°19'07" West, a distance of 27.03 feet;  
South 29°34'57" West, a distance of 24.92 feet;  
South 14°40'37" West, a distance of 17.27 feet;  
South 20°11'37" West, a distance of 30.68 feet;  
South 2°29'07" West, a distance of 35.46 feet;  
South 5°40'23" East, a distance of 22.53 feet

to various owners (Essex House Condominium) on map numbered 12485 in the Stamford Records; then turning and continuing along the Mill River or Rippowam River the following courses and distances;

South 79°36'47" West, a distance of 3 feet, more or less;

a distance of 305 feet, more or less

to land of the Housing Site Development Agency of the City of Stamford, now or formerly, on maps numbered 10780 and 10985 in the Stamford Land Records, then continuing along the Mill River, or Rippowam River, the following courses and distances:

South 5°35'31" East, a distance of 27.60 feet;  
South 8°21'31" East, a distance of 20.30 feet;  
South 0°54'31" East, a distance of 29.00 feet;  
South 11°26'29" West, a distance of 13.50 feet;  
South 8°54'31" East, a distance of 8.00 feet;  
South 11°44'29" West, a distance of 27.51 feet;  
South 8°33'19" West, a distance of 18.80 feet

to land of Pilgrim Towers, Inc., now or formerly, on map numbered 3080 in the Stamford Land Records, then turning and continuing along land of Pilgrim Towers, Inc., Anthony Kolich, Pandora Kolich, Atusta Lorius, and AJS Management, LLC, now or formerly, each in part, and being the easterly edge of the Mill River or Rippowam River, the following courses and distances:

South 87°40'29" West, a distance of 8 feet, more or less;  
a distance of 675 feet, more less

to land of the State of Connecticut, map numbered 9278 in the Stamford Land Records, then continuing along the following courses and distances:

South 29°13'35" East, a distance of 20.65 feet,  
South 36°36'35" East, a distance of 134.40 feet

to a point, then turning and crossing the Mill River or Rippowam River

South 76°07'10" West, a distance of 46 feet more or less

to land of the Estate of Eugene Rizzi, now or formerly, on map numbered 3267 in the Stamford Land Records, then turning and running northerly along land of said Rizzi, Theresa M. Siviglia, Gennaro Siviglia, Enid Williams, and Rose C. Graham, Et Al, now or formerly, each in part, and being the westerly edge of the Mill River or Rippowam River

a distance of 237 feet, more or less

the division line between the parcel herein described and land of Rose C. Graham, Et Al, now or formerly, then turning and running along said division line

South 75°50'24" West, a distance of 102 feet, more or less

to the point or place of beginning, containing 5.01 Acres, more or less.

**Section 101.B. Boundary Description – Extension South**

The boundaries of the Project area Extension South, located in the City of Stamford, State of Connecticut, are shown on Map No. MRCP-1b, Boundary Description Extension South, dated April 1, 2013, attached hereto, and are described as follows:

All that certain tract, piece or parcel of land situated, lying and being in the City of Stamford, County of Fairfield and State of Connecticut, said parcel being depicted on a map entitled "Compilation Plan Depicting Mill River Corridor Extension South in Stamford, Connecticut prepared for City of Stamford", prepared by Rocco V. D'Andrea Inc., and dated April 1, 2013, said parcel being more particularly bounded and described as follows:

Beginning at a point on the Southerly street line of Pulaski Street, where the same is intersected by the division line between the parcel herein described and land of O & G Industries, now or formerly, then running north along the Mean High Water Line of Stamford Harbor, and also being the westerly edge of the Mill River or Rippowam River,

a distance of 55 feet, more or less,

to the northerly street line of Pulaski Street and the easterly street line of Greenwich Avenue, each in part, then turning and running along said street line the following courses and distances:

North 83°21'31" West, a distance of 40.25 feet;

An Arc distance of 33.02 feet, along a circular curve to the right, and having a radius of 272.22 feet;

North 76°24'31" West, a distance of 31.81 feet;

An Arc distance of 65.40 feet, along a circular curve to the right, and having a radius of 69.46 feet;

An Arc distance of 74.49 feet, along a circular curve to the right, and having a radius of 312.27 feet;

North 8°47'41" West, a distance of 60.62 feet;

An Arc distance of 28.69 feet, along a circular curve to the right, and having a radius of 80.43 feet;

North 11°38'39" East, a distance of 192.82 feet;

North 8°14'59" East, a distance of 87.43 feet;

South 81°45'01" East, a distance of 1.11 feet;

North 7°49'29" East, a distance of 5.62 feet

to the division line between the parcel herein described and land of Fairfax First Stamford L.L.C., now or formerly, and also being Parcel 3, on map numbered 11364 in the Stamford Land Records, then turning and running along said division line,

North 64°00'59" East, a distance of 150 feet, more or less

to the edge of the Mill River or Rippowam River, then turning and running northerly along said river,

a distance of 55 feet, more or less,

and continuing along the division line between the parcel herein described and land of Fairfax First Stamford L.L.C., now or formerly, and also being Parcel 3, on map numbered 11364 in the Stamford Land Records, the following courses and distances:

South 67°42'59" West, a distance of 51 feet, more or less,

South 74°50'29" West, a distance of 66.00 feet

to the Easterly street line of Greenwich Avenue, then turning and running along said street line

North 5°09'49" East, a distance of 97.84 feet

to the division line between the parcel herein described and land of Fairfax First Stamford L.L.C., now or formerly, and also being Parcel 2, on map numbered 11364 in the Stamford Land Records, then turning and running along said division

line the following courses and distances:

an Arc distance of 49.01 feet, along a circular curve to the left, and having a radius of 25.00 feet;

North 67°44'07" East, a distance of 55 feet, more or less,

to the edge of the Mill River or Rippowam River, then turning and running northerly along said river,

a distance of 110 feet, more or less,

and continuing along the division line between the parcel herein described and land of Fairfax First Stamford L.L.C., now or formerly, and also being Parcel 2, on map numbered 11364 in the Stamford Land Records, then turning and running along said division line,

South 68°45'27" West, a distance of 106 feet, more or less,

to the easterly street line of Greenwich Avenue, then turning and running along said street line the following courses and distances:

an Arc distance of 116.96 feet, along a circular curve to the left and having a radius of 861.05 feet;

North 8°48'21" West, a distance of 40.97 feet;

North 6°36'51" West, a distance of 17.65 feet;

North 8°52'11" West, a distance of 37.26 feet

to the Non-Access Highway Line of the Connecticut Turnpike; then turning and running along said Connecticut Turnpike the following courses and distances;

South 81°08'15" East, a distance of 0.29 feet;

North 68°40'55" East, a distance of 266 feet, more or less

to the easterly edge of the Mill River or Rippowam River, then turning and running southerly along the Mean High Water Line of said river, through land of the State of Connecticut, and the City of Stamford, along Parcels A-1, A-2", B-1 on map numbered 14508 in the Stamford Land Records, along land of The Koproski Family Foundation, and the City of Stamford, now or formerly, each in part,

a distance of 1,598 feet, more or less,

to land of Sprague Energy Corp., now or formerly, and being Parcel "A" on map numbered 12555 in the Stamford Land Records, then turning and running along said parcel the following courses and distances:

South 75°22'18" West, a distance of 1.69 feet,

South 10°08'47" East, a distance of 55.66 feet,

South 13°31'05" East, a distance of 94.24 feet,

South 47°36'20" East, a distance of 25.15 feet,

South 20°03'31" East, a distance of 190.05 feet

to a point, then turning and running through the Stamford Harbor West Branch the following courses and distances:

South 70°14'15" West, a distance of 209.00 feet,  
North 7°54'44" West, a distance of 396.92 feet

to the division line between the parcel herein described and land of O & G Industries, Inc., now or formerly, then turning and running along division line the following courses and distances:

North 4°09'18" East, a distance of 365.11 feet,  
North 14°31'23" West, a distance of 50.30 feet,  
North 29°01'11" West, a distance of 66.68 feet

to the point or place of beginning, containing 8.58 Acres, more or less.

