



INSTR # 2017012157
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DONNA M LOGLISCI
CITY & TOWN CLERK STAMFORD CT
BLOCK 18

Block: 18

ZONING BOARD CERTIFICATE

I, Thomas R. Mills, 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 June 5, 2017 and continued to June 26, 2017, a Public Hearing was held by the ZONING BOARD on the application of:

APPL. 217-16 – HP GATEWAY LAND I, LLC, General Development Plan, Special Exception, Final Site Plan and Architectural Plans and Requested Uses and Coastal Site Plan Approvals

Requesting approval to modify General Development Plan, Special Exception, Final Site Plan and Architectural Plans and Requested Uses and Coastal Site Plan Approvals granted pursuant to the Transportation Center Design District (TCDD) zoning regulations for a mixed use transit-oriented development comprised of office, a residential building, convenience retail, below market rate housing, public realm improvements and a below-grade parking garage, as follows: to amend two office towers by eliminating one office tower and expanding the floor plate and increasing the height of the remaining office tower from ten stories (160') to 14 stories (208'), all other plans and approval conditions to remain in full force and effect except as modified by this approval, for a 6.4 +/- acre site located in the TCDD, bordered generally by Washington Boulevard, Pulaski Street, the Rippowam River and the Metro North Railroad (State of Connecticut D.O.T.), and further described as follows:

All that area of land owned by HP Gateway Land I, LLC located at 400 and 440 Washington Boulevard and generally bounded as follows:

- Northerly 632' +/- by the State of Connecticut D.O.T. (Metro North Railroad);
- Easterly 644' +/- by Washington Boulevard;
- Southerly 124' +/- by land n/f of Cecelia W. Gillian et al;
- Easterly 50' +/- by land n/f of Cecelia W. Gillian et al;
- Northerly 124' +/- by land n/f of Cecelia W. Gillian et al
- Easterly 44' +/- by Washington Boulevard;
- Southerly 214' +/- by Pulaski Street;
- Westerly 95' +/- by land n/f of Roland Lesperance;
- Southerly 50' +/- by land n/f of Roland Lesperance;
- Easterly 92' +/- by land n/f of Roland Lesperance;
- Southerly 225' +/- by Pulaski Street; and
- Westerly 556' +/- by the Rippowam River.

Assessor's Block #18

And that the following is a statement of its findings: UNANIMOUSLY APPROVED AS MODIFIED on June 26, 2017, subject to the following conditions:

NOW THEREFORE BE IT RESOLVED that the Zoning Board approves an amendment of Application 210-15 Mod and 210-16 Mod, requesting approval of the General Development Plan, Special Exception, Final Site Plan and Architectural Plans and Requested Uses and Coastal Site Plan and in connection with the Gateway Project, including the proposed office building, residential buildings, public realm improvements, landscaping, walkways, and utility and streetscape improvements, shown on said plans subject to the following conditions:

1. GENERAL DEVELOPMENT PLAN

WHEREAS, said General Development Plan (GDP), Special Exception and Coastal Site Plan applications are more particularly described in a set of plans entitled:

EDI International Inc. plans all dated June 16, 2017 unless otherwise noted

- A-1 General Development Plan
- A-2 Zoning Chart dated 4/26/17
- A-3 GDP Plan
- A-4 Site Plan
- A-5 Illustrative Site Plan
- A-6 Landscape Plan
- A-7 Exterior Perspective
- A-8 Exterior Perspective
- A-9 Exterior Perspective
- A-10 P1 Level Floor Plan
- A-11 Plaza Level Floor Plan
- A-12 2nd to 13th Floor Typical Floor Plan
- A-13 14th Floor Plan
- A-14 North Elevation
- A-15 South Elevation
- A-16 West Elevation
- A-17 East Elevation
- A-18 Elevation Ground Floor Retail
- A-19 Building Section
- A-20 Building Section
- A-21 Site Section
- A-22 Site Section
- A-23 Typical Façade Details

