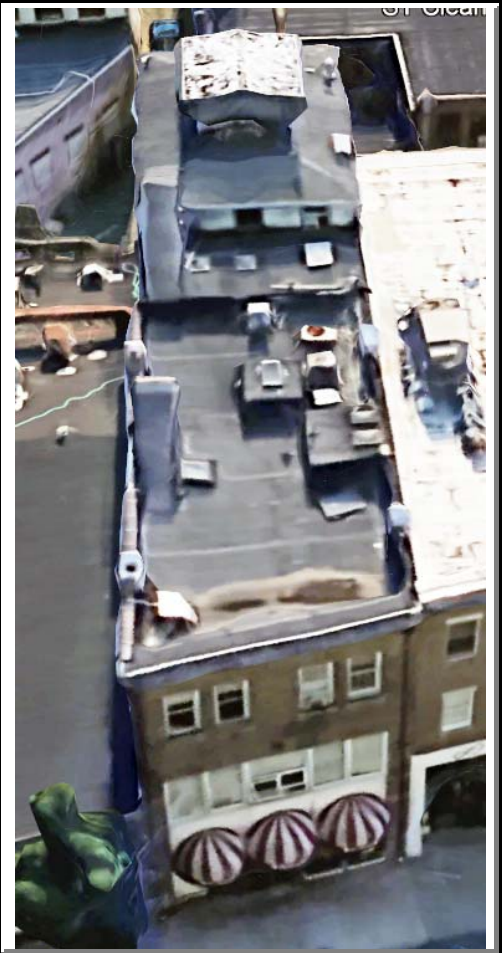


Greenwich - For Sale

GREENWICH AVENUE DEVELOPMENT SITE



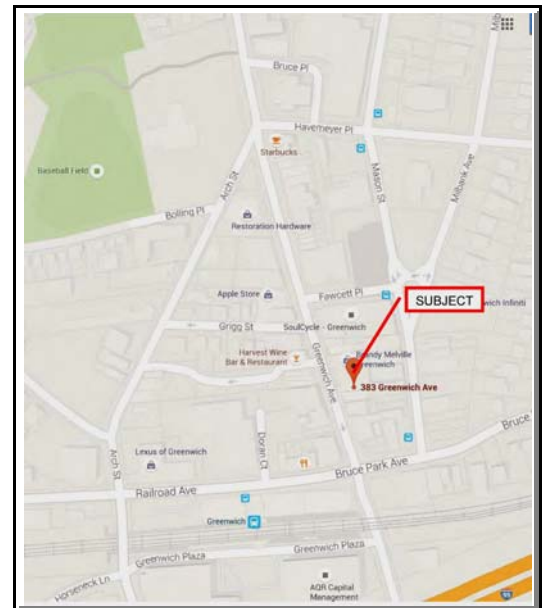
383 GREENWICH AVENUE Greenwich. CT

The St Moritz Bakery has been a landmark on Greenwich Avenue for over 80 years. Because of the nature of the structure, demolition will be necessary to accommodate a new modern building to add to the revitalization that has occurred on this lower section of Greenwich Avenue.

Land Size: 2,975 SF (.0683 Acres) in the **CGBR** - Central Greenwich Business Retail zone

Building: 7,347 SF on 3 floors plus "widow watch".

Price: Upon request



Please call:
Michael Tedesco
(203) 531-5939

View our listings online:
TedescoRealty.com
E-mail: Mike@TedescoRealty.com
P.O. Box 31066 Greenwich, CT 06831

The information contained herein, was assembled from various sources of varying degrees of reliability. Any information that is critical to your buying/leasing decision should be independently verified.

LOCATION DESCRIPTION

Over the last 30 years, the lower section of Greenwich Avenue has seen a tremendous revitalization with many new buildings, high end retail and elegant restaurants making it as valuable as other sections of "The Ave". This locale is especially convenient to commuters being ½ block from the central Greenwich train. It is also a few short blocks to I-95 Exit 3.

