



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 filing 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 Torrance Sandak & Hennessey LLP - Jason Klein, 1055 Washington Blvd., Stamford, CT 06901

APPLICANT PHONE #: 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 (Parcel ID No. 004-2182 and 004-2183)

ADDRESS OF SUBJECT PROPERTY: 50 Myano Lane

PRESENT ZONING DISTRICT: R-5 and M-L Zones

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 Stamford, CT 06902

DOES ANY PORTION OF THE PREMISES AFFECTED BY THIS APPLICATION LIE WITHIN 500 FEET OF THE BORDER LINE WITH GREENWICH, DARIEN OR NEW CANAAN? Yes (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? No (If yes, then complete the Stamford Sustainability Scorecard per Section 15.F).



DATED AT STAMFORD, CONNECTICUT, THIS 2nd DAY OF May 20 22

SIGNED: Rachel Breslin

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
 COUNTY OF FAIRFIELD ss STAMFORD May 2nd 20 22

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

[Signature]
 MAX P. MATT

~~Notary Public~~ - Commissioner of the Superior Court

5/1/2022

FOR OFFICE USE ONLY

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

By: _____

May 2, 2022

VIA HAND & ELECTRONIC DELIVERY

Ms. Vineeta Mathur
Principal Planner
City of Stamford
888 Washington Boulevard
Stamford, Connecticut 06901

**RE: 50 Myano Lane, Stamford, CT (the "Property") (Parcel IDs 004-2182 and 004-2183)
MC-Myano LLC (the "Applicant")
Special Permit Application**

Dear Ms. Mathur:

Our firm represents the Applicant, the owner of the Property. On February 28, 2022, an application for Special Permit approval was submitted in order to approve the studio apartment unit located within the existing building. That application was withdrawn in order to remedy notice defects. Specifically, the Town Clerk of Greenwich was required to be notified of the application since the Property is located within 500' of the Town of Greenwich. We are now refiling an application nearly identical to the February 28th application, the only difference being the Special Application form has been marked listing the Property as within 500' of Greenwich. Thirteen (13) copies of this revised Special Permit form, including the referenced schedules (which have not changed since the initial submission) are enclosed for your reference.

We look forward to your advice as to when the Zoning Board will hold a public hearing on the enclosed application. Thank you for your time and attention regarding this matter.

Sincerely,



Rachel M. Breslin

Enclosures.