### **Section 102. Boundary Delineation**

The Mill River Corridor Project represents the implementation of recommendations contained in a document entitled "STAMFORD MILL RIVER CORRIDOR" dated January, 1998, prepared by Sasaki Associates, Inc., with Economics Research Associates under contract to the City of Stamford, CT. The consultants' study and recommendations resulted from the collaboration of numerous individuals and organizations in the public and private sectors, and the input obtained in a series of public meetings and hearings.

The proposed boundaries for the Mill River Corridor Project closely follow those of the Sasaki/ERA study. On the south, the boundary is the northerly right-of-way line of the Connecticut Turnpike (I-95). On the east, the boundary follows the westerly right-of-way line of Washington Boulevard. The bed of Washington Boulevard lies within the Southeast Quadrant (Extended) Urban Renewal Area, Project No. Conn. R-43, as does one parcel of land on the west side of Washington Boulevard (Re-Use Parcel 21 in the Southeast Quadrant; Block N lot 6 in MRCP). It is anticipated that the most appropriate re-use of the Quadrant's Re-Use Parcel 21 would be its consolidation into a larger redevelopment on the west side of Washington Boulevard between West Park Place and Whittaker Place.

At its northerly end, the proposed delineation runs along the northerly property line of the parking garage of the Stamford campus of the University of Connecticut, and along a series of property lines dividing commercial uses to the south from low-density residential uses to the north. One of the specific recommendations of the Sasaki/ERA study was to replace certain commercial uses with residential ones at the north and northwest portions of the study area in order to better relate to the remaining sound residential neighborhood to the north and west. The commercial properties here represent an opportunity for residential redevelopment without residential displacement, thus offering a potential early stage in the residential redevelopment of the corridor.

In the northerly portion of the westerly boundary, the proposed boundary line follows the west side of Schuyler Avenue, and then passes through the block between Schuyler Avenue and Mill River Street along a series of property lines. This delineation includes within the project all of the non-residential properties in the block, and excludes residential and institutional parcels. This, too, follows the recommendations of the Sasaki/ERA report, and also allows for the eventual relocation of the northern part of Mill River Street westward, expanding the park as recommended by Sasaki/ERA. The lands within the project in this block are occupied by small office buildings, a gasoline station and a large automobile sales and service establishment, all of which Sasaki/ERA recommended be replaced with residential uses. This, too, may present an opportunity for new housing in advance of residential relocation in other areas of the project. The proposed boundary then follows the west line of Mill River Street to Greenwood Hill Street.

South of Greenwood Hill Street, almost to Stillwater Avenue, the westerly side of West Main Street is characterized by automotive uses with large parking areas both front and rear. These uses are generally considered to be appropriately located in commercial/light industrial districts, rather than abutting residential neighborhoods and opposite parkland. Given the relatively low coverage of land by buildings, this enclave is not efficiently utilized, but offers potential for good medium-density residential re-use, perhaps with ground-floor retail uses, to transition from the CBD and the riverfront park to the east to the West Side neighborhood. Sasaki/ERA makes this recommendation; the proposed project boundary more closely follows property and topographic lines through this block.

South of the intersection of West Main Street and Stillwater Avenue, the proposed project boundary follows the west side of Greenwich Avenue, as recommended by Sasaki/ERA. There is relatively new housing along the northerly reaches of Greenwich Avenue; further south, the west side of Greenwich Avenue seems more properly addressed as part of the West Side neighborhood.

### **Section 103. Eligibility**

The statutory authority to undertake redevelopment and urban renewal projects in Connecticut is found at Connecticut General Statutes Title 8 Chapter 130. As used in the statute, “Redevelopment” pertains to the clearance and redevelopment of an area, while “Urban Renewal” involves “rehabilitation and conservation” in addition to redevelopment. The eligibility standards under Part I, Redevelopment, are not changed in Part II, Urban Renewal. The statutory definition of a redevelopment area reads in relevant part as follows:



(b) “Redevelopment area” means an area within the state which is deteriorated, deteriorating, substandard or detrimental to the safety, health, morals or welfare of the community. An area may consist partly or wholly of vacant or unimproved land or of land with structures and improvements thereon, and may include structures not in themselves substandard or insanitary which are found to be essential to complete an adequate unit of development, if the redevelopment area is deteriorated, deteriorating, substandard or detrimental... (Title 8, Chapter 130, §8-125)

The language of the statute is broadly drawn, and the case law grants great discretion in its application. While the Mill River Project is not being undertaken under the federal regulations for Title 1 Urban Renewal Projects, those old federal regulations remain informative in evaluating an area for redevelopment and urban renewal. The following language appears in the “Urban Renewal Manual” issued by the Housing and Home Finance Agency, Urban Renewal Administration (one of the predecessors of the U.S. Department of Housing and Urban Development, “HUD”) in June, 1965.

PROJECT ELIGIBILITY 3-1

**CHAPTER 1. GENERAL ELIGIBILITY REQUIREMENTS**

**APPLICABILITY OF FEDERAL, STATE, AND LOCAL LAWS**

*The legal eligibility of a project area must be determined in the light of State and local legal requirements as well as the Federal requirements contained herein.*

**DEFINITION OF URBAN RENEWAL AREA**

*An urban renewal area must be a slum area or a blighted, deteriorated, or deteriorating area (or an open land area) which is approved by HHFA as appropriate for an urban renewal project.*

**QUALIFICATIONS FOR TITLE I ASSISTANCE**

*To qualify for Title I assistance, an urban renewal area, other than an open land area, must contain deficiencies to a degree and extent that public action is necessary to eliminate and prevent the development or spread of deterioration and blight. Specifically, at least 20 percent of the buildings in the area must contain one or more building deficiencies, and the area itself must contain at least two environmental deficiencies.*

**Building Deficiencies**

- (1) Defects to a point warranting clearance.
- (2) Deteriorating condition because of a defect not correctable by normal maintenance.
- (3) Extensive minor defects which, taken collectively, are causing the building to have a deteriorating effect on the surrounding area.
- (4) Inadequate original construction or alterations.
- (5) Inadequate or unsafe plumbing, heating, or electrical facilities.
- (6) Other equally significant building deficiencies.