“Zoning Location Survey Depicting Gateway GDP”, prepared by Redniss & Mead, dated 06/17/10, with revisions to 07/21/14;

“Gateway Harbor Point Garage Plan”, prepared by EDI International, dated 06/14/14, consisting of Sheets A101, A102, A103, A104, and A105;

“Landscape Plan”, prepared by Environmental Land Solutions, LLC, General Development Plan, Sheet LP.1, dated 01/14/10, revised to 06/16/17, except as modified by this approval;

“Overall Streetscape Plan”, Sheet LP.1, prepared by Environmental Land Solutions, LLC and dated 2/03/14, except as modified by this approval;

Images labeled “View # 1” and “View # 2”, dated January 31, 2014;

“Right of Way Survey Depicting Discontinuance of a portion of Henry Street and The Acquisition of Parcels Along Washington Boulevard & Pulaski Street”, prepared by Redniss & Mead, dated 06/03/08, revised to 06/03/10;

Plan labeled “Proposed Pedestrian Easement”, undated, submitted at Public Hearing on 7/14/14;

“Site Plan Changes Depicting Gateway Harbor Point”, prepared by Redniss & Mead, dated 1/20/14;

“Gateway Residential Harbor Point”, Sheets A101, A 102, A201, prepared by EDI Architecture and dated 6/24/2014”

All conditions of approval of Appl. 210-15 MOD issued by the Zoning Board on August 1, 2014 and APPL. 210-16 MOD issued by the Zoning Board on August 13, 2014 shall remain in full force and effect, except as modified herein.

1. General Development Plan Approval is granted for 100+/- residential units totaling approximately 117,671 +/- square feet of floor area, 473,670+/- square feet of office use in one 14-story building, and associated parking, open space and related site improvements as generally depicted on a plan entitled “Zoning Location Survey Depicting Gateway GDP” prepared by Redniss & Mead, dated March 22, 2017. The general scale, height, mass, organization and setback of all buildings shall be substantially consistent with the information constituting the record of the application. It is recognized that additional dwelling units, over and above the 100 units approved herein, may be accommodated within the entitlements of the TCDD zone allowances and the General Development Plan may be modified to accommodate same; provided that any such additional units shall be required to comply with standards for below market rate housing and parking ratios. It is further noted that the total remaining floor area for the site, based on the allowable TCDD F.A.R. of 3.0 is 148,417 +/- square feet. Of this total, 19,502 square feet +/- could potentially be developed as office floor area or residential floor area and 128,915 +/- square feet could potentially be developed as residential floor area with appropriate setbacks from existing buildings. The allocation of this remaining floor area, either for office or residential use will require an amendment of this General Development Plan.