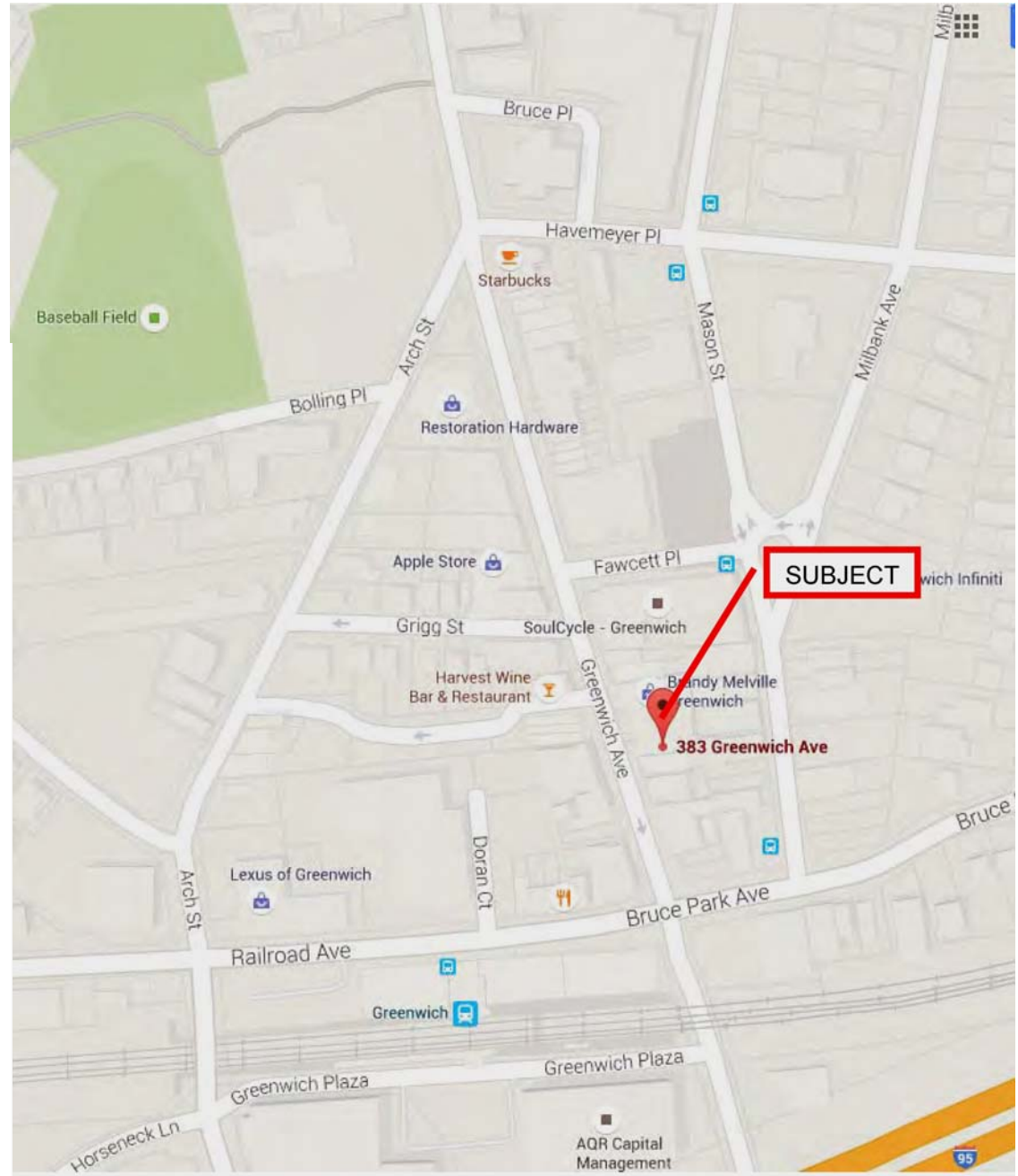
Demographics >>

	1 mile	3 miles
Population	10,436	70,342
Households	4,826	25,743
Median Age	45.20	42.10
Median HH Income	\$121,635	\$120,563
Daytime Employees	19,396	43,898
Population Growth '23 - '28	▲ 0.78%	▲ 1.52%
Household Growth '23 - '28	▲ 0.73%	▲ 1.46%

Traffic >>

Collection Street	Cross Street	Traffic Vol	Last Mea...	Distance
Mason St	Milbank Ave N	4,411	2022	0.03 mi
Armory Street	Edgehill Rd S	5,631	2022	0.05 mi
Bruce Park Avenue	Havemeyer Pl E	7,700	2020	0.12 mi
Arch Street	Grigg St SW	11,500	2020	0.13 mi
Arch St	Grigg St SW	11,457	2022	0.13 mi
Mason Street	Havemeyer Pl N	6,492	2022	0.13 mi
Bruce Park Ave	Havemeyer Pl E	8,182	2022	0.15 mi
Steamboat Rd	I- 95 SW	51,340	2022	0.15 mi
Arch St	Railroad Ave S	30,671	2022	0.16 mi
Havemeyer Pl	Mason St W	24,931	2022	0.16 mi

Made with TrafficMetrix® Products



SITE INFORMATION AND ZONING MAP

Land Area: 2,975 SF (.0683 Acres) with 26+/- feet of frontage on the east side of Greenwich Avenue. Topography is relatively level.

Zone: CGBR - Central Greenwich Business Retail - At the end of this document are the zoning specifications

- Utilities:**
- Water -** Aquarion Water (owned by Eversource).
 - Sewer -** Town sewer. **NOTE:** New sewer hookup under the sidewalk must be done by ownership prior to May 2024 when the Town of Greenwich plans to resurface Greenwich Avenue.
 - Electric -** Eversource Electric.
 - Gas -** Connecticut Natural Gas



GIS Survey
Full size 11X17 survey available upon request.



This map was produced from the Town of Greenwich Geographic Information System. The Town expressly disclaims any liability that may result from the use of this map. Aerial: 4/2022. Topo: 4/2022. Property Data: 10/1/23. Map Date: 12/12/23. Copyright © 2000 by the Town of Greenwich.



IMPROVEMENTS, RENT ROLL AND OPERATING EXPENSES

IMPROVEMENTS

Floor Area: 7,347 SF on 3 floors over partial basement in the front section and a 4th floor "widow watch" above the rear section.

Construction and Facade: Masonry

Roof: Flat with built up bitumen

Year Built: 1910

Remodeled: 1994

RENT ROLL

There are residential tenants in 6 apartments. All 1 year leases have expired except for one that expires 02/28/24.

Residential rent roll: \$81,520.

The ground floor, basement and partial 2nd floor is occupied by the St Moritz Bakery. Their lease has expired.

Their rent is: \$78,000.

OPERATING EXPENSES

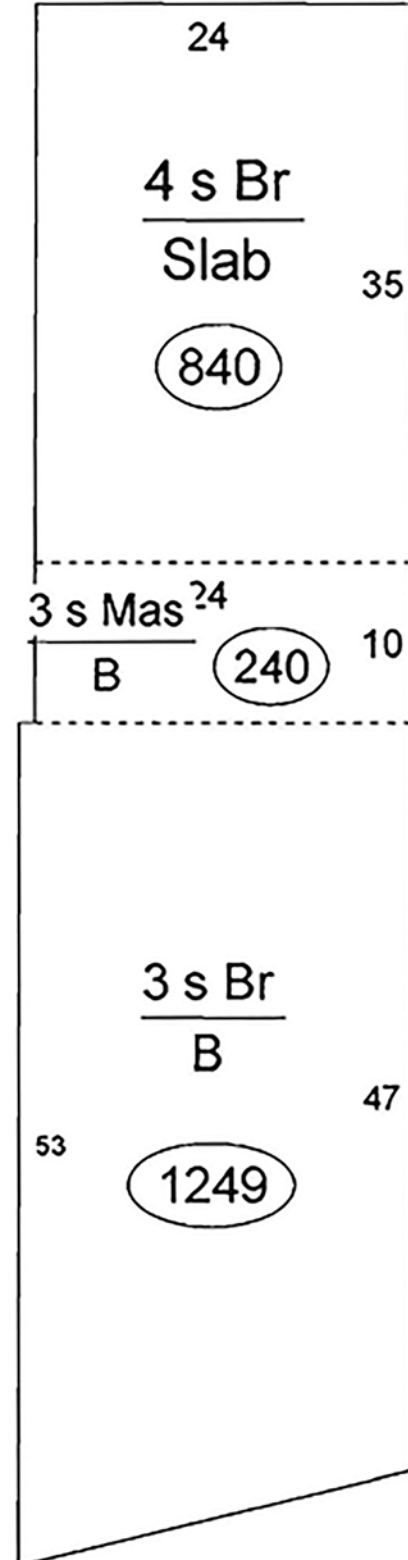
Real Estate Taxes \$33,573

Insurance \$20,078

Repairs and Maintenance \$ 9,695

Utilities (Landlord net) \$ 4,285 *

* Most tenants pay gas and electric, a few only pay for electricity.