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

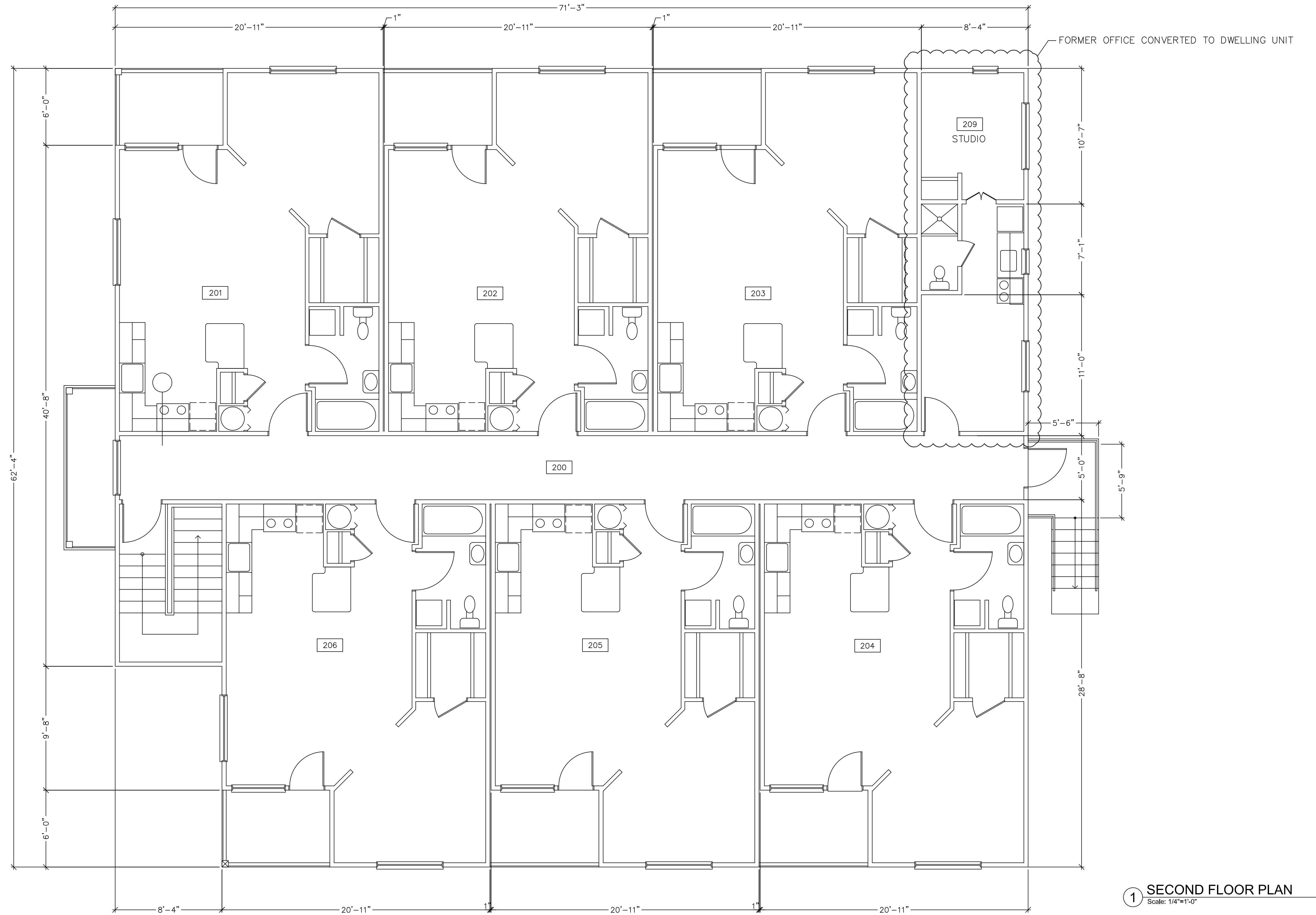
² Master Plan of the City of Stamford (the “Master Plan”), pg. 192.

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

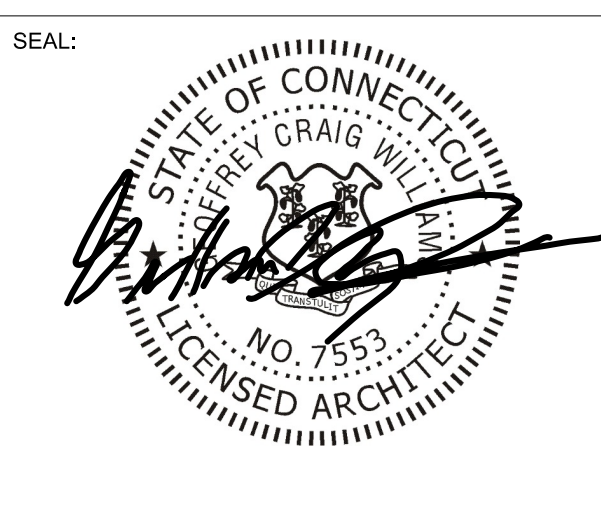
All that certain piece or parcel of land, with the buildings and improvements thereon, situated in the City of Stamford, County of Fairfield and State of Connecticut shown and depicted as Lots 75, 76, 77, 78, 79 and 80 on a certain map entitled, “Map Showing a Portion of the Property of H.E. Verran Company, 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.