2. The Applicant shall construct not less than one hundred (100) residential dwelling units, of which not less than 15% (of such 100 units) shall be Below Market Rate (BMR) units affordable to residents who earn not more than 50% of the Area Median Income, pursuant to the standards of Section 7.4-C-4(f) of the Zoning Regulations. The residential units may be constructed in phases as shown on the Approved Plans provided that, a building permit for the final phase of the residential portion of the development shall be issued, and construction shall commence, prior to the expiration of this approval. If additional dwelling units are subsequently approved, the overall ratio of BMR units to total dwelling units need not exceed 12%.
3. Total on-site parking of vehicles shall not exceed 1,695 spaces, including not less than 500 commuter parking spaces, and including any tandem, car stacker or valet spaces, or other managed parking spaces, subject to Zoning Board approval of a Parking Management Plan. Parking spaces that are constructed in the first phase of development, but are designated to meet the parking requirements of residential units to be constructed in future phases, shall be restricted as to use or approved for an interim use until the full build out of the GDP is completed.
4. The 500 parking spaces identified as “commuter spaces” shall be subject to Zoning Board approval of enforceable restrictions to insure that the spaces are used exclusively by commuters during peak commuter periods, being initially defined as Monday through Friday, 6 a.m. to 8 p.m., subject to modification by the Zoning Board from time to time. At other days and hours, the spaces may be used by community organizations, such as religious organizations, schools or other similar civic organizations, subject to Zoning Board approval.
5. The proposed office building shall attain LEED Silver standard certification and the site shall attain the LEED ND Gold standard. Prior to the issuance of a Certificate of Occupancy for the building approved herein, the applicant's architect shall certify to the Zoning Board that the project satisfies all the requirements of the applicable standard as recited above and thereafter, the applicant shall submit all buildings for certification to the United States Green Building Council, as applicable.
6. Applicant shall coordinate the final design of the river walk along the Mill River with Land Use Bureau staff and the Mill River Collaborative to complement plans for the Mill River Park and provide for future pedestrian connections along the river to the north and south of the site and shall provide public access easements necessary to permit the construction, maintenance and use of such additional future public access improvements. The Applicant shall construct the public access improvements along the Mill River (Rippowam River) as shown generally on the General Development Plan, with construction to be completed prior to the issuance of a Certificate of Occupancy for the office building to be constructed. In addition, the Applicant shall construct a riverwalk along the entire frontage of the site along the Mill River (Rippowam River), at an approximate elevation of ten (10) MSL and a clear width of approximately twelve (12) feet, with the final elevation and design to be consistent with plans for connecting boardwalks to the north and south as part of Mill River

Park, with construction to be completed prior to the issuance of a Certificate of Occupancy for the office building to be constructed. If final plans and designs for this segment of the Mill River Park riverwalk have not been adopted by the City, design of the riverwalk shall be subject to approval by Zoning Board staff. Where construction of a connecting boardwalk is not expected to be in place prior to the issuance of a Certificate of Occupancy for the first building, the Zoning Board in its sole discretion can authorize an extension of time to complete the riverwalk work together with a suitable performance bond to assure completion of the work.

7. The plan entitled "GDP Plan" prepared by EDI International Inc., dated June 16, 2017, shall be deemed the General Development Plan (GDP) and shall be signed by the Chairman of the Zoning Board and recorded on the Stamford Land Records. Prior to submission for recording, Land Use Bureau staff shall review the plan and add such further information as it deems necessary to fully describe the approval granted herein.
8. This approval shall be effective upon the recording of the approved General Development Plan on the City of Stamford Land Records. No Final Plan application shall be deemed effective until the approved General Development Plan has been recorded on the City of Stamford Land Records.
9. The General Development Plan shall remain in effect for a period of five (5) years from the effective date of this approval, subject to Zoning Board approval of not more than two (2) one-year extensions, upon timely application and good cause shown.

2. FINAL SITE PLAN

WHEREAS, said applications for Final Site and Architectural Plans and Requested Uses and Coastal Site Plan Approval are more particularly described in a set of plans entitled:

EDI International Inc. plans all dated June 16, 2017 unless otherwise noted

A-1	General Development Plan
A-2	Zoning Chart dated 4/26/17
A-3	GDP Plan
A-4	Site Plan
A-5	Illustrative Site Plan
A-6	Landscape Plan
A-7	Exterior Perspective
A-8	Exterior Perspective
A-9	Exterior Perspective
A-10	P1 Level Floor Plan
A-11	Plaza Level Floor Plan
A-12	2 nd to 13 th Floor Typical Floor Plan
A-13	14 th Floor Plan
A-14	North Elevation

A-15	South Elevation
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“Landscape Plan”, prepared by Environmental Land Solutions, LLC, General Development Plan, Sheet LP.1, dated 01/14/10, revised to 06/16/17, except as modified by this approval;

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“Gateway Residential Harbor Point”, Sheets A101, A 102, A201, prepared by EDI Architecture and dated 6/24/2014”

All conditions of approval of Appl. 210-15 MOD issued by the Zoning Board on August 1, 2014 and APPL. 210-16 MOD issued by the Zoning Board on August 13, 2014 shall remain in full force and effect, except as modified herein.