### **Environmental Deficiencies**

- (1) *Overcrowding or improper location of structures on the land.*
- (2) *Excessive dwelling unit density.*
- (3) *Conversions to incompatible types of uses, such as rooming houses among family dwellings.*
- (4) *Obsolete building types, such as large residences or other buildings which through lack of use or maintenance have a blighting influence.*
- (5) *Detrimental land uses or conditions, such as incompatible uses, structures in mixed use, or adverse influences from noise, smoke or fumes.*
  
- (6) *Unsafe, congested, poorly designed, or otherwise deficient streets*
- (7) *Inadequate public utilities or community facilities contributing to unsatisfactory living conditions or economic decline.*
- (8) *Other equally significant environmental deficiencies.*

### **APPROPRIATENESS OF URBAN RENEWAL TREATMENT**

*Additional criteria must be satisfied to establish the appropriateness for clearance and redevelopment (see Chapter 10-1) or for rehabilitation and conservation (see Section 12-1-1) in the urban renewal area.*

### **DISTRIBUTION OF DEFICIENCIES**

*Either building deficiencies or environmental deficiencies necessary to establish the eligibility of a project area must be present to a reasonable degree in all parts of the area. If any sizable part of the project area fails to meet this test, it must be justified by one of the following:*

- (1) *Inclusion of the part is necessary to achieve the urban renewal objectives for the total project area.*
- (2) *Inclusion of the part is necessary to bring the project area to a sound boundary.*

*Any included area not meeting the distribution-of-deficiencies test cannot be more than a relatively minor portion of the project area.*

Connecticut law does not require that these HHFA criteria be met. They are cited by way of amplifying or “fleshing out” the broad provisions of §8-125. Since the federal criteria are much more specific than the state language, it seems reasonable to apply them. If the federal criteria are satisfied, the broader state criteria are met.

### **Building Deficiencies:**

In mid-August and late September, 1998, staff of the Stamford Urban Redevelopment Commission made visual exterior examinations of every building within the proposed project boundary (See map MRCP-1, Project Boundary). Of the approximately 100 principal buildings in the project area, 33 exhibited deficiencies. The majority of these buildings are south of Main Street, but some are found at or near all extremes of the area.

Many of the deficiencies involve large wood-frame multifamily structures in which all egress is either via relatively narrow interior stairs or via exterior wooden porches and stairways at the rear. Other deficiencies noted generally included deteriorated or dilapidated facades, windows, roofs, chimneys, porches and exterior stairways. Accessory structures (e.g. garages) tend to be in poorer condition than principal buildings.

In addition, substantial vacant or undeveloped land is found throughout the area, and especially in the central portion of the project. Properties with buildings containing observed deficiencies, and vacant lands, are identified on map MRCP-5.

No interior inspections were made for this eligibility, and conditions not observable from a public street or place were not noted. The building examination forms and photographs are filed in the offices of the Urban Redevelopment Commission, in a document entitled "Mill River Corridor Project, Building Conditions Surveys, October, 1998."

## **Environmental Deficiencies:**

### **Flood Hazard**

By a large margin, the most significant "Environmental Deficiency" found in the project area is flooding. As indicated on map MRCP-4, perhaps half the roughly 90-acre project area is subject to inundation in the 100-year flood as delineated on the Flood Insurance Rate Maps of the Federal Emergency Management Agency. The floodplain includes many of the residential structures west of Clinton Avenue, including the 20-unit Housing Authority property at 108 Greenwich Avenue.

Few, if any, of the existing buildings within the flood plain appear to have been built under modern flood protection standards. Many buildings in the flood plain appear subject to potential isolation under heavy flood conditions, complicating possible rescue and fire-fighting operations. Flood Hazard represents a major and pervasive Environmental Deficiency.

### **Detrimental Land Uses**

The northern and western portions of the proposed project area exhibit a substantial number of properties in or apparently intended for automotive uses. Such uses also appear along Washington Boulevard. They include gasoline and auto service stations, body shops, parts dealers, tire and muffler dealers and part of one and all of another auto sales and service establishment. While these are legitimate and necessary uses in the community, they are generally deemed to be more appropriately located in predominantly commercial and industrial locations. Automotive uses are rarely compatible with residential ones. Automotive Use properties are shown on map MRCP-6.

Along the easterly side of Clinton Avenue, three large surface parking lots are adjacent to and across the street from residential buildings. These parking lots, serving adjacent and nearby commercial buildings along Tresser Boulevard and Washington Boulevard, are detrimental to the residential character of Clinton Avenue. Existing land uses and zoning are illustrated on maps MRCP-2 and MRCP-3, respectively.

Detrimental land uses represent another significant Environmental Deficiency.

### **Other Environmental Deficiencies**

South of Tresser Boulevard, there is no park, playground or public open space, despite the substantial extent of residential occupancy. Many of the residential structures, all or nearly all of wood frame construction, are quite congested and close together. While these conditions are less dramatic and less pervasive than Flood Hazard and Detrimental Land Uses, they are nonetheless significant and are supportive of an eligibility determination.

### **Eligibility Conclusion**

The data described herein demonstrates that the classical federal standards for qualification as an urban renewal area are satisfied, in that at least 20% (specifically 33%) of buildings well distributed exhibit deficiencies, and that the area contains at least two environmental deficiencies, also well-distributed. No significant portions of the proposed project fail to qualify. Accordingly, there is a reasonable, factual basis for a finding that the proposed project area qualifies as a Redevelopment and Urban Renewal Area under Chapter 130.

## Chapter 2.

### **OBJECTIVES OF THE PROJECT**

#### **Section 201. Vision**

It is the principal purpose and intention of the Mill River Corridor Project to implement the vision for the Mill River Corridor expressed in a document entitled “Stamford Mill River Corridor” prepared by Sasaki Associates, Inc., with Economic Research Associates for the City of Stamford, CT., dated January, 1998.

#### **Section 202. Public Open Space**

The objectives of the project regarding public open space include the following:

- a. Create, improve and maintain a corridor of public open space along each bank of the Rippowam (Mill) River from I-95 on the south to the northerly boundary of the project on the north, with a view toward future extension both north and south.
- b. Improve and enhance existing parkland on both sides of the river to better meet the needs of residents and visitors.
- c. Expand the existing parkland on both sides of the existing “mill pond,” and create a parkland corridor connecting the contemplated riverfront park with existing parks and public properties leading into the heart of downtown Stamford.
- d. To the extent practicable, improve the water quality of the river and relieve downstream consequences of flow conditions.
- e. Improve access to the water so as to permit the river to represent a recreational asset.
- f. Improve and enhance existing crossings of the river, and create new pedestrian crossings of the river, so as to enable the river to connect the West Side neighborhood to the Clinton-Division neighborhood and the central business district.
- g. Create a civic gathering place for the City and its residents.
- h. Create safe and secure parks.

### **Section 203. Redevelopment**

The objectives of the project regarding redevelopment include the following:

- a. Substantially increase the inventory of quality housing within walking distance of the central business district and the Transportation Center for all income levels of residents, with early attention to the replacement of and the increase in affordable housing in and near the corridor. The total number of affordable units shall be increased by at least 10% above existing levels.
- b. Replace commercial areas with residential ones where the corridor transitions to adjoining, predominantly residential, neighborhoods.
- c. Reduce the intrusion of undesirable uses such as commercial parking lots and automotive uses into the residential neighborhoods.
- d. Facilitate the replacement of functionally, physically or socially obsolete properties with more modern flood proofed facilities better suited to their purposes and better located with respect to environmental deficiencies such as flood hazards.
- e. Provide for and assist the redevelopment of appropriate properties along Washington Boulevard with high quality residential and commercial uses such as apartment buildings, office buildings and hotels.
- f. Encourage at appropriate locations street-level convenience retail, and encourage the development of professional offices as warranted, within predominantly residential buildings.
- g. Create, by careful building design and placement, active and attractive urban streetscapes that will produce an environment appropriate to the location.
- h. Locate and arrange residential redevelopment so as to enhance the use and security of the area's public open spaces.
- i. Encourage the sharing or joint-utilization of public and private resources including parking facilities, open spaces and streetscapes to maximize the use of these resources.