① SECOND FLOOR PLAN
Scale: 1/4"=1'-0"

NO.	REVISIONS/ISSUES	DATE
-	DATE OF ISSUE	12.13.2021

LEGEND:



SCALE : As Noted
DRAWN BY: -
CHECKED BY: -
CADD FILE: 50 Myano _As-Built Plans & Elevations.dwg
DATE: Dec 17, 2021 - 9:37am
PROJECT NO.:

d corporate design
140 Sherman St, Fairfield, CT 06824
203-255-2588 Phone 203-255-2598 Fax

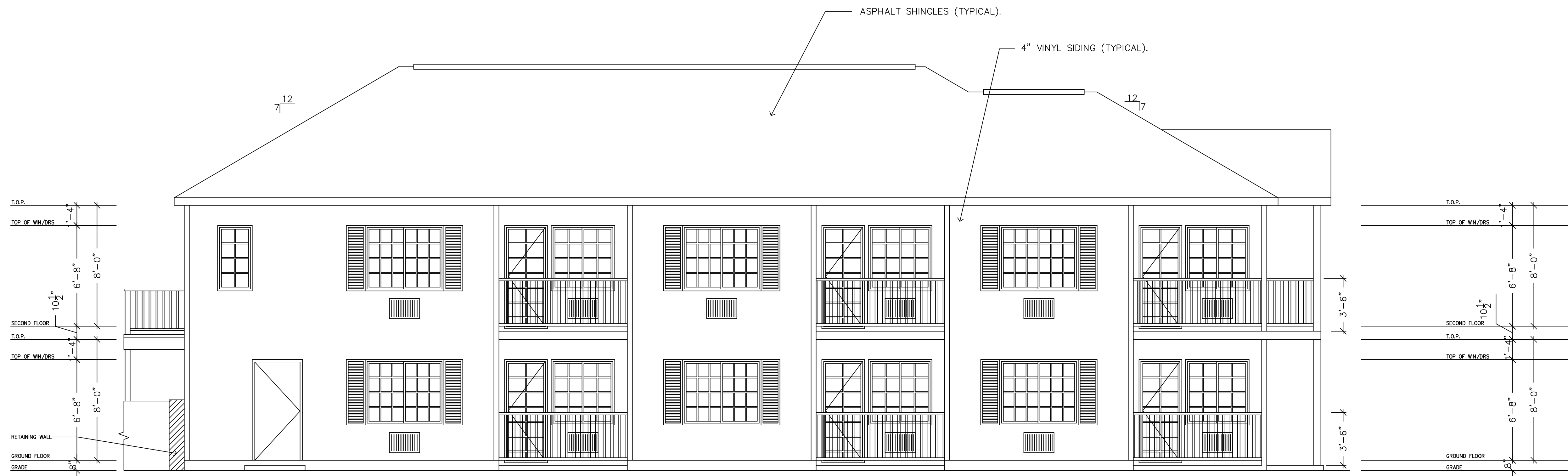
CLIENT/LOCATION :