Tax Assessor's Field Card

01-1661/S

383 GREENWICH AVENUE LLC

GREENWICH AVENUE 0383

235

ADMINISTRATIVE INFORMATION

PARCEL NUMBER
01-1661/S
Parent Parcel Number

Property Address
GREENWICH AVENUE 0383
Neighborhood
2100 GREENWICH AVE
Property Class
235 Mixed - Use
TAXING DISTRICT INFORMATION
Jurisdiction 57 Greenwich, CT
Area 001
Corporation 057
District 01
Section & Plat 138
Routing Number 3234E0064

OWNERSHIP

383 GREENWICH AVENUE LLC
C/O ROBERT DIETRICH
227 GUINEA ROAD
STAMFORD, CT 06903
LOT NO 62 GREENWICH AVE E64 &

Tax ID 286/045

TRANSFER OF OWNERSHIP

Printed 12/11/2023 Card No. 1 of 1

Date		
09/26/2019	DIETRICH ROBERT Bk/Pg: 7564, 337	\$0
10/14/2010	DIETRICH ROBERT FAMILY LIMITED Bk/Pg: 6023, 97	\$0
12/14/2000	DIETRICH ROBERT Bk/Pg: 3503, 75	\$0
09/03/1992	JESPERSEN RICHARD & AASE Bk/Pg: 2288, 271	\$0

COMMERCIAL

VALUATION RECORD

Assessment Year	10/01/2017	10/01/2018	10/01/2019	10/01/2020	10/01/2021	10/01/2021	10/01/2022
Reason for Change	2017 List	2018 List	2019 List	2020 List	2021 Prelim	2021 Final	2022 List
VALUATION	L 2380500	2380500	2380500	2380500	2380500	2380500	2380500
Market	B 1722500	1722500	1722500	1722500	1779200	1779200	1779200
	T 4103000	4103000	4103000	4103000	4159700	4159700	4159700
VALUATION	L 1666350	1666350	1666350	1666350	1666350	1666350	1666350
70% Assessed	B 1205750	1205750	1205750	1205750	1245440	1245440	1245440
	T 2872100	2872100	2872100	2872100	2911790	2911790	2911790

Site Description

Topography:

Public Utilities:

Sewer, Electric

Street or Road:

Neighborhood:

Zoning: 1 Primary Commercial

CGBR Central Business

Legal Acres:

0.0683

LAND DATA AND CALCULATIONS

Land Type	Rating Soil ID -or- Actual Frontage	Measured Acreage -or- Effective Frontage	Table Effective Depth	Prod. Factor -or- Depth Factor -or- Square Feet	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
1 Primary Commercial					2975.14	800.13	800.13	2380500	2380500

DBA: 1st. St. Moritz Pastry, 2nd. & 3rd. BB: 1-1-2, 2-1-3, 1 Studio
GEN: Rear 4s portion 1/2 st.

Supplemental Cards

TRUE TAX VALUE 2380500

Permit Number FilingDate Est. Cost Field Visit
Type Est. SqFt

Supplemental Cards
TOTAL LAND VALUE

2380500

Tax Assessor's Field Card

01-1661/S

Property Class: 235
GREENWICH AVENUE 0383

PHYSICAL CHARACTERISTICS

ROOFING
Built-up

WALLS

Frame	B	1	2	U
Brick	Yes	Yes	Yes	Yes
Metal Guard				Yes

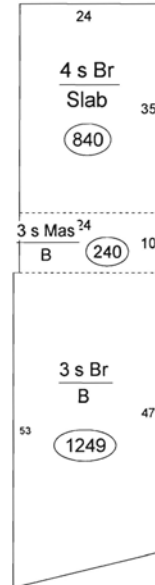
FRAMING

Wd Jst	B	1	2	U
R Conc	0	2329	2329	3169
	1489	0	0	0

HEATING AND AIR CONDITIONING

Heat	B	1	2	U
	1489	2329	2329	3169

IMPROVEMENT DATA



(LCM: 150.00)

SPECIAL FEATURES

SUMMARY OF IMPROVEMENTS

Description	Value	ID	Use	Stry Hgt	Const Type	Grade	Year Const	Eff Year	Cond	Base Rate	Feat-ures	Adj Rate	Size or Area	Computed Value	Phys Depr	Obsol Depr	Market Adj	% Comp	Value	
C : Remod 1994		C	MIXEDR	0.00			Avg	1910	2005	GD	0.00	N	0.00	2329	0	0	0	150	100	1779200

Data Collector/Date

Appraiser/Date

Neighborhood

Supplemental Cards
TOTAL IMPROVEMENT VALUE

1779200

TD 12/17/2018

TOG 10/01/2021

Neigh 2100 AV

SEC. 6-205. SCHEDULE OF REQUIRED OPEN SPACES, LIMITING HEIGHTS AND BULK OF BUILDINGS:

(b) BUSINESS ZONES

(c) HOSPITAL ZONES

ZONE	MAXIMUM HEIGHT		MINIMUM LOT SIZE		MAXIMUM BUILDING AREA	MAXIMUM FLOOR AREA RATIO	MINIMUM FRONT YARD DEPTH	MINIMUM SIDE YARD WIDTH	MINIMUM REAR YARD DEPTH	MAX. LOT COVERAGE (2/9/2000)	ACCESSORY STRUCTURES IN REAR AND SIDE YARDS	
	STORIES	FEET	AREA	FRONTAGE							MINIMUM SIDE YARD	MINIMUM REAR YARD
<u>LBR1</u>	2-1/2	35 ft.	Note 1	25 ft.	30%	0.3 *****	10ft.	None required except that if provided such side yard shall be at least 3 1/2 feet plus one inch for each foot of building height. Note 2 (6/11/86)	10% of lot depth but a min. of 25 ft. for commercial or mixed use bldg. adjoining residential zone (6/11/86)	75%	5 ft.	10 ft.
<u>LBR2</u> See below	2-1/2	35 ft.	Note 1	25 ft.	30%	0.5 *****					5 ft.	10 ft.
<u>LB</u>	2-1/2	35 ft.	Note 1	25 ft.	30%	0.5 (6/11/86) Note 10 (4/4/87)	25 ft.	5 ft. per story or 10% of lot frontage or lot width at bldg. location, which ever is greater. Note 2 (6/11/86)	Same as LBR (6/11/86)	75% Note 10 (4/4/87)	5 ft.	10 ft.
CGBR	3	40 ft.	Note 1	25 ft.	30%*	0.3 **	10 ft.	None	10% of lot depth (6/11/86)	75% ****	None	None
<u>CGB</u>	3	40 ft.	Note 1	25 ft.	30%*	0.3 ***	10 ft.	3 1/2 feet plus one inch for each foot of building height Note 2 (6/11/86)	Same as LBR (6/11/86)	75%	5ft.	10 ft.
<u>GB</u>	3 Note 8	40 ft.	Note 1	25 ft.	25%	0.5 Note 10 (4/4/87)	50 ft. Note 3	30 ft. Note 2 (6/11/86) Note 3	10% of lot depth but not less than 30 ft. Note 3	60% Note 10 (4/4/87)	10 ft.	15 ft.
<u>GBO</u>	3 Note 8	40 ft.	Note 1	25 ft.	25%	0.5 Note 10 (4/4/87)	50 ft. Note 3	30 ft. Note 2 (6/11/86) Note 3	10% of lot depth but not less than 30 ft. Note 3	60% Note 10 (4/4/87)	10 ft.	15 ft.
<u>WB</u> See below	2 1/2 (5/11/87)	30 ft. (5/11/87)		25 ft.	30% (5/11/87)	0.5	15 ft. (5/11/87)	10 ft. (5/11/87)	30 ft. See Sec. 6-107(c)(8) (5/11/87)	90% (5/11/87)	5 ft.	15 ft.
<u>BEX-50</u> (Business)	3 Note 4	45 ft.	50 Acres	100 ft.	10% Note 5	0.09 Excluding accessory buildings constructed before 1/1/91. 0.005 for any buildings constructed subsequently. See below (4/1/91)	200 ft. Note 6	200 ft. Note 6	200 ft. Note 6	15%	100 ft.	100 ft.
Hospital <u>H-1</u> (7/8/95)	3	65 ft.	Greater than 8 Acres		50%	1.25	45 ft.	100 ft.	25 ft.	90%	50 ft.	15 ft.
Hospital <u>H-2</u> (6/8/90)	4	40 ft.	none		35%	0.6	25 ft.	15 ft. (excluded from provisions of Sec. 6-132)	25 ft.	75%	5 ft.	10 ft.

LBR-1: Banksville, Palmer Hill/Valley Rd. (North Mianus), Round Hill (6/11/86).

LBR-2: Chickahominy, Cos Cob, Davis Avenue/Bruce Park, Glenville, Pemberwick, Riverside Avenue/East Putnam, Valley Road/River Road Ext., West Putnam Avenue (6/11/86); added Byram, Church Street/William Street, Old Greenwich on 11/25/91. (LBR-3 deleted 11/25/91).

BEX-50 Note for accessory uses including but not limited to dining/food preparation facilities and structured parking with or without walls for the garaging, storage or parking of vehicles. (4/1/91)

WB - See Sec. 6-107(c)(6). (5/11/87)

FOR PERTINENT NOTES AND ASTERISKS, SEE PAGES BZR 21-4 AND 21-5

- * Not applicable to buildings or additions thereto between the front and rear building lines for any lots as they existed at the date the building lines were established. (Sec. 6-130)
- ** Use group 2a and 2b only; .9 FAR on all other permitted uses; this .9 FAR shall not apply to uses between the front and rear building lines. In computing FAR for 2a or 2b uses, ground floor areas of other Use Groups shall be considered part of lot area. (6/27/95)
- *** (a) .9 FAR for an existing structure found by the Planning and Zoning Commission, after consultation with the Historic District Commission, to have historical, cultural or architectural merit or to be a significant element of a streetscape the preservation of which fosters a sense of history, preserves architectural heritage or protects community amenities. Pursuant to a Special Permit under Sec. 6-17 and after consultation with the Architectural Review Committee, the Historic District Commission or other agencies, the Planning and Zoning Commission may authorize an addition or a connection between such structures or a modification of coverage, setbacks, parking or access requirements. In no case may the finished structure(s) exceed the maximum FAR permitted in the zone.
- (b) .9 FAR for a use group 2a for which an application for preliminary site plan approval has been filed with the Commission prior to March 2, 1982. (5/11/82)
- **** Except those properties between the front and rear building lines.
- ***** Use Group 2a limited to .15 FAR in the LBR-1 zone, and limited to .3 FAR in the LBR-2 zone. (11/25/91)
- Note 1. See Sec. 6-110(a) (6/11/86)
- Note 2. See Sec. 6-110(b) (6/11/86)
- Note 3. The minimum distance to any residential zone shall be equal to twenty feet per acre of lot area but in no case shall the minimum distance be less than 25 feet nor more than 100 feet.
- Note 4. Underground parking garages which are partially above ground shall not be subject to the limitation on the number of stories nor included in determining the number of stories or the height of any building above such garages, provided that the exposure above grade does not exceed the following limitations; (a) one side may be fully exposed; and (b) two additional sides may be partially exposed above a sloping grade commencing at the exposed side and rising at least one foot for every three feet of depth. Other basement areas on sloping sites with no more than three sides exposed in excess of 5 feet and which are wholly under the first floor shall not be included in determining the number of stories, provided that the floor area within the portion of the basement exposed in excess of 5 feet does not exceed 25% of the area of the first floor of the building and provided that the floor of such basement is not more than 15 feet below the first floor level.
- Note 5. Underground parking garages with exposed sides not in excess of the limitations provided in Note 4 above shall not be included in determining the maximum building area.
- Note 6. Except: 100 feet from adjacent land in the same zone. Gate houses not more than 11/2 stories in height may be located at a distance not less than 50 feet back from the street.

(6/27/95)

Sec. 6-103.1. USE REGULATIONS AND SPECIAL REQUIREMENTS FOR CGBR ZONE (9/15/86; 9/28/2010)

(A) Purposes.

In addition to the purposes stated in Sec. 6-102, the goal of the Central Greenwich Business-Retail Zone is to serve as the prime retail and service area of the Town by accommodating shopping and business needs in a greater variety and concentration than the neighborhood and local business zones. The CGBR zone serves several functions: it provides convenience goods and services to all residential areas of the Town, both the outlying sections and the close-in more densely built neighborhoods; it provides comparison shopping goods and services on a generalized or specialized basis to the town-

wide and sub-regional market area; and it provides office uses to complement and support the business uses.