Site Specific Conditions

10. Final Plan Approval is granted for 31 residential units totaling approximately 39,600 square feet of floor area, 473,670+/- square feet of office use in one fourteen (14) story building, and associated parking, open space and related site improvements as generally depicted on plans listed above, subject to submission of final site and

architectural plans, landscaping and streetscape plans, including specifications for exterior architectural designs, materials, samples and colors, to insure consistency with the approved plans, architectural elevations, materials samples and illustrative renderings approved by the Zoning Board, subject to final approval by Land Use Bureau staff prior to the issuance of a Building Permit. Building height of 14 stories and 208 feet is approved based on meeting the criteria of 9.B.B.6.b to provide maximum commercial parking at 2.25 spaces per 1,000 sq.ft. of gross floor area, all BMR units are provided onsite, the building meets LEED silver standards and that the building includes a pedestrian friendly design subject to Zoning Board approval.

11. The Applicant shall construct thirty one (31) residential dwelling units, 9 of which shall be Below Market Rate (BMR) units affordable to residents who earn not more than 50% of the Area Median Income, pursuant to the standards of Section 7.4-C-4(f).
12. The applicant shall submit an Affordability Plan for the Below Market Rate (B.M.R.) units, subject to approval by Zoning Board staff prior to the issuance of a Certificate of Occupancy for the residential building.
13. The Applicant shall construct the public access improvements along the Mill River (Rippowam River) with pedestrian access to the plaza level, as shown on the Landscape Plan, sheet LP.1, dated January 14, 2010, revised to June 16, 2017, prepared by Environmental Land Solutions, LLC, subject to approval of final designs, specifications and materials by the Zoning Board prior to the issuance of a Building Permit for the first building and with construction to be completed prior to the issuance of a Certificate of Occupancy for the first building. In addition, the Applicant shall construct a riverwalk along the entire frontage of the site along the Mill River (Rippowam River) at an approximate elevation of ten feet (10') MSL and a clear width of approximately twelve feet (12'), with the final elevation and design to be consistent with plans for connecting boardwalks to the north and south as part of Mill River Park, with construction to be completed prior to the issuance of a Certificate of Occupancy for the first building. If final plans and designs for this segment of the Mill River Park riverwalk have not been adopted by the City, design of the riverwalk shall be subject to approval by Land Use Bureau staff. Where construction of a connecting boardwalk on adjoining property is not expected to be complete prior to the issuance of a Certificate of Occupancy for the first building, the Zoning Board in its sole discretion can authorize an extension of time to complete the riverwalk work together with a suitable performance bond to assure completion of the work.
14. Applicant shall provide four (4) convenient public parking spaces on the upper deck and reserved for use by the general public accessing the river overlook and river walkway.
15. Prior to the issuance of Certificate of Occupancy for the first building execution of Public Access Easements and public access signage for the riverwalks, with terms suitable for integration as part of the Mill River Park, subject to approval by the

Director of Legal Affairs and Zoning Board staff. Such easements shall make provision for the right of the Applicant to establish reasonable rules and regulations over the use and behavior within the easement area.