**50 MYANO LANE
STAMFORD, CT**

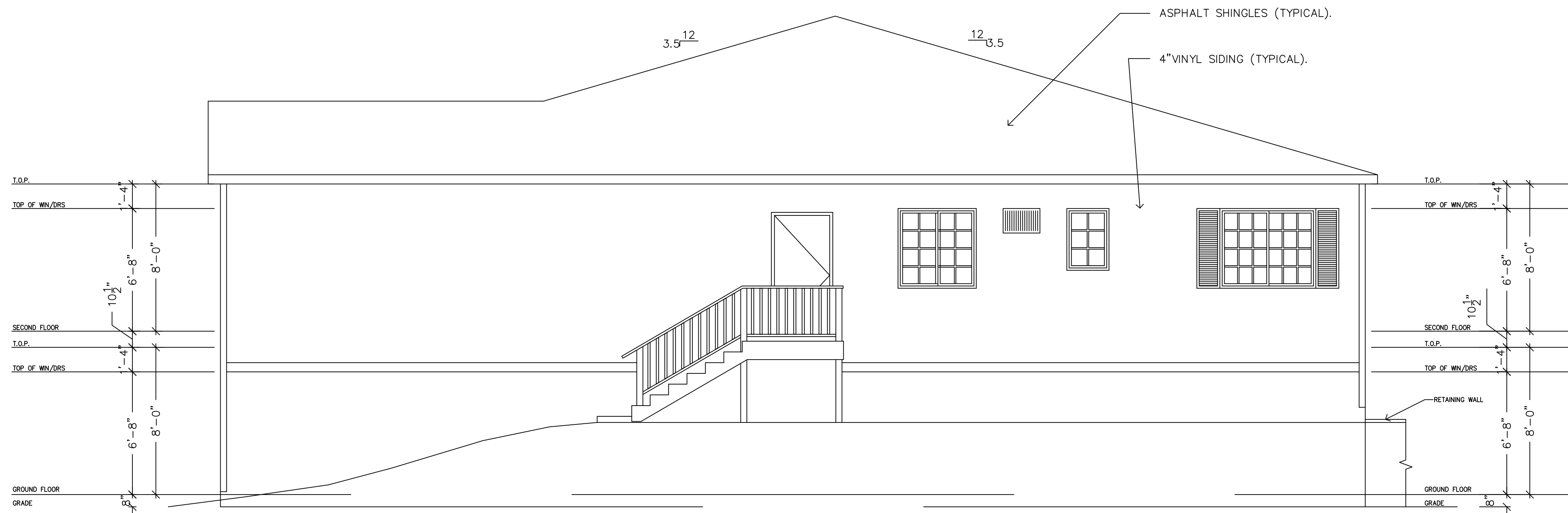
**AS-BUILT
AB-2**

This drawing is the property of Corporate Design, LLC and must not be reproduced in hard copy or electronic form for any other purpose than that which it was specifically furnished.

Do Not Scale Drawing - Use Dimensions Only



1 REAR ELEVATION
Scale: 1/4"=1'-0"



2 SIDE ELEVATION - NORTH
Scale: 1/4"=1'-0"

NO.	REVISIONS/ISSUES	DATE
-	DATE OF ISSUE	12.13.2021

LEGEND:

SEAL:



SCALE :

As Noted

DATE:

Dec 17, 2021 - 9:40am

DRAWN BY:

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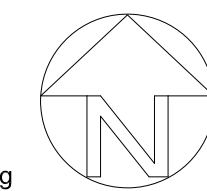
PROJECT NO.:

CHECKED BY:

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CADD FILE:

50 Myano _As-Built Plans & Elevations.dwg



d corporate
design

140 Sherman St, Fairfield, CT 06824
203-255-2588 Phone 203-255-2598 Fax

CLIENT/LOCATION :

50 MYANO LANE
STAMFORD, CT

AS-BUILT
AB-3

M-L ZONE BUILDING SETBACK REQUIREMENTS

- Front Street Line Setback..... 10'
- Center Line Of Street Setback..... 35'
- Rear Yard Setback..... 15'
- Side Yard Setback.....None Required But If Provided Must Be At Least 4 Feet
- Maximum Building Height 4 Stories (50')
- Max. Building Coverage.....30% Of Lot Area (Corner Lot)
- Max. Building Coverage.....80% Of Lot Area (Interior Lot)

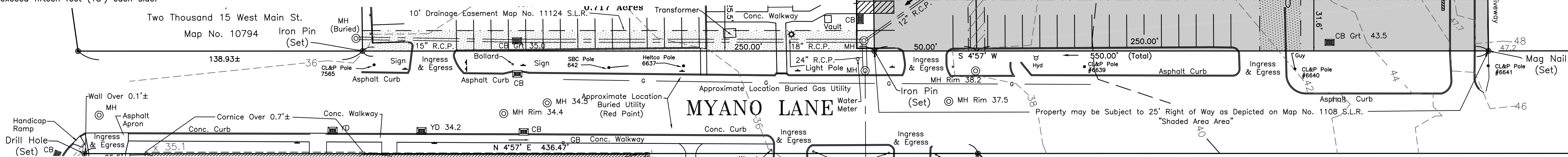
Zoning Information Is Subject To The Review And Approval By The Appropriate Governing Authority