The emphasis of the CGBR zone is upon protection of ground floor space for compatible retail uses, and avoidance of a break in storefront continuity. Consequently, businesses in the zone are generally dependent upon pedestrian traffic and storefront exposure. In addition to retail uses, a wide variety of services and community functions is included to suit the broad and longer-term needs of residents and customers.

An important goal of the CGBR zone is to provide for housing to meet the diverse needs of the Town's residents, as well as to provide a night-time presence and a daytime market that supports and strengthens the business community.

(B) Ground Floor Uses.

Except for access to and egress from upper floor permitted uses, uses on the ground floor shall be limited to uses listed in Use Group 1 except for banks and financial services, (including drive up and drive thru) and sales agencies of real estate, employment insurance or travel firms which are not permitted on the first floor of the CGBR zone. These uses are only allowed on the upper floors if parking is provided on site since these uses are considered office uses and not retail uses. ATM machines and bank entrances to the 2nd floor are not considered financial services and may be located on the first floor in the CGBR zone. Recreational facilities, fitness clubs, gyms and group fitness centers are not permitted on the first floor of the CGBR zone and only in the Basement and on the upper floors if, in either case, adequate parking is provided on site per Section 6-158 of the BZR. Other Use Group 1 uses shall occupy not less than 75% of the floor area of the largest floor of the building. For the purposes of this provision, the ground floor shall be considered a floor within 18 inches of mean curb elevation; if no floor occurs within this elevation, the Zoning Enforcement Officer shall determine which floor of the building shall be treated as the ground floor. Public areas of a restaurant in the CGBR zone are restricted to the ground floor (basement or second floor) may be used for food preparation and accessory non-public restaurant uses. For the purposes of this section, a floor shall be considered the ground floor if it is located within 18" above or below mean curb elevation. (4/14/2010; 9/28/2010, 9/20/2013; 9/19/2017)

(C) Permitted Uses.

Subject to (B) above, the following uses are permitted:

Use Group 1 – Allowed on ground and second floor only, except that below grade floor area (basement) may be used provided that the number of floors of a building devoted to Use

Group 1 shall not exceed two, and the number of usable or habitable floors shall not be more than three (3). (6/27/95)

Use Group 2a and 2b – Allowed on second floor only. (6/27/95)

Use Group 3 – Allowed above ground floor. (6/27/95)

(D) Parking.

Above ground parking shall not be permitted within 60 feet of the street line of Greenwich Avenue or Putnam Avenue.

All parking required in accordance with Section 6-158 shall meet the standards of Division 15 and Division 18. (2/6/90)

The parking and loading requirements of Division 15 shall not be applicable to uses in Use Group 1 or Use Group 3 for any lot where the following conditions are met:

The lot shall have a rear building line as indicated by any map listed in the Schedule of Rear Building Lines at the end of these regulations; and

The total floor area of the building or buildings on said lot shall not exceed 15,000 square feet of floor area.

Division 15 shall be applicable to all other buildings except that for Use Groups 1 and 3 the Planning and Zoning Commission, upon application for Special Permit, may grant Special Permit authorizing a lesser number of parking and loading spaces after consideration of the following:

- (1) Any past reduction in the size of the subject lot resulting from the conveyance of land behind a rear building line to the Town of Greenwich;
- (2) Provision of off-site parking by way of contract or lease;
- (3) Maintaining of existing buildings contributing to continuity of retail frontages;
- (4) The standards of Sec. 6-15 and 6-17.

For purposes of this section gross floor area which is located on other than the ground floor and is occupied or utilized by the following Use Group 1 uses shall be calculated as Use Group 2: banks; sales agencies of real estate, employment, insurance or travel firms; non-profit, multi-service social work agencies. (2/6/90)

(E) Below Grade Floor.

In the CGBR zone below grade (basement) usable or habitable floor area accessible to the public shall be counted as a story of the building. In such building the number of usable or habitable floors shall not be more than three (3). (6/27/95)

(F) There shall be no display of merchandise or the placement of equipment used for an on-site business activity permitted in the required parking area. (9/28/2010)

SUBDIVISION 3. BUSINESS ZONES.

Sec. 6-100. USE GROUPS FOR BUSINESS ZONES.

In order to carry out the purposes and provisions of these regulations, the uses of all non-residential buildings and structures have been classified into Use Groups.

Any use not specifically listed in the following Use Groups shall be prohibited, unless allowed under Use Group 5A by Special Exception. (9/15/86) (10/17/18)

USE GROUP 1 (9/28/2010)

Assembling, processing or any light mechanical operation clearly incidental to the conduct of a retail business or personal service shop provided that such use is not larger than 750 square feet gross floor area, and, in the opinion of the Zoning Enforcement Officer, is not offensive or obnoxious or detrimental to the neighborhood by reason of emission of odor, dust, smoke, fumes or noise. (9/15/86)

Banks (including drive-ins) when authorized by special permit (4/14/2010)

Dry cleaning establishments, subject to the following:

Dry cleaning establishment using non-inflammable solvents and employing not more than ten persons, provided that the local Fire Marshall shall have approved that solvent to be used as non-inflammable under the State Rules and Regulations concerning Dry Cleaning and Dry Dyeing, and also shall have approved the location and installation of the equipment, and provided that the Commissioner of Public Works shall have approved the method of disposal of waste materials from the cleaning process; and provided that odors and fumes from the establishment are sufficiently dissipated so that they are not offensive or detrimental to neighboring property.

