



APPLICATION FOR SPECIAL PERMIT

Complete, notarize, and forward thirteen (13) hard copies and (1) electronic copy in PDF format to Clerk of the Zoning Board with a **\$1,000.00 Public Hearing Fee** and the required application filling fee (see **Fee Schedule below**), payable to the City of Stamford.

NOTE: Cost of required advertisements are payable by the Applicant and performance of required mailing to surrounding property owners is the sole responsibility of the applicant. **LAND RECORDS RECORDING FEE:** \$60.00 for First page - \$5.00 for each additional page)

Fee Schedule

Special Permit 20,000 sq. ft. or less	\$460.00
Special Permit more than 20,000 sq. ft.	\$460.00 + \$30 per 1,000 sq. ft. or portion thereof in excess of 20,000 sq. ft.

APPLICANT NAME (S): MC-Myano LLC

APPLICANT ADDRESS: c/o Agent: Carmody Law, Attn: Jason Klein 1055 Washington Blvd., Stamford, CT 06901

APPLICANT PHONE #: c/o Agent: 203-252-2669

IS APPLICANT AN OWNER OF PROPERTY IN THE CITY OF STAMFORD? Yes

LOCATION OF PROPERTY IN STAMFORD OWNED BY APPLICANT (S): 50 Myano Lane (004-2182 & 004-2183)

ADDRESS OF SUBJECT PROPERTY: 50 Myano Lane (004-2182 & 004-2183)

PRESENT ZONING DISTRICT: R-5 & M-L

TITLE OF SITE PLANS & ARCHITECTURAL PLANS: See Schedule A attached hereto

REQUESTED SPECIAL PERMIT: (Attach written statement describing request)

See Schedule B attached hereto

LOCATION: (Give boundaries of land affected, distance from nearest intersecting streets, lot depths and Town Clerk's Block Number)

See Schedule C attached hereto

NAME AND ADDRESS OF OWNERS OF ALL PROPERTY INVOLVED IN REQUEST:

<u>NAME & ADDRESS</u>	<u>LOCATION</u>
MC-Myano LLC P.O. Box 7528 Greenwich, CT 06830	50 Myano Lane (004-2182 & 004-2183)

DOES ANY PORTION OF THE PREMISES AFFECTED BY THIS APPLICATION LIE WITHIN 500 FEET OF THE BORDER LINE WITH GREENWICH, DARIEN OR NEW CANAAN? N/A (If yes, notification must be sent to Town Clerk of neighboring community by registered mail within 7 days of receipt of application – PA 87-307).

DOES THE PROJECT RESULT IN THE CREATION OF 10 OR MORE UNITS OR 10,000 SF OR MORE IN FLOOR AREA OR DISTURBANCE OF 20,000 SF OR MORE IN LAND AREA, THROUGH NEW DEVELOPMENT, RECONSTRUCTION, ENLARGEMENT OR SUBSTANTIAL ALTERATIONS? N/A (If yes, then complete the Stamford Sustainability Scorecard per Section 15.F).



DATED AT STAMFORD, CONNECTICUT, THIS 28th DAY OF February, 2022

SIGNED: [Signature]

NOTE: Application cannot be scheduled for Public Hearing until 35 days have elapsed from the date of referral to the Stamford Planning Board. If applicant wishes to withdraw application, please notify the Zoning Board at least three (3) days prior to Public Hearing so that the Board may have sufficient time to publicize the withdrawal.

STATE OF CONNECTICUT ss STAMFORD February 28th 20 22
 COUNTY OF FAIRFIELD

Personally appeared Jason Klein, signer of the foregoing application, who made oath to the truth of the contents thereof, before me.

[Signature]
 Notary Public - Commissioner of the Superior Court

FOR OFFICE USE ONLY

APPL. #: _____ Received in the office of the Zoning Board: Date: _____

By: _____

Revised 09/02/2020

Schedule A – List of Plans

- A survey prepared by Edward J. Frattaroli, Inc., revised to January 14, 2016, entitled “Survey Report, Prepared for PRPG 50 Myano Lane LLC, 50 Myano Lane, Stamford, Connecticut;”
- Architectural plans depicting the Existing Building, prepared by Corporate Design, dated December 13, 2021, entitled:
 - “As-Built, Ground Floor Plan, AB-1;”
 - “As-Built, Second Floor Plan, AB-2;”
 - “As-Built, Rear Elevation & Side Elevation – North, AB-3;” and
 - “As-Built, Front Elevation & Side Elevation – South, AB-4.”