R-5 ZONE BUILDING SETBACK REQUIREMENTS

- Front Street Line Setback..... 20'
- Center Line Of Street Setback..... 45'
- Rear Yard Setback..... 30'
- Side Yard Setback..... 6' W/ Total Of... 12'
- Max. Building Coverage.....30% Of Lot Area
- Maximum Building Height 3 Stories (40')

NOTE: For 9000(sq) SEE NOTE 3.1 FOR SIDE YARD SETBACKS. Each side yard at least equal to one-half the height of the building but need not exceed fifteen feet (15') each side.

WEST MAIN STREET



PARKING STALLS

Number Of Painted Stalls In Lots West Side Of Myano Lane . . .	141
Number Of Handicap Stalls In Lots West Side Of Myano Lane . . .	3
Total Painted Stalls on Subject Properties	144

Existing Buildings are Subject to Art. IV, Sec. 10 Para. "A" Of The City of Stamford Zoning Regulation Of The City Of Stamford and Section 8-13A of the Connecticut General Statutes.

Subject Properties are Subject to Section 7 Paragraph K of the City of Stamford Zoning Regulations- When a lot adjoins a lot in a more restricted district, any adjoining side yard of such lot shall have minimum width equal to the required side yard in the more restricted district, and any adjoining front yard shall have a minimum depth equal to the required depth of the front yard in the more restricted district.

Notes:

- Subject to utility easements or Private Agreements if any, in addition to those Depicted on this Map and or referenced in title report
- Property may have Substructures and/or their encroachments below grade, if any, in addition to those noted and or depicted.
- Use of this survey for subsequent transactions or by subsequent owners, (other than those parties listed in the survey certification) voids certifications, seal and signature hereon.
- Reference is hereby made and Subject properties are subject to all notes on Recorded Documents hereon referenced that pertain to these parcels on Maps No. 1108, 6875, 11124, 12794 and 12906 S.L.R. and all references in Chicago Title Insurance Company Commitments for Title Insurance Effective Date 5/29/2012
- Distances Depicted ± from buildings to property lines are scaled only and are not to be used to establish property lines.
- Underground utility, structure and facility locations depicted, noted or Referenced hereon have been compiled, in part, from Record mapping supplied by the respective utility companies or governmental agencies, from parol testimony and from other sources. These locations must be considered as approximate in nature. Additionally, other such features may exist on the site, the existence of which are unknown to Edward J. Frattaroli, Inc. The size, location and existence of all such features must be field determined and verified by the appropriate authorities prior to any construction.
- Any Person Working on these or surrounding Parcels shall notify all public utility companies by calling Call-Before-You-Dig at 1-800-922-4455 at least 72 hours prior to crossing their lines.
- Just compensation not received for the preparation of this map Renders all Statements Signatures and Seals Void. Verify prior to use.
- Elevations Based on NAVD-88 Datum
- Subject to A grant to the City of Stamford dated January 3, 1957 and recorded January 11, 1957 in Volume 802 at Page 527 of the Stamford Land Records.

Parking Easement Agreement between Plaza West Associates, LLC and Collins Plaza West, LLC Dated April 6, 2001 and recorded in Volume 5740, Page 245 of the Stamford Land Records.

LEGEND

Spot Elevation	x 100.0	Existing	
Contour	- - - - 100		
Storm Drain	====		
Sanitary Sewer	====		
Gas Main	— c —		
Water Main	— w —		
Electric	— e —		
Stone Wall	— o —		
Stone Masonry Wall	— o —		
Concrete Wall	— c —		
Brick Wall	— b —		
Fence	X X		
Catch Basin (In Curb)	⊠	Manhole	⊙
Catch Basin (Flush)	⊠	Yard Drain	⊠
Gas Box	⊠	Light Pole	⊠
Water Box	⊠	Sign	⊠
Traffic Signal Pole	⊠	Tree	⊠

SURVEY REPORT

Refer to:

Location: 50 Myano Lane, Stamford, Connecticut.