16. Execution of a Public Access Easement across the plaza level connecting the upper riverwalk to the southerly platform of the train station, subject to approval by the Director of Legal Affairs and Zoning Board staff, prior to the issuance of a Certificate of Occupancy for the office building. Such easement shall make provision for the right of the Applicant to establish reasonable rules and regulations over the use and behavior within the easement area.
17. Final landscape design for the public pedestrian access along the south side of the garage driveway on Washington Boulevard and for the public pedestrian access route across the plaza level shall be subject to Land Use Bureau staff approval prior to issuance of a building permit for the first principal building and shall be completed prior to the issuance of the first Certificate of Occupancy.
18. No interim parking shall be permitted on the plaza level until a Certificate of Occupancy has been issued for a principal building.
19. The Applicant shall submit a traffic study (including an assessment of traffic operations at the Washington/Henry Street intersection and the Washington/Pulaski Street intersection) and parking utilization upon issuance of a final Certificate of Occupancy, when the office building achieves 50% occupancy, 75% occupancy, full occupancy and annually thereafter. Specifications for performing the traffic operations and parking assessments shall be subject to approval by the City Traffic Engineer.
20. Final signage plans including public access signage shall be subject to approval by Zoning Board. Public access signage shall include three signs directing the public to the Riverwalk, including one at each of the two entrances to the public access easements on Washington Boulevard and one at the entrance to the public access area on Pulaski Street. Three additional public access signs shall be posted along the length of the Riverwalk. The applicant shall also post signs along the public access easements directing the public to the train station.
21. Prior to a Building Permit the applicant shall submit a comprehensive Traffic Management Plan and Parking Management Plan detailing the amount, design, layout, operation and management of all proposed parking and loading areas, with active trip reduction strategies and transit incentives to reduce single occupancy vehicle trips and encourage transit utilization, subject to final approval by Land Use Bureau staff.
22. Prior to the issuance of a Certificate of occupancy for the office building, the Commuter Café shall be completed. The Commuter Café amenity and associated outside patio area shall be open to the public, as a waiting area for commuters,

although not required to serve food, initially Monday through Friday, 6 a.m. to 9 p.m., subject to modification by the Land Use Bureau staff from time to time.

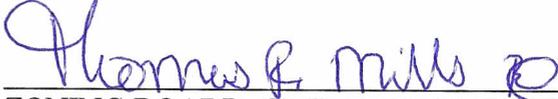
STANDARD CONDITIONS

23. All work shall substantially conform to the above referenced Building and Site Plans unless otherwise approved by the Zoning Board or, for minor modifications, by Zoning Board staff.
24. Prior to the issuance of a Building Permit, the Applicant shall submit final site and architectural and landscape plans, including specifications for exterior architectural designs, materials, samples and colors, 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.
25. 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 prior to the issuance of a Building Permit.
26. No significant mechanical equipment, in addition to that depicted on the Building and Site Plans, shall be installed within view of any public street without prior approval of the Zoning Board staff.
27. 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.
28. Prior to the start of any site activity and issuance of a Building Permit, applicant shall submit to the EPB a performance bond, certified check or other acceptable form of surety to secure the timely and proper performance of onsite sediment and erosion/construction controls, drainage, landscaping, professional supervision, along with a 15% contingency. A detailed estimate of these costs shall be supplied to EPB Staff for approval prior to the submission of the performance surety.

29. Prior to issuance of a Building Permit, applicant shall obtain necessary approvals and permits from the Stamford Water Pollution Control Agency (WPCA).
30. 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.
31. Prior to the release of surety and issuance of a signature authorizing the issuance of a Certificate of Occupancy, the applicant shall execute and file a standard, City of Stamford "Drainage Maintenance Agreement" on the Stamford Land Records to ensure the full and proper function of all installed drainage facilities.
32. All final grading, utilities, drainage, final stabilization measures, and other engineered elements shall be completed under the supervision of a Connecticut registered professional engineer and land surveyor with an improvement location survey (surveyor) and written certifications (engineer) submitted to EPB Staff prior to the release of surety and signature authorizing the issuance of a Certificate of Occupancy.
33. Prior to the issuance of a Building Permit, sedimentation and erosion control plans shall be submitted and subject to approval by the Environmental Protection Board staff.
34. A Street Opening Permit shall be required for any and all work within any City of Stamford street right of way.
35. The Applicant shall make best efforts to 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.
36. The Final Plan approval shall remain in effect for a period of five (5) year from the effective date of this decision, subject to Zoning Board approval of not more than two (2) one-year extensions, upon timely application and good cause shown.

Effective date of this decision: July 11, 2017.

THOMAS R. MILLS, CHAIRMAN



ZONING BOARD, CITY OF STAMFORD, CT

Dated at the City of Stamford, CT, this July 17, 2017.