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Via Hand Delivery

July 11, 2013

JoAnn Goodwin, Chair
Mansfield Planning and Zoning Commission
Audrey P. Beck Municipal Building
4 South Eagleville Road
Mansfield, CT 06268

Re: **Storrs Center Alliance LLC**
Application for Text Amendment to Mansfield Zoning Regulations

Dear Chairman Goodwin and Members of the Commission:

On behalf of Storrs Center Alliance LLC, I enclose an application to amend the text of the Mansfield Zoning Regulations pertaining to the definition of "Limited Service Hotel" and the addition of "Limited Service Hotels" as an allowed land use within the Storrs Center Special Design District (SC-SDD). We are also submitting concurrently an application to amend the Mansfield Zoning Map specifically pertaining to the addition of a Limited Service Hotel to the Phase 1C (Parcel 2) area of the SC-SDD.

Fifteen sets of the following materials are enclosed for your review:

1. Application form
2. Proposed text of zoning text amendment
3. Statement of Justification

I also enclose the application fee of \$560. Please let me know if you have any questions or require anything further.

Sincerely,



Thomas P. Cody
Robinson & Cole LLP
Attorneys for Storrs Center Alliance LLC

Enclosures



Law Offices

BOSTON

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12332146-v1

APPLICATION TO AMEND THE ZONING REGULATIONS

(See Article XIII of the Zoning Regulations)

File # _____

Date _____

1. **APPLICANT** Storrs Center Alliance LLC

(Please PRINT)

Street Address P.O. Box 878, 233 Route 17

Town Tuxedo Park, NY

Thomas P. Cody ATTORNEY FOR
THOMAS P. CODY (Signature) STORRS CENTER
Telephone (845) 351-2900 ALLIANCE LLC
Zip Code 10987

2. **AGENT** who may be contacted directly regarding this application:

Howard Kaufman

Name (please PRINT)

P.O. Box 878, 233 Route 17, Tuxedo Park, NY

Address

10987

(914) 443-6338

Telephone number

3. List article(s)/section(s) of Zoning Regulations to be amended:

(Consideration should be given to interrelated sections that must also be modified to ensure consistency within the Regulations)

Article Four, Section B.34

Article Ten, Section S.4.a(xxvii)

4. Exact wording of proposed amendment(s) -- use separate sheet if necessary:

See attached

5. Statement of Justification addressing approval considerations of Article XIII, Section C and

- (1) substantiating the proposal's compatibility with Mansfield's Plan of Development;
- (2) the reasons for the proposed amendment (including any circumstances or changed conditions that justify the proposal and how the amendment would clarify or improve the Zoning Regulations);
- (3) the effect the change would have on the health, safety, welfare and property values of Mansfield residents

(use separate sheet if necessary)

See attached

(over)

6. The following have been submitted as part of this application:

Application fee

Reports or other information supporting the proposed amendment (list or explain):

See attached

(end of applicant's section)

* * * * *

(for office use only)

Date application was received by PZC: _____ Fee submitted _____

Date of Public Hearing _____ Date of PZC action _____

Action: Approved _____ Effective _____

Denied _____

Comments:

Chairman, Mansfield Planning & Zoning Commission

Date

Proposed Zoning Text Amendment – Mansfield Zoning Regulations, Article Four, Section B

[Zoning Regulations Article Four, Section B includes a list of 91 definitions of terms and words used in the Regulations. Article Four, Section B, subsection 33 sets forth a definition of “Hotel.” The purpose of this proposed text amendment is to add a new subsection 34 to set forth the definition of “Hotel, Limited Service”]

33. **Hotel.** A building which has a common entrance or entrances and contains living and sleeping accommodations for hire for ten or more persons.

34. **Hotel, Limited Service.** A hotel that provides sleeping accommodations in single rooms or suites and may include on the premises other limited facilities, such as a breakfast buffet bar, afternoon/evening beverage and food bar, pool, and exercise room, but which does not include conference facilities.

Proposed Zoning Text Amendment - Mansfield Zoning Regulations, Article Ten, Section S

[Zoning Regulations Article Ten, Section S.4.a includes a list of 26 different land uses allowed in the Storrs Center Special Design District. The proposed new text is noted as subsection (xxvii) at the end of this section in double underlining]

4. Uses Permitted in the Storrs Center Special Design District

- a. The following land uses are allowed within the Storrs Center Special Design District, whether in separate buildings or in mixed use buildings and whether owned or leased:
- (i) Single family residences
 - (ii) Two-family residences
 - (iii) Multi-family residences
 - (iv) Age-restricted multi-family residences as defined in Article VII, Section H
 - (v) Live-work units (defined as a mixed use unit that includes a direct internal connection between office or retail space and residential space, whether on the same or different floors).
 - (vi) Use of residence for personal business purposes as defined in Article VII, section D
 - (vii) Retail uses
 - (viii) Restaurants, including sit-down and take-out varieties
 - (ix) Banks and financial institutions
 - (x) Offices, including medical offices and physical therapy clinics