50 Myano Lane (Tax Parcel ID 004-2183 & 004-2182)

Refer to First American Title Insurance Company CLIENT NAME OR FILE NO.:3020-760054 Effective Date: October 27, 2015 at 8:00 a.m Vested Title COLLINS MYANO SUB LLC by virtue of a Deed from COLLINS PLAZA WEST LLC, LLC Recorded on 7-11-2012 in Volume 10471 at Page 064 of the Stamford Land Records.

I, Kenneth E. Frattaroli, a registered land surveyor License No. 70012, in and for the state of Connecticut and legally doing business in Fairfield County, does hereby certify to First American Title Insurance Company, Customers Bank, and PRPG 50 Myano Lane LLC that I have made a careful survey of the Subject land described (hereon) (as follows):

PARCEL 1 (50 Myano Lane):

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.

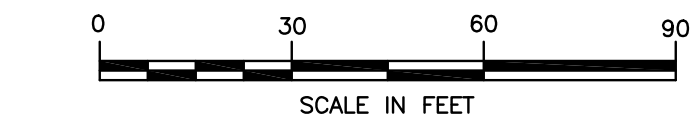
Notes concerning the Legal Descriptions:

- The above description of 50 Myano Lane comprises the following parcels: 50 Myano Lane and 50 Myano Lane B.
- Schedule "B" Exceptions
 - Storm Drainage Easement to the City of Stamford dated January 13, 1957 and recorded in Volume 802 at Page 527 of the Stamford Land Records.
 - Electric Distribution Easement to The Connecticut Light and Power Company dated March 24, 1998 and recorded in Volume 4959 at Page 90 of the Stamford Land Records.
 - Parking Easement Agreement dated July 10, 2012 and recorded in Volume 10471 at Page 67 of the Stamford Land Records.
 - Parking Easement Agreement dated July 10, 2012 and recorded in Volume 10471 at Page 77 of the Stamford Land Records.
 - Parking Easement Agreement dated July 10, 2012 and recorded in Volume 10471 at Page 87 of the Stamford Land Records.
- Notes and notations as shown on Map No. 6875 on file in the Stamford Town Clerk's Office.
- Parking Easement Agreement between Plaza West Associates, LLC and Collins Plaza West, LLC Dated April 6, 2001 and recorded in Volume 5740, Page 245 of the Stamford Land Records.
- Said described property is located within an area having a Zone Designation of "ZONE "X" (Areas determined to be outside the 500 year flood plain) by the Federal Emergency Management Agency (FEMA), as depicted on Flood Insurance Rate Map Community No. 09001C0512F Effective Date 06/18/2010 City of Stamford, Connecticut FAIRFIELD CO ALL JURISDICTIONS, which is the current Flood Insurance Rate Map for the community in which said premises is situated.
- Subject Property has no designated wetlands Refer to Wetlands/Water Courses and Soil Report Prepared by Soil Science and Environmental Services, Inc. Dated May 29, 2012
 - Note the Locations of the Following:
 - fences, Walls and Buildings along exterior property lines.
 - the block wall and the stone masonry retaining wall along the westerly property line of properties on the west side of Myano Lane
 - the asphalt curb and painted parking stalls along the easterly property line of properties on the west side of Myano Lane.
 - Existing Building No. 50 Myano Lane Covers 14.0% of Lot Area.
 - The Existing shed behind 50 Myano Lane encroaches over minimum 5 setback Line. Refer to section 6 subsection A of the City of Stamford Zoning Regulations - No accessory building or accessory structure in a Residential District shall be located in any front yard. No accessory building or accessory structure shall be located in any side yard nearer to the side lot line than the minimum width required for a side yard for the principal building, or in any rear yard unless at least five feet (5') from any lot line.