Emergency Youth Shelters

Fitness Clubs (Note D) (9/28/2010, 9/20/2013)

Group Fitness Centers (Note D) (9/28/2010, 9/20/2013)

Gyms (Note D) (9/20/2013)

Group Living Facility for the Elderly, permitted by Special Permit pursuant to Sec. 6-17. (see Sec. 6-94(b)(2) for standards and requirements) (2/25/88)

Indoor theaters, of minimum 200 seats

Libraries, museums and art galleries

Municipal uses

Non-profit, multi-service, social work agency

Outdoor dining facilities, ancillary and contiguous to an eating establishment (restaurant, or retail food establishment), operating on a seasonal (seven month) basis starting on April 1st and concluding on November 1st in any calendar year and subject to the following: (11/25/2008, 3/25/2014)

- (1) Proof of the availability of adequate parking shall be submitted at the time of application for final site plan approval guaranteeing said availability for the period the use is to function.
- (2) Proof of adequate liability insurance shall be provided. Outdoor dining areas located on Town sidewalk(s) will be required to carry additional liability insurance and/or policies in such an amount as determined by the Town's Risk Management Office. Proof of liability insurance shall be disclosed on an Acord form entitled, "Certificate of Liability Insurance", and be in the amount as required by the Town's Risk Management Office. The Town of Greenwich shall be named as an additional insured. If alcohol is being served, the Certificate of Liability Insurance certificate must disclose that liquor liability insurance is in place for the same amounts of the required general and umbrella liability policies and the applicant will be

required to carry further liability insurance and/or policies. The owner/operator shall sign an agreement indemnifying the Town from liability on adjacent Town property resulting from the operation of said use prior to the issuance of Building and Zoning permits. (4/9/2014)

- (3) When the seasonal use ceases at the end of the approved period, all evidence of such use shall be removed from the premises. (4/9/2014)
- (4) If said use is to be re-established the applicant must reapply, annually, and again meet all conditions and standards of this subsection.
- (5) Dining facilities use must be entirely on property owned or leased by the applicant. Public property may not be used for dining facilities purposes unless a properly executed lease agreement has been obtained and all insurances as approved by the Town. (4/9/2014)
- (6) Building and Zoning permits must be obtained prior to the start of dining facilities use regardless of the amount of construction involved. (11/17/97, 4/9/2014)
- (7) In the case of small-scale projects (3 tables or less, on private property) site plan approval by the Planning and Zoning Commission will not be necessary. The Town Planner shall review and approve said projects after assurance that the conditions of this subsection have been met and any requisite insurance is provided as mandated by the Town. (4/9/2014)
- (8) Will not interfere with public, state or municipal use of any public street, sidewalk or property, will not create a disturbance or hazard to pedestrians or traffic and will not interfere with the safe and free flow of pedestrians or traffic. (7/24/83)

Package stores, subject to the provisions of Sec. 6-194

Parks and Playgrounds

Personal service establishments

Pharmacy

Post offices

Recreational Facilities (permitted by Special Permit) (Note D) (9/28/2010, 9/20/2013)

Restaurants, other than drive-ins, including expansion by new construction, alteration or conversion, when authorized by Special Permit pursuant to Sec. 6-17 of these Regulations and subject to the provisions of Sec. 6-194. No special permit is necessary for properties between the front and rear building lines. (6/17/83) Public areas of a restaurant in the CGBR zone are restricted to the ground floor of the building. (11/17/97; 9/28/2010)

Retail stores

Sales agencies of real estate, employment, insurance or travel firms

Service and Social Clubs, provide that in the LB, LBR and CGBR Zones: (1) no more than 25% of the ground floor of a building shall be used for this purpose, (including accessways) and (2) other than access, no floor area dedicated to such use shall be located along any ground floor street frontage. (4/29/91 & 9/28/2010)

Supermarkets including expansion, when authorized by Special Permit. (9/15/86)

USE GROUP 2. OFFICE USES

All office space, including without limitation, sales agencies of real estate, employment, insurance or travel firms, and non-profit, multi-service, social work agencies, shall be included in computing the gross floor area of office space. Any bank space on other than the ground floor shall also be included in computing the gross floor area of office space. (2/6/90)

USE GROUP 2a

Office space not exceeding 7,000 square feet gross floor area per lot., except in the GB Zone. In the GB Zone only, office space not exceeding 10,000 square feet gross floor area per lot.

USE GROUP 2b

Office space exceeding 7,000 square feet gross floor area, but not exceeding 20,000 square feet gross floor area per lot.

USE GROUP 2c

Offices exceeding 20,000 square feet gross floor area per lot.

USE GROUP 3

Dwelling units conforming to the provisions of Sec. 6-110.

USE GROUP 4 (4/29/91; 9/28/2010)

Animal grooming establishments
 Community centers
 Drive-in banks when authorized by Special Permit (4/14/2010)
 Financial Services (including banks) (9/28/2010)
 Fitness Clubs (Note D) (9/28/2010, 9/20/2013)
 Funeral parlors
 Group Fitness Centers (Note D) (9/28/2010, 9/20/2013)
 Gyms (Note D) (9/20/2013)
 Health centers, hospitals, walk-in medical clinics (9/15/86), homes for the aged, sanitariums or convalescent homes
 Indoor places of assembly
 Places of worship
 Printing shops, newspaper establishments
 Radio and television stations (excluding transmitting facilities)
 Recreation uses (excluding billiard and pool rooms, merry-go-rounds, shooting galleries, freak shows and similar attractions and amusement devices)
 Recreational Facilities(permitted by Special Permit((Note D) (9/28/2010, 9/20/2013)
 Schools, both profit and non-profit, day care centers

USE GROUP 5

The following uses when and to the extent authorized by the Planning and Zoning Commission, subject to the provisions of Sec. 6-17 inclusive, provided that the Planning and Zoning Commission finds that the use is compatible with the neighborhood and its uses:

Any business or industry not otherwise covered by these Use Groups:
 Auto detailing (5/4/2005)
 Car washes
 Gasoline filling stations or service stations
 Motor vehicle repair
 Motor vehicle sales and service (9/15/86)
 Motor vehicle storage
 Radio and television transmitting facilities
 Veterinary establishments and kennels
 Warehousing and storage
 Wholesale establishments

Sec. 6-101. SPECIAL PERMIT REQUIRED FOR BUSINESS ZONES AND RESIDENTIAL ZONES.

- (a) No new construction for any use or uses including uses for which special exception has been granted pursuant to Sec. 6-19 to 6-21 inclusive which would result in a structure or group of structures which individually or together would total in excess of 40,000 cubic feet in volume above established grade in the underlying zones of the mapped Central Greenwich Impact Overlay Zone or the mapped Post Road Impact Overlay Zone or in the Waterfront Business (WB) Zone or in the Local Business (LB) Zone or the Local Business Retail (LBR) Zones, or in excess of 150,000 cubic feet in volume above established grade in all other zones, shall be permitted except when authorized by special permit by the Commission pursuant to Sec. 6-17 of these Regulations. Upon application for said special permit, the Commission may authorize the measurement of building height and number of stories from a landscaped deck which is the roof of a parking structure, provided said parking structure is found by the Commission to be substantially below the surrounding grade, and is so landscaped and designed as to meet the standards of Sections 6-15 and 6-17. When height measurement is so authorized by the Commission, the area of such parking structure shall not be included in lot coverage. (7/25/96) (10/17/18)
- (b) No conversions of existing structures which exceed the size limit provided in this Section shall be permitted except in conformance with the provisions of (a) above;
- (c) The Commission may require a performance bond for any or all improvements deemed to be essential in meeting the standards of Sec. 6-15 and Sec. 6-17.
- (d) In all residential zones a special permit shall be required for two (2) or more dwelling units on a lot. (7/16/91, 4/24/2013)

Sec. 6-102. STATEMENT OF PURPOSES – ALL BUSINESS ZONES.