Schedule B – Project Narrative & Statement of Findings

Introduction

MC-Myano LLC (the “Applicant”) is the owner of the property located at 50 Myano Lane Stamford, CT (the “Property”). The Property is comprised of 2 Tax Lots that are approximately 37,500 square feet in total Lot Area. 31,250 square feet of the Property is located within the Multiple Family, Medium Density Design District (the “R-5 Zone”). The remaining 6,250 sf of the Property is in the Light Industrial District (the “M-L” Zone”). The entire Property is designated as Category 3 (Residential Low Density Multifamily) of the Master Plan. The Property is improved with a 2-story residential building (the “Existing Building”) built in 1998.¹ There are 144 parking spaces located on the Property.

The Existing Building was originally built with 12 1-bedroom apartments, but now includes 13 apartments. All 13 apartments feature typical kitchen appliances within the units. The 12 1-bedroom apartments are competitively rented at \$1,550-\$1,800 a month. Rent for the 13th apartment (a studio unit), is \$1,000 per month. The Applicant is requesting Special Permit Approvals from the Zoning Board of the City of Stamford (the “Zoning Board”) that will allow it to continue to rent the 13th apartment to Stamford residents.

History

The existing Building was built in 1998, and originally contained 12 1-bedroom apartments. The Existing Building was also built with an office on the 2nd floor to be used by the then owner of the Property. The Applicant later purchased the Property in 2018. Prior to the Applicant’s purchase of the Property, the prior owner converted the office on the 2nd floor to a studio apartment. The Applicant rented the unit to a tenant in 2018, who has lived there ever since. However, in 2021, the Applicant became aware of the fact that this studio unit did not obtain the proper municipal approvals, notwithstanding the fact that the Lot Area of the Property is large enough to accommodate up to 15 apartments.

Project Area and Development Site

Neighboring uses include commercial buildings to the south of the Property along Myano Avenue, and the Green Oaks Condominiums (22 units) on Myano and Alvord Lanes.

Description of Proposed Development

The Applicant seeks Special Permit Approval to approve the studio unit located within the Existing Building. No increases in Building Area or Building Height are proposed. No new improvements or other modifications to the Property are proposed.

Requested Approvals

To facilitate this proposal, the Applicants are requesting the following approvals:

¹ The Existing Building is located on the portion of the Property within the R-5 Zone.

- (1) Special Permit Approval pursuant to Section 4.B.9.c of the Zoning Regulations to allow the 13th apartment to remain within the Existing Building; and
- (2) Special Permit Approval pursuant to Section 7.4.D.3 of the Zoning Regulations to allow for a Fee-in-Lieu Payment of \$4,537.50.

Statement of Findings

A. Compliance with Special Permit Standards

The Applicants submit the proposal is consistent with the Special Permit standards (Section 19.3.2) of the Zoning Regulations as follows:

Special Permits shall be granted by the reviewing board only upon a finding that the proposed use or structure or the proposed extension or alteration of an existing use or structure is in accord with the public convenience and welfare after taking into account, where appropriate:

(1) The location and nature of the proposed site including its size and configuration, the proposed size, scale and arrangement of structures, drives and parking areas and the proximity of existing dwellings and other structures.

The Property is amply sized to accommodate 13 apartments. Given the total Lot Area of the Property, the Zoning Regulations permit up to 15 apartments on the premises. Since purchasing the Property in 2018, the Applicant has continued to maintain the Existing Building, the parking area, and site landscaping. The multi-family use remains in keeping with nearby residential and commercial uses.