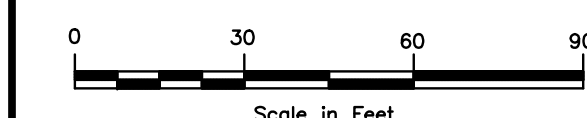
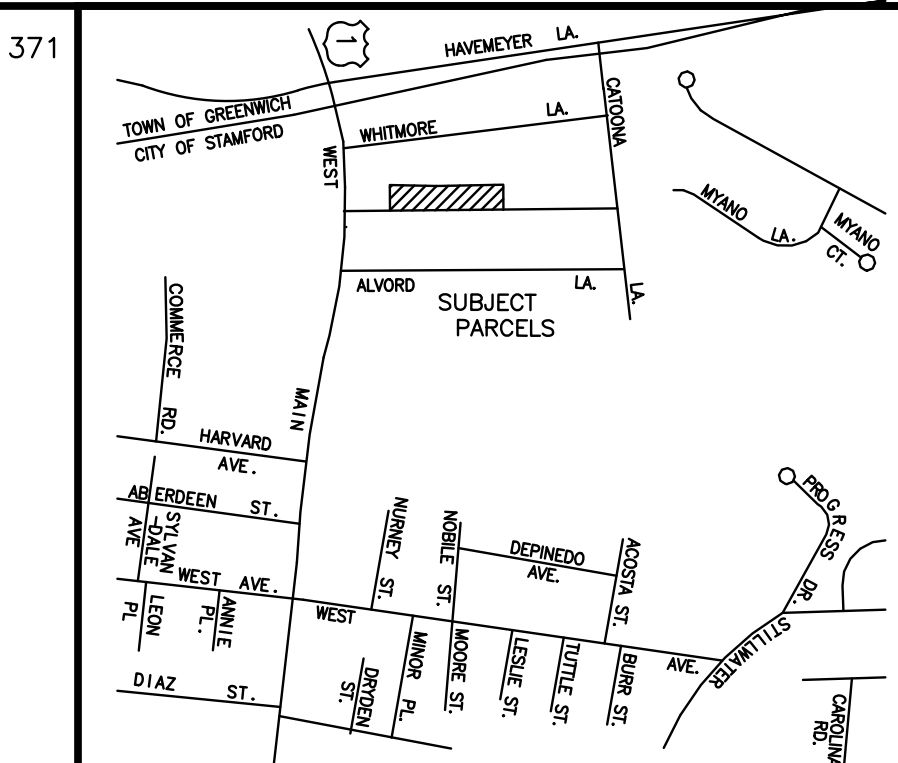
This is to certify that This survey and map has been prepared in accordance with Section 20-300b-1 thru 20-300b-20 of the Regulation of Connecticut State Agencies-"Minimum Standards for Surveys and Maps in the State of Connecticut" as endorsed by the Connecticut Association of Land Surveyors, Inc. It is a "LIMITED PROPERTY/BOUNDARY SURVEY" based on a "DEPENDENT RESURVEY" conforming to horizontal Accuracy Class "A-2" and intended to be used for Compliance and Noncompliance with Existing Requirements and to depict easement area.

To my knowledge and belief this plan is substantially correct as noted hereon.

SURVEY REPORT PREPARED FOR PRPG 50 MYANO LANE LLC 50 MYANO LANE STAMFORD, CONNECTICUT



ORIENTATION



Revised 1-14-16 (As Requested)

This Document and Copies Thereof are Valid only if they bear the signature and embossed seal of the designated licensed professional. Unauthorized alterations render any declaration hereon null and void.



Kenneth E. Frattaroli

BY: Kenneth E. Frattaroli, CT LS No. 70012

FOR: EDWARD J. FRATTAROLI, INC.
 Land Surveyors • Engineers • Land Planners
 STAMFORD, CONNECTICUT JANUARY 6, 2016