- (xi) Personal service shops including, but not limited to, beauty salon, barber, and tailoring
- (xii) Photocopying, facsimile, document processing, courier and similar services
- (xiii) Repair services or businesses, including the repair of bicycles, electronics, home appliances, office equipment, watches, clocks, clothing, shoes and similar uses, but excluding the repair of internal combustion engines
- (xiv) Commercial printing or production accessory to an on-site retail business, provided the following conditions are met:
 - (1) the floor area used for such printing or production shall be limited to 3,000 square feet;
 - (2) all goods prepared shall be sold to customers on the premises; and
 - (3) no floor drains or other direct connections to the exterior of the building shall be permitted
- (xv) Governmental and civic uses, including but not limited to post offices, libraries, University of Connecticut uses, Town of Mansfield uses, parks, squares and greens
- (xvi) Art galleries or studios, museums, music recital halls, cinemas, and theaters of all types
- (xvii) Dance halls and juice bars not serving alcohol
- (xviii) Live music, whether as a principal or accessory use, so long as it is conducted at acceptable noise levels in conformance with all codes and ordinances of the Town.
- (xix) Public and private parking garages
- (xx) Public and private parking lots
- (xxi) Self-service laundromats, and laundry and dry-cleaning drop-off and pick-up, provided no dry cleaning is conducted on the premises
- (xxii) Public or private schools
- (xxiii) State licensed or registered day-care centers
- (xxiv) Recreation facilities, whether public or private and whether indoors or outdoors, such as health clubs, physical fitness centers, gyms, playgrounds, and billiard halls
- (xxv) Private clubs, such as university faculty clubs, university graduate clubs and clubs for civic or religious organizations, with or without residential

units, but excluding clubs or housing for student fraternities, sororities and other student groups.

(xxvi) Sale of alcoholic liquor, subject to the provisions of all town ordinances.

(xxvii) Limited Service Hotels, provided that not more than a total of 100 hotel rooms or suites may be allowed in all of the Storrs Center Special Design District.

APPLICATION BY:

STORRS CENTER ALLIANCE LLC

TEXT AMENDMENT TO THE MANSFIELD ZONING REGULATIONS
(PERTAINING TO THE ADDITION OF A LIMITED SERVICE HOTEL USE
WITHIN THE STORRS CENTER SPECIAL DESIGN DISTRICT)

STATEMENT OF JUSTIFICATION

Introduction

This Application would amend the text of the Mansfield Zoning Regulations relative to the Storrs Center Special Design District (SC-SDD). The SC-SDD area consists of several different neighborhoods within approximately 47 acres of land generally located on the east side of Storrs Road (Route 195) between Post Office Road (now named Charles Smith Way)/South Eagleville Road on the south and land along Dog Lane on the north. This application would amend the Zoning Regulations to include a definition for "limited service hotels" and would add "limited service hotels" as an allowed use within the SC-SDD, provided that such use would be limited to a maximum of 100 hotel rooms or suites within the SC-SDD.

Background

Following a competitive selection process in 2003, Storrs Center Alliance LLC ("SCA") was selected to be the master developer of Storrs Center. The sole member of SCA is LeylandAlliance LLC, a real estate development firm based in Tuxedo Park, New York that specializes in traditional neighborhood development. SCA worked with the Mansfield Downtown Partnership (the "Partnership") and its consultants to prepare the Storrs Center Municipal Development Plan ("MDP") in a manner consistent with the requirements of General Statutes Chapter 132. The MDP was approved by the Partnership and the Mansfield Town Council in the fall of 2005. The plan was subsequently approved by the Connecticut Department of Economic and Community Development and the Secretary of the Office of Policy and Management in early 2006.

As set forth in the MDP, Storrs Center was envisioned to be a mixed use neighborhood designed to create a vibrant Main Street experience within a shared public realm. Structured and surface parking would be provided in accordance with the plan to support the needs of the various neighborhoods. The developed portion of the new community would occupy about one-third of the overall site. A large part of the project area would be reserved for conservation as part of an effort to establish an environmentally balanced and intelligent approach to the use of the land.

SCA and the Partnership, working with a team of professional architects, planners, scientists, engineers and legal counsel, jointly prepared materials to create a special

design district for Storrs Center. In June, 2007, the Mansfield Planning & Zoning Commission rezoned 47 acres of land in the center of Storrs to the newly-created Storrs Center Special Design District. The intent of the new zoning designation was to facilitate the redevelopment of a portion of the downtown Storrs area that was previously developed with a mix of mainly commercial uses.