## Chapter 3.

### **PROPERTY TO BE ACQUIRED**

#### **Section 301. Land Acquisition**

a. **Properties Designated for Acquisition**

Two types of real property acquisition are contemplated in the Mill River Corridor Project. One is acquisition for public use. Public acquisition is intended for parkland and public open space, for improvements and/or adjustments to public streets and rights-of-way, and for public and/or affordable housing development by or on behalf of or in cooperation with the Stamford Housing Authority or the City.

The second type of acquisition contemplated, which shall only be undertaken if all feasible alternatives are unsuccessful, is to complete the private assemblage of redevelopment sites where private action has been unsuccessful, or where such acquisition for private redevelopment proves necessary to achieve the objectives of the project, including the development of affordable housing. In order to proceed with this second form of acquisition, this Plan must be amended in the manner set forth in Chapter 10 of this Plan.

All properties to be acquired are shown, according to the purpose of their proposed acquisition, on the Land Acquisition Map, Map No. MRCP-7. Properties not indicated for public acquisition may be added for acquisition only by amendment of this Project Plan in accordance with Section 1001 hereof and in accordance with Section 8-136 of the General Statutes, as amended.

Land shall be acquired for private redevelopment in accordance with this Project Plan as it may be amended from time to time subject to a Real Estate Agreement among the benefited redeveloper, the Commission and the City of Stamford, duly approved by the Commission and the City (Board of Representatives, Board of Finance, Planning Board and the Mayor's Office). Such Real Estate Agreement shall provide, among other things, that the benefited redeveloper shall advance all funds required by the Commission in order to execute the requested acquisition and transfer to the redeveloper. Such funds shall cover costs including, but not limited to, third-party consultants (e.g., attorneys, appraisers) court and other fees, the purchase price of the property, relocation of site occupants, if any, advertising, unusual office overhead expenses (e.g., overnight document deliveries) and such other expenses as the Commission shall find necessary to properly conclude the transaction. Should the Commission deem it necessary, a benefited redeveloper may

be required to produce an unconditional irrevocable letter of credit in an amount the Commission estimates necessary, which letter of credit will provide for periodic withdrawals as the Commission finds necessary.

Property acquisition shall be undertaken as funds therefor may be available. The URC shall use its best efforts to schedule such acquisition so as to minimize inconvenience to land owners, consistent with availability of funds.

Properties identified as to be acquired shall be acquired on or before [date to be inserted to be 20 years following initial approval of this Project Plan by the Board of Representatives of the City of Stamford], unless this date is amended pursuant to Section 1001 hereof and Section 8-136 of the General Statutes, as amended.

b. Streets to be Closed or Vacated

Streets to be closed, vacated or eliminated in order to achieve urban renewal project objectives are shown on Map No. MCRP-7.

c. Renewal Actions

To comply with local requirements as set forth in Chapter 4, below, and to accomplish the objectives of this Plan, the Commission will utilize the full range of renewal activities as set forth in Chapter 130 of the General Statutes, as amended, including:

- (1) acquisition of property;
- (2) interim management of acquired properties;
- (3) relocation of individuals, families and businesses;
- (4) demolition of structures and improvements;
- (5) interim use of properties acquired;
- (6) disposition at fair market value by sale, lease or transfer of property for private development in accordance with the regulations set forth in this Plan; and
- (7) site improvements, including the environmental remediation of properties currently owned by the City.



**Section 302. Appraisals and Title Searches**

Appraisals and title searches for properties to be acquired by the Commission shall be undertaken. Title searches shall be available upon completion. Appraisals are exempt from public disclosure under Section 1-19(b) (7) of the General Statutes, as amended, until such time as all of the properties that may be acquired have been acquired.

## **Chapter 4.**

### **LAND USE PLAN**

#### **Section 401. Proposed Land Use**

a. Proposed land use - general

This urban redevelopment and urban renewal plan is intended to implement the recommendations contained in the “vision” entitled “Stamford Mill River Corridor” by Sasaki Associates and Economic Research Associates published January, 1998. Pursuant to that “vision,” this Plan calls for predominantly residential redevelopment through most of the corridor, generally at substantially higher densities than presently characterize the area. In addition, as set forth in detail below, the Plan contemplates large-scale commercial redevelopment at its southerly end and possibly at a location along the west side of Washington Boulevard (which may include residential re-use) and it contemplates ground-floor convenience retail and/or professional offices in otherwise residential buildings, again as specified below. In conjunction with anticipated zoning regulations, the Plan includes guidelines intended to coordinate individual redevelopments into an integrated, designed community. The Plan also provides for the retention of three prominent, modern office buildings and the Stamford Government Center along Washington Boulevard, two large residential buildings, a large office building on West Broad Street and a portion of the UConn parking garage.

b. Proposed land use - specific

The proposed uses of land in the area are illustrated on Map MRCP-8, Proposed Land Use, and are described below:

(i) Parkland

Land designated on Map MRCP-8 as “Parkland” shall be dedicated for recreational and public open space purposes and other incidental and compatible uses. Limited parking for casual park use shall be incorporated in the park development at its perimeters.

(ii) Residential

Land designated on Map MRCP-8 as “Residential” shall be developed or redeveloped predominantly for homes and

apartments in accordance with the standards and regulations set forth hereinbelow. Multi-family residential structures may include retail uses and/or professional offices on levels opening directly upon the public street only. Assisted and/or affordable housing shall be a permitted use on any land in this designation.

(iii) Residential-Assisted Housing

Land designated on Map MRCP-8 as “Residential: Assisted Housing” shall be developed or redeveloped for predominantly residential use by a developer or developers working in conjunction with the City or an agency thereof.

(iv) Residential/Commercial

Land designated on Map MRCP-8 as “Residential/Commercial” shall be developed or redeveloped predominantly for multi-family residential uses in accordance with the standards and regulations set forth hereinbelow. On land so designated, the building level opening directly upon the public street may be developed for commercial uses including business offices, professional offices, and retail and personal service establishments. Assisted and/or affordable housing shall be a permitted use on any land in this designation.

(v) Hotel/Residential/Commercial

Land designated on Map MRCP-8 as “Hotel/Residential/Commercial” shall be developed or redeveloped predominantly for hotel and/or residential uses. Business and professional offices shall be secondary uses, which may be developed in combination with hotel, and/or residential primary uses. The building level(s) opening onto the street and adjoining parklands shall relate to and enhance the park and pedestrian experience.

(vi) 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.

(vii) Public

Land designated on Map MRCP-8 as “Public” shall be developed or redeveloped, or shall remain if previously so developed, for uses

other than parkland and public open space by the City of Stamford (Government Center) and the State of Connecticut (UConn).

**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) 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. 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 on sites previously designated R-H Multiple Family High Density or any commercial Zoning District, the maximum density shall not exceed 160 units per acre (minimum 275 sq. ft. of lot area per dwelling unit) provided the dwelling units are limited to studios and one bedroom units less than 800 sq. ft. in size).
  
- (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.

## 2. Hotel/Residential/Commercial

- (i) The minimum area of a redevelopment site shall be forty thousand (40,000) square feet. In general, sites should encompass development blocks delineated on Map MRCP-8, Prop. Land Use.
- (ii) Uses shall be as follows:
  - (a) Apartment building
  - (b) Hotel
  - (c) Retail and personal service establishments opening directly upon the public sidewalk.
  - (d) Business and professional offices only when combined with street-level retail and residential and/or hotel uses; office use shall not exceed forty (40) percent of the floor area of any development.
- (iii) The maximum residential density 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.