(2) The nature and intensity of the proposed use in relation to its site and surrounding area. Operations in connection with Special Permit uses shall not be injurious to the neighborhood, shall be in harmony with the general purpose and intent of these Regulations, and shall not be more objectionable to nearby properties by reason of noise, fumes, vibration, artificial lighting or other potential disturbances to the health, safety or peaceful enjoyment of property than the public necessity demands.

The nature and intensity of the multi-family use of the Existing Building appropriate for both the Property and the surrounding area. The 13th apartment has not resulted in an increase in traffic to the Property compared to the previously approved 12-unit density. Because the 13th apartment is a studio is unlikely to attract tenants with more than 1 vehicle.

The proposal will not cause any nuisance by way of noise, fumes, vibration, artificial lighting or other potential disturbances to the health, safety or peaceful enjoyment of property.

(3) The resulting traffic patterns, the adequacy of existing streets to accommodate the traffic associated with the proposed use, the adequacy of proposed off-street parking and loading, and the extent to which proposed driveways may cause a safety hazard, or traffic nuisance.

The additional studio apartment has not resulted in adverse traffic conditions, and will not in the future. The 144 parking spaces on the Property have adequately served all 13 apartments and will be sufficient to do so in the years to come. There have been no car accidents on the Property or at the site drive to same since the Applicant purchased the Property in 2018.

(4) The nature of the surrounding area and the extent to which the proposed use or feature might impair its present and future development.

The proposal will not adversely impact the present and future development of the surrounding area. The 13th apartment has not caused any disturbance to residential uses to the west, north and east of the Property, and will not impair the operation of commercial uses to the south.

(5) The Master Plan of the City of Stamford and all statements of the purpose and intent of these regulations.

The proposal is consistent with the goals and policies of the Master Plan. The Property lies in Master Plan Category 3 (Residential – Low Density Multifamily). This category is intended to “provide for and protect single-family dwellings and the least intensive of multifamily development (i.e., garden apartments or similar condominium-type units).”² Permitting 1 additional studio unit is in keeping with the blend of residential uses along Myano Lane.

B. Compliance with Fee in Lieu Standards

The Zoning Board may approve a Fee-in-Lieu payment where “the alternative method is desirable and will further affordable housing opportunities in the City to a greater extent than the provision of on-site BMR Units, either through the production of a greater number of affordable housing units, larger bedroom size units or units for families below the required targeted income brackets.”³ The rent for a BMR studio priced at the 50% Area Median Income (“AMI”) level is currently approximately \$1,328.25, while the rent for the studio unit in question is \$1,000, and will likely remain more affordable than typical BMR units due to its size. Approving a Fee in Lieu payment will allow the Applicant to continue to make this unit available to residents at a very competitive and affordable rent. This will also result in a \$4,537.50 contribution to the City, which can be utilized to add even more affordable units to the City’s housing portfolio. By permitting a competitively priced apartment to remain and accepting a financial contribution that can be leveraged to provide additional housing opportunities, the proposal furthers affordable housing policies of the City. Should the Application be denied, the Applicant will be forced to abandon the studio unit, resulting in the loss of an affordable apartment, and the opportunity cost of lost funds that can be used to further housing goals and objectives.

Conclusion

² Master Plan of the City of Stamford (the “Master Plan”), pg. 192.

³ Zoning Regulations Sec. 7.4.D.

The proposal is consistent with the goals and policies of Master Plan Category 3 and the standards of the Zoning Regulations. The proposal will complement the character of the surrounding neighborhood and further important affordable housing policies.

Schedule C – Property Description

All that certain piece or parcel of land, with the buildings and improvements thereon, situated in the City of Stamford, County of Fairfield and State of Connecticut shown and depicted as Lots 75, 76, 77, 78, 79 and 80 on a certain map entitled, “Map Showing a Portion of the Property of H.E. Verran Company, Inc., situated in the Town of Stamford, Connecticut,” which map is on file in the Stamford Town Clerk’s Office as Map No. 1108, which lots are also shown and depicted as said same lot numbers on another certain map entitled, “Map Showing Property on West Main Street, Alvord Lane and Myano Lane, Stamford, Connecticut. Prepared for General Research, Inc.” on file in the Stamford Town Clerk’s Office as Map No. 6875.