Following the approval of the new zoning district for Storrs Center, extensive site planning, building design and engineering work continued. Various federal, state and local permits and approvals were obtained. The Town of Mansfield approved zoning permits for the first two phases of construction of Storrs Center near the town square. The first two mixed use buildings are complete, and a third is nearing completion. Zoning permits have also been approved for the parking garage and intermodal center, Village Street and transit pathways, and Post Office Road and the Post Office site. Construction of the parking garage is complete, and roadway improvements to Storrs Road and the Village Street are underway. Twenty-five acres of land were conveyed from the University to the Town of Mansfield for permanent protection as open space.

The Planning & Zoning Commission recently approved an amendment to the SC-SDD zoning map to provide for the construction of a new supermarket in the Market Square area of Storrs Center. This amendment reduced the overall development program in the Market Square area, including a net reduction of over 43,000 square feet of retail/commercial space as compared to the original approval. The application also modified elements of the preliminary master plan, such as parking, landscaping, and drainage improvements, as necessary to enable the development of this supermarket.

Summary of Proposed Zoning Text Amendment

The proposed zoning text amendment would add the following definition of “Hotel, Limited Service” to the list of definitions set forth in Article Four, Section B:

34. Hotel, Limited Service. A hotel that provides sleeping accommodations in single rooms or suites and may include on the premises other limited facilities, such as a breakfast buffet bar, afternoon/evening beverage and food bar, pool, and exercise room, but which does not include conference facilities.

The proposed text amendment would also add the following language to the list of allowed uses set forth in Article Ten, Section S (Storrs Center Special Design District):

(xxvii) Limited Service Hotels, provided that not more than a total of 100 hotel rooms or suites may be allowed in all of the Storrs Center Special Design District.

The Zoning Regulations already set forth a list of 26 different land uses allowed within Storrs Center. The core development area of Storrs Center, which largely overlies previously or currently developed property along Storrs Road and Dog Lane, was envisioned to include a commercially oriented mixed use zone designed to create a vibrant Main Street experience with a shared public realm. Buildings in the commercial

mixed use zone were anticipated to combine retail, office, restaurant and residential uses in a variety of forms. In addition, structured and surface parking was planned to support the needs of the various neighborhoods. Civic uses would also be allowed throughout the project, including public open spaces such as streets, sidewalks, the town square, and small plazas and terraces.

The Storrs Center Special Design District map provides that at the heart of Storrs Center will be a town square. A significant portion of the town square in Storrs Center is now coming to life in ways that are very similar to what was envisioned. The north and east sides of the town square are nearly complete: construction of two mixed use buildings and a parking garage is complete, and a third mixed use building is under construction. Over 290 residential units are occupied or nearing completion in this area, with very high occupancy rates. Restaurants and stores are opening up along Dog Lane and the Village Street near the town square (now named Royce Circle), bringing activity and vitality to the area. Streetscape improvements to Storrs Road are underway, and installation of landscaping and sidewalks in the town square itself will take place this year.

With the development of the areas fronting the town square on the north and east sides nearly complete, an opportunity has arisen to complete the development of the south side of the town square. Two buildings are planned in the Phase 1C area. The first would be a mixed use building facing the town square, Storrs Road and Royce Circle with retail/restaurant space and a terrace on the ground floor and apartments above.

As proposed in the zoning map amendment submitted concurrently with this application, a new limited service hotel would be located to the south of the first Phase 1C building, separated by a driveway with a porte cochere drop-off area. The limited service hotel would be located on the south side of Phase 1C on Parcel 2, adjacent to the Storrs Commons center.

At the time the Storrs Center Special Design District was initially approved in 2007, the zoning district previously governing the Phase 1C area (before rezoning to SC-SDD) was Planned Business 2 (PB-2). "Hotels, motels and tourist homes" are allowed within the PB-2 zone district. Thus, the proposal to add "limited service hotels" to the list of allowed uses in the SC-SDD is in keeping with the long-term plan for land uses in this area of Mansfield. Moreover, the concept that a hotel might be located within Storrs Center was described in the MDP. The Storrs Center Special Design District was approved by the Planning & Zoning Commission without specific mention of a hotel as an allowed use, and that omission has prompted this zoning text amendment.

With the Storrs Center vision now coming to life in the form of new residences, restaurants, shops and public spaces, a limited service hotel would be an excellent complement to what is taking shape. A limited service hotel would further the MDP's goal "that the square becomes a primary destination in the region" and it would create a lodging and hospitality option right in the heart of Storrs Center.

