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 LYDA RUIJTER  
 CITY & TOWN CLERK STAMFORD CT  
 BLOCK 290

**ZONING BOARD CERTIFICATE**  
**Revised on July 26, 2021**

**During a Regular Meeting the Zoning Board reviewed and moved to approve the modifications to the increased number of units, Below Market Rate units, and the Connecticut Housing Finance Authority (CHFA) funding requirements.**

I David Stein, Chairman of the ZONING BOARD of the CITY OF STAMFORD, in compliance with Special Act No 619 of the 1953 General Assembly hereby certify that on July 27, 2020 a Public Hearing was held by the ZONING BOARD on the application of:

**Application 220-24 MOD-A – SPRUCE CT INVESTORS LLC (Contract Purchaser), 72 Spruce Street, Stamford, CT., - Site and Architectural Plans and /or Requested Uses and a Special Permit**

Applicant is proposing to add new units as well renovate all existing units, update fitness center, community room, roof top terrace and site landscaping. The total units will increase from 89 units to 132 units. The parking lot will also be restriped increasing the parking spaces from 89 to 95 spaces. The site is within the RM-F zoning district.

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And that the following is a statement of its findings: UNANIMOUSLY APPROVED AS MODIFIED on July 27, 2020, and MODIFIED FURTHER on **July 26, 2021** by passage of the following conditions:

**WHEREAS**, the Zoning Board has reviewed the applications for Site and Architectural Plans and /or Requested Uses and a Special Permit to add new units as well renovate all existing units, update fitness center, community room, roof top terrace and site landscaping. The total units will increase from 89 units to 132 units. The parking lot will also be restriped increasing the parking spaces from 89 to 95 spaces.

**WHEREAS**, the Zoning Board conducted a duty called public hearing on July 27, 2020 and has considered the submitted comments of other interested City agencies, officials and the general public; and

**WHEREAS**, the approved Site and Architectural Plans and/or Requested Uses and a Special Permit plans are more particularly described in the following plans:

<u>Sheet #</u>	<u>Title/Description</u>	<u>Prepared by</u>	<u>Date</u>
Civil			
ECLS	Property Survey	Redniss & Mead	5/18/2020
	Proposed Parking Plan	Redniss & Mead	5/5/2020
<b><u>Architectural</u></b>			
	Cover Sheet		4/4/2020
Page 1	Original Floor Plan (Current)		4/4/2020
Page 2	Proposed 1st Floor Plan		4/4/2020
Page 3	Proposed 2nd Floor Plan		4/4/2020
Page 4	Proposed Floor Plan 10 Units Total		4/4/2020
Page 5	Proposed Floor Plan 12 Units Total		4/4/2020
Page 6	Proposed Roof Plan		4/4/2020
Page 7	Proposed Apartments A and B		4/4/2020

Page 8	Proposed Apartments C	4/4/2020
Page 9	Proposed Apartments D and E	4/4/2020
Page 10	Existing 3 Bedroom 1 Bath Apartment	4/4/2020
Page 11	Existing 3 Bdrm 1 Bath Conversion to 2 Bdrm/ 2 Bath Apartment	4/4/2020

**NOW THEREFORE BE IT RESOLVED** that the Zoning Board on July 27, 2020, UNANIMOUSLY APPROVED AS MODIFIED and MODIFIED FURTHER on July 26, 2021 application 220-24 subject to the following conditions:

SITE-SPECIFIC CONDITIONS:

- 1) All work shall substantially conform to the above referenced Building and Site Plans (the "Plans") unless otherwise approved by the Zoning Board or, for minor modifications, by Zoning Board staff. All Plans shall be updated to reflect the site design changes noted on the 'Proposed Parking Plan' dated July 19, 2020.
- 2) Prior to the issuance of the final Certificate of Occupancy the Applicant shall comply with the comments from the Traffic Transportation and Parking Bureau in a letter dated July 17, 2020 to the satisfaction of department staff.
- 3) Prior to the issuance of the first Building Permit following closing the Applicant shall comply with the comments from the Fire Marshall in an email dated June 16, 2020 to the satisfaction of department staff.
- 4) (a) Prior to the issuance of the first Certificate of Occupancy for any new or renovated unit, an Affordability Plan for BMR units shall be submitted to Zoning Board staff for their review and approval and recorded on the Stamford Land Records permanently deed restricting at least twenty percent (20%) (27 units based on 132 total units) of the total units affordable at fifty percent (50%) of the Area Median Income (AMI), which units shall be provided in accordance with the standards, definitions, and procedures contained within Section 7.4 of these Regulations. At least two (2) of the three bedroom units shall be designated as Below Market Rate units. Per Section 7.4, BMR rent shall include parking for one car. The BMR units shall be offered first to the eligible existing owners at the date of application ("Existing Owners") and thereafter shall continue to be first offered to eligible Existing Owners as BMR units become available.
  - (b) For the 40 Existing Owners who are at 80% or less of AMI, the Affordability Plan shall also include a minimum of seven (7) years beginning at closing of rent at the same level of at the lesser of (i) the common charges (monthly coop maintenance) plus electricity payable by such owners at the date of application. or (ii) for those occupying the Below Market Rate units, the amount payable under the BMR requirements applicable to each such owner.
  - (c) The Affordability Plan shall also provide that the rent for the units of five (5) tenants (unit numbers to be listed in the Plan) shall be fixed for the first three (3) years at the amount applicable to households at 65% of AMI.
  - (d) The Affordability Plan shall also reflect the requirements of CHFA. This includes restricting a minimum of 27 units at 50% AMI and 88 units at 60% AMI for a period of 40 years.