These business zone regulations are made in accordance with the Town's Plan of Development/Land Use Plan, adopted in 1985, and are designed to implement the policies as contained therein and the purposes set forth in the General Statutes of the State of Connecticut. Specifically, it is the intent of these regulations: (6/11/86)

- (a) To guide and control the type, amount, location and quality of business development in the Town so that it will be in harmony with Greenwich's predominantly residential character.
- (b) To concentrate business activities in existing commercial areas and assure that there will continue to be available adequate land and building capacity to meet the retail and business needs of the Town's present and ultimate future population; to assure that commercial areas outside the central business district provide for the particular needs of the areas and neighborhoods they are intended to serve. (6/11/86)
- (c) To assure that the limited areas of the Town which have been found to be suitable in terms of location, facilities and utilities to serve Greenwich's retail and service business needs are reserved for this purpose and are not pre-empted for uses which do not serve a local function or which can be more appropriately located elsewhere.
- (d) To control the type, amount and location of business development, tying it closely to ultimate population growth and the capacity of the Town's infra-structure; to encourage the most economic use of existing and planned community services and facilities such as, but not limited to, road network, water supply, storm drains, sewage disposal. (6/11/86)
- (e) To provide greater shopping convenience and encourage pedestrian circulation by concentrating local retail and business uses in uninterrupted shopping patterns in the Town's existing business centers; to support the viability of the retail function within shopping districts by assuring adequate ground floor storefront space for retail sales purposes. (6/11/86)
- (f) To prevent business land uses from encroaching upon or otherwise disturbing areas planned for residential use.
- (g) To encourage in appropriate areas mixed residential and commercial uses. (6/11/86)
- (h) To preserve the cultural heritage of the community, and to preserve the Town's historic resources in conformance with Sec. 8-2 of the State Statutes. (4/5/82)
- (i) To retain and enhance the environmental quality of business zones so as to sustain property values and the viability of businesses. (6/11/86)
- (j) To encourage preservation of existing housing stock in commercial areas and if dwellings are displaced by conversion or new construction to encourage replacement; to encourage protection and provision of below-market-rate housing. (6/11/86)

NOTE: Greenwich P&Z amended the FAR for 6-110 downward to .75.

Sec. 6-110. USE REGULATIONS AND SPECIAL REQUIREMENTS FOR DWELLING UNITS PERMITTED IN THE BUSINESS ZONES.

(a) Purpose:

The purpose is to promote the inclusion of below-market-rate dwelling units, hereafter referred to as moderate-income dwelling units, within private sector residential or mixed-use development in business zones so as to increase the diversity of the Town's housing stock, in accordance with the objectives of the 2009 Plan of Conservation and Development (POCD) and the POCD Housing Task Force recommendations of 2011, and to mitigate the shortage of dwelling units that can meet the housing needs particularly, but not exclusively, of those employed by the Town and by not-for-profit and non-governmental agencies located in the Town of Greenwich that provide essential services to the Greenwich community; the elderly; and others who are classified as moderate-income households as defined in (b)(3) below.

(b) Definitions:

- (1) Moderate-income dwelling units are those set aside for moderate-income households whose aggregate income, including the total of all current annual income of all household members from any source whatsoever at the time of certification (but excluding the earnings of working minors attending school full-time), averaged for the preceding two years, does not exceed the following multiple (listed below) of median annual Town paid wages of all full-time employees and teachers of the Town of Greenwich during the preceding fiscal year.
- (2) A household, as defined by The United States Department of Housing and Urban Development (HUD), is all the people who occupy a housing unit. A household includes the related family members and all the unrelated people, if any, such as lodgers, foster children, wards, or employees who share the housing unit. A person living alone in a housing unit, or a group of unrelated people sharing a housing unit such as partners or roomers, is also counted as a household.
- (3) Moderate-income households are households whose aggregate income, including the total of all current annual income of all household members from any source whatsoever at the time of certification (but excluding the earnings of working minors attending school full-time), averaged for the preceding two years, shall not exceed the following multiple (listed below) of median annual Town paid wages of all full-time employees and teachers of the Town of Greenwich during the preceding fiscal year.

1	person household	1.2
2-3	person household	1.5
4-5	person household	1.8
6	person household	1.9

(4) In calculating household income, the value of assets must be considered. If the value of assets (not including personal property or vehicles) is \$5,000 or less, then the income received from those assets should be added to the household's annual household income. If the value of assets is greater than \$5,000, the greater of the following should be added to the household's annual income:

- i. Actual income received from the assets or
- ii. The actual value of the assets multiplied by the current passbook savings rate as established by HUD.

(c) Limit on the Number of Dwelling Units Permitted in the Business Zones:

- (1) Dwelling units are permitted within private-sector residential or mixed-use development in the LB, LBR-2, CGB, CBGR, GB and GBO zones provided the units comply with Sec. 6-110(d) and Sec. 6-205 of these zoning regulations.
- (2) When any portion of one or more of the incentives offered under Section 6-110(g) is requested, a minimum of 20% of all dwelling units on one existing lot or merged adjoining lots shall be deed restricted as moderate-income dwelling units, subject to Section 6-110(h). The incentives for moderate income dwelling units are applicable to properties within the LB, LBR-2, CGB, CGBR, GB and GBO business zones. The Planning and Zoning Commission may consider a fraction to be a whole number to meet the requirements that not less than 20% of all units are moderate-income dwelling units.

(d) Special Requirements:

- (1) For CGBR and LBR-2 zones, dwelling units shall be permitted only when above floors having uses of Use Groups permitted in said zones other than Use Group 3.
- (2) The Planning and Zoning Commission, when it deems appropriate, may require outdoor recreation space of suitable size, shape, and location to serve the recreational needs of the residents. Such areas may include balconies, roof terraces, lawn areas, and the like.
- (3) Notwithstanding any other provision of these regulations, floor area devoted to Use Group 3 uses (dwelling units in business zones) may not be converted to any other Use Group and may not be used for resident professional offices unless a Special Permit and Site Plan approvals have been granted in accordance with the standards and requirements of Sec. 6-15 and 6-17 of these regulations.