The maximum non-residential density shall be as follows:

- (a) For office use, a floor area ratio of 1.0
- (b) For retail and personal service uses, a floor area ratio of 0.50
- (c) For hotel uses, a floor area ratio of 2.0
- (d) In any event, non-residential development shall not exceed a floor area ratio of 2.50.

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 twelve (12) stories or one hundred twenty-five (125) feet above the average height of the curb.
- (v) To serve residential development, a minimum of one hundred (100) square feet of usable open space per dwelling unit shall be provided on the lot, which open space may be at grade or as specified in (vi), below. On sites which directly abut public open space, this requirement may be waived by the Commission.
- (vi) Site coverage of all structures shall not exceed ninety (90) percent; an accessory parking structure may reach a maximum height of four (4) parking levels provided the top parking level is covered with a landscaped roof deck providing usable open space for the occupants of the development. Except for portals, all above-grade parking structures shall be suitably screened from Main Street, Washington Boulevard, or any portion of the Mill River Corridor parkland.
- (vii) Buildings setbacks shall conform to Article III, Section 9-I (Mill River District) of the Stamford Zoning Regulations, as may be amended from time to time.
- (viii) Parking shall conform to Article III, Section 9-I (Mill River District) of the Stamford Zoning Regulations, as may be amended from time to time.
- (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.d., below.

### 3. Commercial and Public Lands

Properties designated as “Commercial” and “Public” on Map MRCP-8, Prop. Land Use, shall be developed and used according to the Zoning Regulations of the City of Stamford as those Zoning



Regulations may be administered and amended by the Zoning Board of the City of Stamford, subject only to the requirement that new development be approved by the Commission for consistency with the objectives and design guidelines of this Project Plan.

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

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 12% of its residential units as below-market-rate affordable units 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.

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

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 not less than 9% of its residential units as below-market-rate affordable units according to the 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. 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. In the event of development as, or conversion to, for-sale housing, provision 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 Dwelling Units pursuant to this §402.d 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 Dwelling Units shall include parking spaces in conformity with the applicable regulations of this Project Plan.

e. Assistance for Below-Market Rate Housing

The City of Stamford, by agreement on a case-by-case basis, may make available to developers of market-rate housing assistance in the form of real property tax relief, housing assistance certificates and/or vouchers, land contributions, below-market mortgage financing, or other contributions where it is demonstrated that an otherwise appropriate and desirable residential development would not be economically feasible because of the affordable housing requirements absent such assistance.

In addition, the City of Stamford, by agreement on a case-by-case basis, may make available to not-for-profit developers of low- and moderate-income housing or mixed-income housing, the assistance enumerated hereinabove, as well as financial assistance including, but not limited to, capital grants and low- or no-interest loans. Funds for such assistance may be made available from the City's "Affordable Housing Fund," the City's CDBG annual allocation, TIF bonds, corporate and private grants, and such other sources as may be appropriate from time to time.

For any affordable housing efforts, the City shall make its best efforts to assist applicants in securing allocations of Low Income Housing Tax Credits, low-interest and/or tax-exempt mortgage financing (e.g. CHFA, Housing Authority) and other assistance as may be available from time to time.

f. Required Parking

Any developer whose application for off-site units is granted shall enter into a written agreement with the Urban Redevelopment Commission and the City of Stamford setting forth the foregoing and providing further that any qualified tenants occupying on-site units pursuant to Section 3, above, may not be displaced so long as they continue to be income eligible and current in all rental obligations.

**Section 403. Design Guidelines**

Design Guidelines to achieve appropriate and consistent architecture and urban design throughout the corridor are included in this Project Plan as *Exhibit A*, (the "Stamford Mill River Corridor Design Guidelines") appended hereto and incorporated herein.

#### **Section 404. Application and Approval**

Applicants and prospective applicants are encouraged to consult early with the professional staffs of the several agencies involved in the approval process.

- (a) Application shall be made to the Zoning Board for any project involving new development or redevelopment in the Mill River Corridor Project Area. All applications shall be public documents subject to public inspection, and shall include an architectural scale model of the proposed project and its environs at a scale not smaller than 1"=50'; provided, however, the Commission may permit the substitution of high quality renderings in lieu of a model when it deems appropriate. In addition to other referrals which the Zoning Board may make, the Zoning Board shall refer such application to the Commission. The Commission shall review the application for consistency with the provisions and objectives of this Project Plan, and shall identify such elements or aspects of the application as may be found insufficiently consistent. The Commission may recommend such modifications as the Commission may find to be more consistent with the provisions and objectives of the Project Plan.
- (b) The Commission shall complete its review and make its determination on the application within 45 days of its receipt or not later than the second regularly scheduled meeting of the Commission following receipt, whichever is later, unless the applicant agrees to additional time for the Commission's consideration of the application.

If the Commission does not make a determination on an application within the allotted time as set forth above, the Zoning Board shall be entitled to proceed as though the Commission had given unqualified approval.

- (c) Upon completion of its consideration of an application, the Commission shall make one of the following determinations, and shall notify the applicant and the Zoning Board thereof:
  - (i) Approval: The application is fully consistent with the provisions and objectives of the Project Plan, and the Commission endorses the application to the Zoning Board;
  - (ii) Qualified Approval: The Commission finds that the application would be consistent with the provisions and objectives of the Project Plan with the incorporation of

modifications set forth in the Commission's report to the Zoning Board;

- (iii) Denial: The application is not consistent with the provisions and objectives of the Project Plan. The determination of denial shall include a written explanation, in detail, of the reasons therefore.

## Chapter 5.

### **OBLIGATIONS OF REDEVELOPERS**

#### **Section 501. “Developer” and “Redeveloper”**

A “Developer” or a “Redeveloper” is a person, group of persons, partnership, company, corporation or other legal entity which owns, has acquired, or seeks to acquire or assemble to build upon real property within the Project area, whether or not such person(s) or entity may acquire or have acquired property from or through the Commission and/or the City.

#### **Section 502. Obligations on All Redevelopers**

- a. Each redeveloper shall represent and covenant that it is the redeveloper’s policy not to discriminate against any employee or applicant for employment because of race, creed, color, religion, sex, gender or apparent gender, or national origin, and each redeveloper shall further covenant that, in the construction of the improvements provided for in this Plan, the redeveloper will not discriminate against any employee or applicant for employment or contractor because of race, creed, color, religion, sex, gender or apparent gender, or national origin.
- b. Each redeveloper shall represent and covenant, and shall so bind every successor in interest, that the redeveloper will not discriminate against any person or persons on the basis of race, creed, color, religion, sex, gender or apparent gender, or national origin in the marketing, rental, leasing and/or sale of space or units in redeveloped property.
- c. Each redeveloper 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. Such Affordability Plan shall include a provision that the leasing program for the Redeveloper’s project shall give preference and priority to persons or households displaced by development in the Mill River Corridor. In addition, such Affordability Plan shall state that the Redeveloper will not discriminate against Section 8 certificate holders in the leasing of its project.
- d. Each redeveloper shall submit all necessary and appropriate documentation to the City Agency or Designate complete oversight review of the Affordability Plan. This includes, but is not limited to:

1. Initial reports which contain (i) a list of all applicants for the BMR Units together with a copy of their application; (ii) supporting documentation; (iii) market rate rent structures and/or rent rolls (which shall include any payments made for parking, utility and other expenses passed on to tenants; and, (iv) any other documents or reports which the Oversight Review Agency deems reasonably necessary and appropriate.
2. Annual reports which contain (i) a copy of the tenant's rent rolls (which shall include any payments made for parking, utilities and other expenses passed on to tenants); (ii) copies of all documentation concerning a BMR unit tenant's continuing eligibility; and (iii) any other document or reports which the Oversight Review Agency deems reasonably necessary and appropriate.