- 5) Prior to the issuance of the first Certificate of Occupancy of a new or renovated unit, the Zoning Board shall administratively approve a Parking Management Plan to be filed on the Stamford Land Records, and provide parking in compliance with the Zoning Regulations. All parking spaces required by the Zoning Regulations shall be available and accessible at or prior to the issuance of the Certificate of Occupancy. Upon 75% building occupancy, annual reports shall be submitted to the Zoning Board staff detailing the parking demand and which of the available criteria is being used to satisfy the requirements. If the Plan provides for parking at less than 1 space per unit based on these Regulations (for example, seniors at 50% or less of AMI or non-senior tenants at 30% or less of AMI), then the Affordability Plan shall restrict such units. The rent payable by such tenants shall not exceed the specified Below Market Rate rent for such AMI.
- 6) Prior to the issuance of a final Certificate of Occupancy, the existing entrance canopy shall be refurbished subject to approval by Zoning Board staff and the building will be cleaned and the brick will be repointed as necessary.
- 7) Prior to the issuance of a Building Permit for the first new or renovated unit. Applicant shall submit a lighting plan ensuring adequate lighting in the parking area and site staircase subject to approval by Zoning Board staff.
- 8) Prior to issuance of the Building Permit for the first new or renovated unit, Applicant shall provide one (1) shared vehicle for the use of the residents at no charge (except for the cost of gas). Prior to issuance of the Temporary Certificate of Occupancies the Applicant shall provide five (5) additional shared vehicle for the use of the residents at no charge (except for the cost of gas); vehicles will be provided pro-rata with one vehicle for every 25 units receiving a Temporary Certificate of Occupancy. Applicant shall maintain such vehicles in good working condition for the life of the project and replace such vehicles when appropriate. The Parking Management Plan shall outline when additional shared vehicles are required. A copy of the agreement with the shared vehicle operator shall be provided to Zoning Board staff for review and approval prior to the issuance of the Building Permit.
- 9) At closing on Applicant's purchase of the building, Applicant will satisfy all outstanding obligations of the building and cooperative corporation. Prior to the issuance of the first Building Permit following closing, Applicant will satisfy all Existing Owners' financial obligations and liabilities related to the building or cooperative corporation, including but not limited to the existing debt of the building; provided that Applicant shall have no responsibility for satisfaction of charges for electricity or other utilities billed directly to the Existing Owner by the utility company or other charges incurred directly by an Existing Owner.
- 10) The Detailed Relocation Plan prepared by Navarino Capital Management submitted by the Applicant is approved. Minor modifications to the plan shall be reviewed and approved by Zoning Board staff. Substantial modifications to the plan shall be reviewed and approved administratively by the Zoning Board.

STANDARD CONDITIONS:

- 11) Prior to the issuance of a Building Permit, the Applicant shall submit final site and architectural and landscape plans for final approval by Zoning Board staff, to ensure consistency with the approved plans and architectural elevations constituting the record of the application. Any modification to

product representations or material samples provided in connection with the applications or during the public hearing must be approved by the Zoning Board administratively.

- 12) Prior to the issuance of a Building Permit, the Applicant shall submit final specifications for landscaping, lighting, fencing, furnishings, and streetscapes to ensure consistency with the submitted application materials subject to Zoning Board staff approval.
- 13) No mechanical equipment shall be installed within view of any public street unless reviewed and approved by Zoning Board staff.
- 14) Prior to the issuance of a Building Permit, the Applicant shall submit a Construction Staging and Management Plan to ensure safe, adequate and convenient vehicular traffic circulation and operations, pedestrian circulation and protection of environmental quality through the mitigation of noise, dust, fumes and debris subject to final approval of the Land Use Bureau Chief or his designee. Such Construction Management Plan shall address, but not be limited to, reasonable restrictions on times when deliveries can be made to the job site, measures to control dust, staging areas for materials and construction worker parking as well as temporary measures requiring the timely removal of construction debris and/or litter from the jobsite.
- 15) Prior to the release of surety, transfer of title and issuance of a signature authorizing the granting of a Certificate of Occupancy, the Applicant shall execute and file a standard, City of Stamford "Landscape Maintenance Agreement" on the Stamford Land Records to ensure the success of the planted features.
- 16) Prior to issuance of a Certificate of Occupancy, the Applicant shall submit a Trash Management and Snow Removal Plan, subject to the review of the Zoning Board staff.
- 17) A Street Opening Permit shall be required for all work within any City of Stamford street right of way.
- 18) Applicants shall keep the property in good condition up until and during the construction process. Existing lawn areas shall be mowed and maintained, and construction debris shall be kept to a reasonable minimum.
- 19) The Applicant shall maintain all facades facing and visible from public Right of Way in first class condition.
- 20) The Applicants shall have one year from the effective date of this approval within which to secure a Building Permit, subject to Zoning Board approval of three extensions, each not more than one year, upon timely application and good cause shown.

Effective Date of this decision: August 10, 2021

DAVID STEIN, CHAIRMAN



ZONING BOARD, CITY OF STAMFORD, CT

Dated at the City of Stamford, CT, This 3<sup>rd</sup> day of September 2021