In terms of urban form and function, a limited service hotel will fit very well with the buildings and uses in this part of Storrs Center. The proposed zoning text amendment specifically limits the size of a limited service hotel to “not more than a total of 100 hotel rooms or suites” in all of the Storrs Center Special Design District. In short, a limited service hotel would fit seamlessly into the fabric of Storrs Center, both as it was originally planned and as it is now taking shape.

Information Requirements and Approval Considerations in Article XIII, Sections B, D

Zoning Regulations Article XIII, Section B sets forth certain requirements for information to be submitted in conjunction with any petition to amend the Zoning Regulations.

1. Compatibility of the proposal with respect to the Mansfield Plan of Conservation and Development: For all of the reasons set forth in this application, the applicant believes that the proposed zoning text amendment is consistent with the 2006 Mansfield Plan of Conservation and Development. In particular, the proposed amendment is consistent with the following provision:

To strengthen and encourage an orderly and energy-efficient pattern of development with sustainable balance of housing, business, industry, agriculture, government and open space and a supportive infrastructure of utilities, roadways, walkways, and bikeways, and public transportation services.

- Objective c: To encourage mixed use developments, such as the Storrs Center “Downtown” project, in areas with existing or potential sewer and public water.

Furthermore, the Mansfield Zoning Map previously designated the Phase 1C area as Planned Business 2 (PB-2) zoning district. “Hotels, motels and tourist homes” are allowed in the PB-2 zone. In addition, the amendment is consistent with the MDP. The Partnership recently approved a minor modification of the MDP to clarify that a hotel is an allowed use in Storrs Center.

2. Reasons for the particular changes: The principal reasons for the proposed zoning regulation amendment are to amend the text of Article Four, Section B of the Regulations to create a definition of “Hotel, Limited Service” and to amend the text of Article Ten, Section S.4.a of the Regulations to add “Limited service hotels, provided that not more than a total of 100 hotel rooms or suites may be allowed in all of the Storrs Center Special Design District” as an allowed land use within the Storrs Center Special Design District.

3. Effects on the health, safety, welfare and property values of Mansfield residents: The proposed zoning text amendment will not significantly change the essential character of Storrs Center, either as it was originally intended or as it is emerging during construction. The Mansfield Zoning Map previously designated the Phase 1C area as Planned Business 2 (PB-2) zoning district. "Hotels, motels and tourist homes" are allowed in the PB-2 zone. Storrs Center will still include a wide mix of land uses, including residential, retail, restaurant and commercial uses. This complementary range of land uses will provide needed housing, shopping, services, and entertainment opportunities for all Mansfield residents. Storrs Center will continue to be pedestrian-friendly and encourage pedestrian movement. The addition of a limited service hotel to the list of allowed land uses within Storrs Center will enable an appropriately designed limited service hotel to be developed and to bring with it new services and conveniences for residents and visitors to Storrs Center. Hotel guests would also be supportive of the restaurants and other retail businesses in and around Storrs Center.

Zoning Regulations Article XIII, Section D sets forth the following approval considerations for the Planning and Zoning Commission:

1. The proposal is complete and contains all required application information. The applicant believes that the Application is complete and contains all of the information required by the Zoning Regulations relative to a zoning text amendment, including a signed application form, application fee, statement of justification, and the specific text of the proposed amendment.
2. The proposal is consistent with the goals, policies and recommendations contained within the Mansfield Plan of Conservation and Development. For all of the reasons stated above, the applicant believes that the proposal is consistent with the Mansfield Plan of Conservation and Development. In particular, the proposed amendment is consistent with the following provision:

To strengthen and encourage an orderly and energy-efficient pattern of development with sustainable balance of housing, business, industry, agriculture, government and open space and a supportive infrastructure of utilities, roadways, walkways, and bikeways, and public transportation services.

- Objective c: To encourage mixed use developments, such as the Storrs Center "Downtown" project, in areas with existing or potential sewer and public water.
3. The proposal is consistent with the expression of regulatory intent and purpose contained in Article I of these regulations and Section 8-2 of the Connecticut General Statutes. This zoning text amendment is consistent with the purpose contained in Article I of the Zoning Regulations, in that the proposal will enable a limited service hotel to be developed within Storrs

Center, provided that no more than a total of 100 rooms or suites may be provided in all of the SC-SDD area. The text amendment protects the health, safety, convenience and welfare of the residents of Mansfield, as described above.

4. Any proposal to amend the Zoning Regulations is: appropriately-worded and legally sound and comprehensive and consistent with respect to other regulatory provisions. This zoning text amendment is appropriately worded and legally sound. The existing SC-SDD zoning, in addition to all of the planning work that has been done by the Town, the Partnership, and Storrs Center Alliance, indicate that this proposal will have a positive impact on the existing land uses in the surrounding area.