Failure to comply with these requirements which are not cured within 30 days of written notice shall result in fines levied at the rate of \$10,000 per unit per month.

- e. Each redeveloper who seeks to develop residential uses at a density other than provided in an R - 5 zone shall comply with all terms of this Plan, including, but not limited to, the provisions of §402.c and 402.d.

**Section 503. Obligations on Redevelopers who Acquire Property From or Through the City or the Commission**

- a. Plan Controls. The following controls on redevelopment are hereby imposed and shall be implemented for the duration of the Plan by appropriate disposition instruments:
  - (i) The redeveloper and its successors in interest shall devote such real property to the uses specified in this Plan for such area and shall not devote such real property to any other uses.
  - (ii) The redeveloper shall begin and complete the development of such land for the uses required in this Plan within a reasonable time, to be specified in the disposition instrument.
- b. Obligation to Build. The Redeveloper shall be obliged, under the terms of the disposition instrument, to carry out certain specified improvements in accordance with this Plan.
- c. Disposition of Property by Redeveloper. Until the improvements required under the Land Disposition Agreement are completed, the redeveloper will not be permitted to dispose of the real property or of its interest in the real

property except upon such terms as the Commission may impose in such Land Disposition Agreement. The redeveloper may dispose of all or any part of its interest in the Project Area upon completion by the redeveloper of all the required improvements, rebuilding and redevelopment work, and the disposition instrument may contain a provision to this effect.



**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, 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 realignment 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;
  
- 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) 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.
  
- c. The Project Plan contemplates the potential need to adjust intersections, signal timing and other characteristics as may be found necessary by

appropriate traffic studies, based upon traffic volumes expected to be added to the system by the proposed redevelopment.

- d. To the extent practicable, and based upon traffic engineering studies, the Project Plan contemplates potential “traffic calming” measures on Tresser Boulevard, possibly including without limitation the addition of curb-lane on-street parking, the expansion of sidewalks into curb lanes at intersections to facilitate pedestrian crossings, the widening and planting of median dividers, etc.

### **Section 602. Utilities**

A preliminary review by the City of Stamford Office of Operations has found that municipal utilities appear generally adequate to support the development contemplated under this Project Plan. Private utilities, such as water, gas, electricity and cable television, will meet growth in demand as it occurs.

### **Section 603. Public Facilities**

Two categories of public facilities are likely to be affected by the redevelopment contemplated by this Project Plan.

- a. South of Main Street within and to the west of the corridor, parks, playgrounds and public open spaces are at a premium. The residential redevelopment contemplated by the Project Plan can only increase the need for such facilities.

A principal objective of the Mill River Corridor Project is to substantially increase park and open space within the project area, and specifically along both sides of the Rippowam River south of Main Street. In addition, an early-action public improvement is the re-design and reconstruction of the park between West Main Street and the river north of Tresser Boulevard. That project is under design by the City in cooperation with representatives of the West Side neighborhood.

- b. To the extent that the new housing in the corridor generates public-school age children, they will have to be accommodated in the public schools. Experience nationally, regionally and locally suggests that market rate apartment housing tends to accommodate few families with school-age children. Accordingly, the potential impact of the school system is likely to be small and gradual.

## Chapter 7.

### ZONING

#### **Section 701. Existing Zoning**

Current zoning designations are illustrated on Map No. MRCP-3, "Existing Conditions - Zoning." As shown on that map, the project area contains no less than 9 zoning districts: CG, CL, CB, CN, PD, R-5, R-H and R-MF. The variety of uses and the variety of densities suggests that at least some of the zoning designations reflect efforts to rationalize pre-existing uses. The relatively consistent mapping of the CG district along the westerly side of Washington Boulevard appears to reflect a more deliberate planning process, while the R-MF district along the west side of West Main Street indicates an attempt to encourage the replacement of automotive uses with residential ones, which attempt has not yet proven effective.

#### **Section 702. New Zoning**

The Zoning Board of the City of Stamford has adopted (as of 8/14/00) new zoning regulations for the Mill River Corridor, which regulations are referred to as the MRD, Mill River District.

## Chapter 8.

### **RELOCATION OF PROJECT OCCUPANTS**

#### **Section 801. Housing Authority Residents**

There are three properties of the Stamford Housing Authority within the Project Area. One is at 22 Clinton Avenue (Block L Parcel 18). That property contains 88 age-restricted units for elderly residents as well as the central offices of the Housing Authority. This Project Plan proposes no action to affect 22 Clinton Avenue or its occupants.

The Housing Authority operates a small building at 108 Greenwich Avenue (Block A Parcel 2), housing 20 senior households. Much of this building is within the 100-year flood limit of the Rippowam River and the Project Plan contemplates the eventual relocation of the residents and the removal of the building for parkland. The Housing Authority operates a large high-rise building at 26 Main Street (Block M Parcel 9). This 11-story building was originally built for senior residents and later expanded, but now houses 215 households both of seniors and non-elderly disabled residents. The Housing Authority reports that roughly 40%, or approximately 86 units, house non-elderly disabled persons. Both the Housing Authority and the elderly residents at 26 Main Street have expressed dissatisfaction with the mixing of seniors and non-elderly disabled. 26 Main Street is largely within the river's floodplain. This Project Plan contemplates the relocation of the residents and the eventual removal of the building for parkland.

This Project Plan proposes no action to acquire either 108 Greenwich Avenue or 26 Main Street, and no action to relocate residents in those buildings, or otherwise to affect the Housing Authority's ownership, management or operation of those buildings. Only at such time as suitable alternate housing will have been provided (preferably within the Mill River Corridor Project) for those residents will an amendment of this Plan be proposed for approval by the Housing Authority, the Commission, and the City of Stamford, to acquire and remove those properties.

Conceptually, a project may be developed for affordable units and maintained as such for 15 to 20 years (the remaining useful life of the structure at 26 Main Street) and then upgraded and converted for the relocation site of the tenants at 26 Main Street.

#### **Section 802. Augustus Manor**

A 105 unit assisted housing building at 101 Main Street (Block L Parcel #3) accommodates elderly households. This Project Plan proposes and

contemplates that Augustus Manor remain with no impact upon the number of dwelling units or its residents.

### **Section 803. Private Housing**

There are approximately 157 units of private housing in the Project Area. Most of these are located in older small multi-family buildings. Many of those buildings are physically deficient and many are within the limit of the 100-year flood plain of the Rippowam River. Most of those units are rental apartments, and most appear to be occupied by households of low-and moderate-incomes.

This Project Plan contemplates that a percentage of new units in redevelopments will be set aside to meet the physical and financial needs of current residents in the corridor.

In addition to the “set-aside” residences referred to above, it is contemplated that several sites at various locations in the Corridor will be developed by not-for-profit housing developers. These “not-for-profit” projects will concentrate on providing replacement housing for the large units and very low income households as part of mixed income affordable housing projects, which are the units and households most difficult for the private market to satisfy via set-asides. Because of the nature of the market they will be expected to serve, it is contemplated that these independent “not-for-profit” buildings will require, and will receive, assistance, most likely in the form of reduced land cost.

Upon completion of all residential redevelopment pursuant to this Project Plan, it is expected that the total number of “affordable” dwellings provided by the combination of not-for-profit buildings and “set-asides” in private market buildings will exceed the number of existing units.

Persons and/or households displaced by direct public acquisition of real property shall be entitled to full reimbursement of actual costs of relocation to replacement housing in accordance with the statutes and regulations of the State of Connecticut and The Relocation Plan for Mill River Corridor Project, included as *Exhibit D* of this Project Plan.

### **Section 804. Commercial Relocation**

- a. By direct public action proposed by this Project Plan, one office building (see §906) of approximately 134,000 square feet and one occupied single-story retail building of approximately 1,800 square feet will be removed. This Plan contemplates that the office building will be vacated over a lengthy period of time, so that current occupants will have ample opportunity to relocate to other existing or new office space. The retail

building currently accommodates two businesses, and it is anticipated that alternate space will be available at comparable rates in existing vacancies and turnover of retail establishments in the immediate vicinity of the Project Area.

- b. The Project Plan contemplates that four or five small office buildings predominantly containing professional offices, parts or all of two automobile dealerships, several automotive-oriented retail and repair businesses, up to four gasoline service stations and a small number of retail establishments may be displaced by private acquisitions for redevelopment. This process is likely to evolve over a period of at least several years.

This Project Plan provides, at Chapter 4, for professional offices to be located in street-level floors of new multi-family residential development. That may provide alternate locations for some of the professional offices to be displaced. Others may opt to relocate to space in other existing office buildings. Since professional offices being removed tend to be relatively small, existing inventory seems likely to be able to accommodate them.

This Project Plan provides, at Chapter 4, for ground floor non-residential uses in residential buildings. Displaced retail establishments may relocate to these locations; existing inventory is expected to accommodate them, as well.

National, regional and local experience indicates that automobile sales and service establishments, and automotive support establishments, tend to thrive where several such uses congregate in proximity to one another. This Project Plan contemplates that automotive uses, including gasoline service stations, are likely to find appropriate, successful new locations in such areas.

### **Section 805. Relocation Regulations**

All tenants on property acquired by action of the Urban Redevelopment Commission shall have relocation rights and benefits as established by The Relocation Plan for the Mill River Corridor Project in accordance with the Statutes and Regulations of the State of Connecticut and The Relocation Plan for Mill River Corridor Project, included as *Exhibit D* of this Project Plan.

## Chapter 9.

### **PROJECT FINANCING**

#### **Section 901. General**

Private redevelopment of land for residential and other uses is expected to be financed through non-public funds. Four sources of financing for public expenditures to carry out the Mill River Corridor Project are contemplated and proposed, as follows.

#### **Section 902. URC Resources**

The Commission has advanced funds for the preparation of the Project Plan, and will continue to advance funds for early planning and implementation activities on a “funds available” basis. In addition, the Commission is providing funds for management, administration and overhead from its operating budget.

The Commission will be reimbursed for funds advanced out of project revenues.

#### **Section 903. City Capital Budget**

The City of Stamford has provided limited funds in its Capital Budget and Capital Improvements Program for early action on parkland design and development. Historically, the City has appropriated capital funds for parkland acquisition in the corridor, and such funds have been expended on parkland already in place within the project area. It is contemplated that the City will continue to appropriate capital funds each year for parkland acquisition and improvement.

#### **Section 904. Capital Grants**

From time to time, capital grant funds become available from state and federal grant-in-aid programs and from private foundations and other sources. The City has made, and will continue to make, application for and aggressively seek such funds as they may be available and applicable.

#### **Section 905. Debt Financing**

- a. Tax Increment Financing. Tax Increment Financing (“TIF”) is a mechanism for setting aside all or a portion of the increased property taxes from economic growth and redevelopment in a project area in order to pay for public investments necessary to generate that economic growth and redevelopment. Connecticut’s statutory authority for TIF is found in Chapter 130, Title 8 (Redevelopment and Urban Renewal) and other

provisions of the Connecticut General Statutes. Under Chapter 130 of the Connecticut General Statutes, the City, acting by and through the Commission, is authorized to issue tax increment bonds for the Project.

TIF has been widely used in many states as a means of financing development of a specific project and/or redevelopment within a project area. Typically, the public costs of these projects are paid from the proceeds of tax increment bonds. The debt service on these bonds is payable from the additional property taxes generated by the properties within the Project Area. In the proposed case, the City and its taxpayers are not liable for such bonds except to the extent of the additional property taxes generated within the project area and dedicated to repayment of the bonds. If the Project does not generate enough additional taxes to pay the debt service on these bonds, the bondholders do not have any rights against the City's other taxes and revenues. The bondholders only have rights against the tax incremental revenues. The bonds are not general obligations of the City nor do they count against the City's statutory debt limits.

The base date for determining incremental taxes shall be the later of July 1, 2001 or the date of adoption of this Project Plan as determined by the Board of Representatives after approval by the Board of Finance. The base date can be any date from the date of adoption of the Plan to the date on which the tax increment bonds are issued. As of this date, the base assessment of the properties within the Project Area as well as the amount of taxes generated by those properties at the then current tax rates are determined. The amount of taxes generated by Project Area properties in excess of the base amount is the tax increment. Unless otherwise guaranteed by the City as discussed below, only the tax increment can be used to pay the debt service on the tax increment bonds. The base amount will be paid to the City for use in the City's general fund before the tax increment can be used to pay the debt service on the tax increment bonds.

Chapter 130 of the Connecticut General Statutes also permits the City to guarantee the repayment of any tax increment bonds if the additional property taxes generated within the Project Area are not sufficient to pay debt service on the tax increment bonds. Such guarantee may be a full faith and credit obligation or may be in the form of an annual appropriation by the City's legislative body to pay debt service on the tax increment bonds. Reimbursement to the City for payments under any guarantee may come from the tax increment generated within the Project Area.

No tax increment bonds or any related City guarantee may be issued without the approval and authorization of the Board of Finance and Board of Representatives in accordance with the City Charter and state law.



Each issue of tax increment bonds and any related City guarantee must be approved by the same authorization process as general obligation bonds of the City. The fact that there is statutory authority to issue such bonds or provide such guarantee does not mean that the Board of Finance and the Board of Representatives are obligated in any way to issue such bonds or provide such financial assistance.

- b. General Obligation Financing. Under Chapter 130 of the Connecticut General Statutes, the City is authorized to issue general obligation bonds and notes for any redevelopment project and to be reimbursed for such general obligation debt service payments from the tax increment generated by the properties within the project area as more fully described in Section 905a., above. Because such bonds and notes would be general obligations of the City, such debt would count against the City's statutory debt limits. The general obligation bonds and notes would be payable from the City's General Fund and the City may be reimbursed for such debt service costs to the extent the tax increment generated within the Project Area is available and dedicated to the repayment of such bonds and notes.

Such general obligation bonds and notes cannot be issued unless approved and authorized by the Board of Finance and the Board of Representatives in accordance with the City Charter and state law. Any general obligation bonds and notes issued for redevelopment projects must be approved by the same authorization process as other general obligation bonds and notes of the City. The fact there is statutory authority to issue such bonds and notes does not mean that the Board of Finance and the Board of Representatives are obligated in any way to authorize any bonds or notes.

- c. Commission Financing. Under Chapter 130 of the Connecticut General Statutes, the Commission is authorized to issue bonds and other obligations, and to borrow and accept grants from the federal government or other sources for any urban renewal project and to make debt service payments on such bonds or other obligations from the tax increment generated by the properties within the Project Area as more fully described in Section 905a., above. Such bonds or other obligations are not general obligations of the City nor do they count against the City's statutory debt limits.
- d. Use of Tax Increment. Under the applicable provisions of the Connecticut General Statutes, real property and personal property taxes can be used to satisfy the payment of any tax increment bonds, the repayment of any related guarantee, the repayment to the City of debt service costs related to general obligation bonds issued in connection with the Project Plan or any Commission debt related to the Project. However, it is not presently

envisioned that personal property taxes will be used. Thus, any incremental personal property taxes generated by project area properties will be paid to the City's General Fund.

This Project Plan contemplates and proposes the use of real property tax increment revenues as the major source of funds for public expenses, debt service, interest and operating expenses of undertaking the implementation of the Project.

Upon Completion of the Project, the amount by which the tax increment from the Project Area properties exceeds the debt service on any tax increment bonds, any related City guarantee, any general obligation bonds or notes issued by the City to fund the Project which are subject to repayment from the tax increment, any other permitted debt financing, including any Commission debt, and any current or anticipated future operating expenses, including, but not limited to, administrative and personnel costs, consulting services, and capital projects such as land acquisition and project improvements, all as approved by the Board of Representatives and/or the Board of Finance in accordance with the requirements of the Charter and Code of Ordinances of the City and the Connecticut General Statutes, will be paid to the City for use in the City's General Fund. The total tax revenue that the City will receive at such time from the real property taxes generated within the Project Area will equal the total of (i) the base amount as determined in Section 905a., above, and (ii) the overage not needed for debt service on any such tax increment bonds, City guarantees, general obligation bonds, Commission Financing, other permitted debt financing, and current or anticipated future operating expenses.

The Commission shall be designated as the agency of the City to receive and expend any tax increment funds in the manner set forth herein.

The "base date" for determining incremental taxes shall be as set forth in Section 905.a., above. The Director of Administration shall establish the assessment of each piece of real property within the Tax Increment District Boundary which shall be identical to the Mill River Corridor Project Boundary as delineated on Maps No. MRCP-1, MRCP-1a and MRCP-1b and shall thereafter apportion real property tax revenues in accordance with Section 8-134a of the Connecticut General Statutes; provided however, that all tax increments shall be distributed fifty (50) percent to the General Fund of the City of Stamford and fifty (50) percent to the Mill River Corridor Project. For purposes of Project planning and budgeting, the Director of Administration shall also provide an estimate of the growth in revenues generated within the Tax Increment District Boundary, adjusted for the effects of any and all revaluations and/or changes in tax rates in

order to determine the inflationary versus the real growth in the assessed value of tax revenues.

e. Project Plan Annual Budget.

- (i) There shall be submitted by the Mayor for approval by the Planning Board, the Board of Finance and the Board of Representatives, an annual budget prepared by the Commission for Project expenditures proposed for the upcoming year. That annual budget shall indicate the specific activities and purposes upon which all Project funds are proposed to be expended, including, without limitation, administrative and personnel costs, consulting services, and capital projects such as land acquisition and project improvements. The proposed budget shall indicate total tax revenue received, the projected amounts to be expended on each activity and purpose, the total projected to be expended, including payments on tax increment bonds, general obligation bonds and any financial assistance, the proposed source(s) of funding therefor, and the net taxes to be received by the City.
- (ii) The first budget year shall commence on the first day of the month not less than 90 days following adoption of this Project Plan. The first budget year shall run until June 30 of the calendar year following, but not less than 9 months, in order that subsequent budget years shall be coincident with the City's fiscal year.
- (iii) Each proposed annual budget shall be submitted not less than 90 days preceding the end of a budget year. Should a budget for a forthcoming year not have been approved by the Board of Finance and the Board of Representatives by the end of a current budget year, funds may continue to be expended in accordance with the current budget so long as funds may be available.
- (iv) In approving an annual budget, the Board of Finance, the Planning Board and the Board of Representatives may make such revisions as each may deem appropriate, including without limitation the deletion of items, and the reduction of amounts allocated to items. Funds may only be expended in accordance with the approved budget.

**Section 906. Block M Parcel 12**

This Project Plan contemplates and proposes that the land and improvements on Block M Parcel 12 (1010 Washington Boulevard) shall be acquired using debt to be retired through the application of operating revenues from the property, including funds otherwise assigned to the payment of real property taxes. Only to the extent such operating revenues are insufficient to pay

principal and interest on such debt shall other funding sources be allocated to such payments. Based upon a study prepared for the Commission by Moran and Associates in July, 1999, which study is included as *Exhibit C* of this Project Plan, it is projected that the property can amortize its acquisition in some 15 years. Funding for acquisition of this parcel must be separately approved by the Planning Board, the Board of Finance, and the Board of Representatives.

## Chapter 10.

### **MODIFICATION & TERMINATION**

#### **Section 1001. Modification**

In accordance with the General Statutes of the State of Connecticut, this Plan may be modified at any time by the Commission, provided, if modified after the lease or sale of real property in the Project Area, the modification must be consented to by the Redeveloper or Redevelopers of such real property or its successor or their successors in interest as are affected by the proposed modification. Notwithstanding the foregoing, where the proposed modification represents a Substantial Change (as defined below) to this Plan as previously approved by the Board of Representatives, the modification must similarly be approved by the Board of Representatives.

For the purposes of this Plan, a Substantial Change shall include without limitation (i) a proposal to add (or exchange) one or more parcels to be acquired for any purpose, which parcels are not so identified in this Project Plan as approved; (ii) any modification that would change the permitted use on a property as set forth in this Plan, or that would reduce or otherwise change the provision of affordable housing as set forth in Chapter 4 of this Plan, on a property and/or (iii) a proposal to modify the maximum permissible building height of any building, or for any area, from the requirements set forth in Chapter 4 of this Plan. Substantial Changes shall require the approval by the Board of Representatives after a public hearing held on due notice.

In evaluating whether any proposed or potential change is a Substantial Change (other than the delineated Substantial changes specifically set forth above), the Commission shall consult with the Chair of the Urban Redevelopment Committee of the Board of Representatives, the Chair of the Planning Board, and the Chair of the Zoning Board. The Commission shall consider the advice of those persons in determining whether such modification represents a Substantial Change.

#### **Section 1002. Termination**

This Plan and/or any modification hereof shall be in full force and for a period of ten years after the date of the approval of the Proposed Amendment by the Board of Representatives of the City of Stamford; provided that, the effective period of the Tax Increment Financing District shall be equal to the term of any and all debt financing approved pursuant to Chapter 9 of this Plan.

**Chapter 11.**  
**SEVERABILITY**

**Section 1101. Severability**

In the event that any phase, clause, sentence, paragraph, provision or section of this Plan is held to be illegal, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court, such illegality or unconstitutionality shall not affect the validity of any of the remaining parts of this Plan.

## Chapter 12.

### MAPS & EXHIBITS

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

Project Boundary	MRCP-1	Dated April 3, 2001
Existing Cond.:		
Land Use	MRCP-2	Dated April 3, 2001
Zoning	MRCP-3	Dated April 3, 2001
Building Conditions	MRCP-5	Dated April 3, 2001
Automotive Use Properties	MRCP-6	Dated April 3, 2001
Land Acquisition	MRCP-7	Dated April 3, 2001
Prop. Land Use	MRCP-8	Dated April 3, 2001

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