(e) Procedure:

A development proposal including moderate-income dwelling units shall be subject to Special Permit procedures and standards pursuant to Sec. 6-17. As part of any moderate-income housing development pre-application process, a workshop shall be convened by the Director of Planning and Zoning that includes the Zoning Enforcement Officer (ZEO), Department of Public Works

Engineering, Building Official, Sewer, Highway, and other appropriate agencies/persons at which meeting the developer whose development plans include moderate-income dwelling units shall present and discuss a sketch plan prior to actual submission to any Town agency.

(f) Distance Requirements:

In the LB, LBR-2, CGB, CGBR, GB and GBO business zones an adequate distance shall be maintained free of all obstructions from any wall containing a dwelling unit window required for light or ventilation. The minimum distance in feet between buildings must meet all applicable fire and building codes and provide for adequate light, air, and ventilation, unless the Planning and Zoning Commission finds a greater distance more appropriate.

(g) Incentives:

To provide incentives to include moderate-income dwelling units within private-sector residential or mixed-use development in the LB, LBR-2, CGB, CGBR, GB and GBO zones (including alteration of, or addition to, an existing building), the Planning and Zoning Commission may allow the following modifications of the Building Zone Regulations provided that (1) the proposed development includes the requisite number of moderate-income dwelling units required under Sec. 6-110(c)(2); (2) the Commission makes a finding that the purposes and requirements of Sec. 6-110 are met; and (3) the proposal complies with the standards of Sec. 6-15 and 6-17 of the Building Zone Regulations:

- (1) An increase in Floor Area Ratio to 0.9. The commercial floor area permitted in the underlying zone may be constructed new or added to an existing building up to the allowable Floor Area Ratio of the underlying zone, as permitted in Sec. 6-205(b), provided the remaining allowable floor area up to 0.9 is devoted to residential;
- (2) A waiver of non-residential ground floor use is permitted in the LB zone. Ground floor residential use is permitted in the GB, GBO and CGB zones but is prohibited in the LBR-2 or CGBR zones;
- (3) For the GB, GBO, CGBR, CGB and LB business zones only, an increase by one (1) story only over the number of stories otherwise allowed in these zones and an increase in the height of a building up to 47½ feet; all as measured according to the requirements of the particular underlying business zone;
- (4) In the LBR-2 business zone an increase by one (1) story over the number of stories otherwise allowed in this zone and an increase in the height of a building up to 40 feet may be permitted; (7/19/16)
- (5) A waiver of maximum coverage standards provided the scale of proposed structures is compatible with surrounding uses and open spaces and provided sufficient landscaping, screening, and decorative planting is provided to enhance the residential quality of the development and to screen refuse, transformer, storage, and parking areas;
- (6) A modification of requirements, if any, of the underlying zone that all parking spaces for Use Group 1 be surface spaces on the same level as street level businesses. The Planning and Zoning Commission may allow up to two-thirds of the required parking spaces for Use Group 1 to be located in an on-site underground parking level provided that the underground spaces are designated for long-term parking by employees, and further provided that the Commission

finds such location of spaces will result in an enhancement of the residential quality of the development through an increase of landscaping, screening, and decorative planting. The total number of on-site parking spaces shall be determined in accordance with Division 15 of the Building Zone Regulations;

- (7) Where minimum side yards are required in Sec. 6-205(b), the Planning and Zoning Commission may find lesser side yards adequate for residential uses;
- (8) Such units shall have not less than one bedroom and shall contain, on average, the same number of bedrooms as the market rate units in the development, unless the Planning and Zoning Commission finds a different allocation of bedrooms per dwelling unit to be more responsive to current housing needs.
- (9) A waiver of the prohibition that no entrance to or exit from a business use shall be located on any street frontage opposite a residence zone where the lot containing the business use has frontage in a business zone along East and West Putnam Avenue. (12/8/16)
- (h) Criteria and Requirements of Inclusion of Moderate-income Dwelling Units:
 - (1) General Requirements:
 - i. Moderate-income dwelling units shall be offered for sale, resale, or continuing rental to moderate-income households as defined above; or to a Planning and Zoning Commission-approved agency which may be a non-profit agency, a municipal agency, or other organization, which shall offer the dwelling units to moderate-income households as set forth herein.
 - ii. Such units shall be physically integrated into the design of the development in a manner satisfactory to the Planning and Zoning Commission.
 - iii. Parking shall be provided in accordance with the standards of Sec. 6-155 for multi-family dwellings.
 - iv. Moderate-income dwelling units must be owner occupied or occupied by the legal lessee only. If there is more than one owner of a unit, both owners must occupy the unit as their primary residence. Moderate-income dwelling units cannot be rented or leased out or occupied by others not legally allowed or qualified by the Town. An annual affidavit is required from the owner/renter indicating they are residing in the unit as their primary residence. This annual affidavit should be submitted to the Planning and Zoning Department or its designated agent.
 - (2) Priority List of eligible moderate-income households applying for moderate-income dwelling units shall be selected on the basis of the following categories of priority:
 - i. Full-time Town of Greenwich Municipal and Board of Education employees and full-time employees of not-for-profit health, education, and human services agencies and other not-for-profit agencies located in the Town of Greenwich that provide essential services to the Greenwich community.
 - ii. Other residents of the Town of Greenwich.

- iii. Other persons employed in the Town of Greenwich.
 - iv. All others
- (3) Guidelines for maximum rent and sales price:

For moderate-income dwelling units in each housing development, a range of sales prices and/or monthly rentals may be established, subject to the following:

- i. The maximum monthly rent for one bedroom moderate-income dwelling units shall include common charges, and may exclude utilities (gas, oil and electricity) at the discretion of the property owner, shall not exceed 2.0% of the median annual Town paid wages for all full-time Town of Greenwich Municipal and Board of Education employees during the preceding fiscal year. Additional bedrooms will result in higher maximum rent: two bedroom units will be limited to 2.5% and three bedroom units to 3% of the median annual Town paid wages as described above. (6/20/19)
 - ii. The first time a moderate-income dwelling unit is sold, the maximum sales price for a one bedroom unit to a subsequent moderate-income household shall not exceed four times the median annual Town paid wages of all full-time Town of Greenwich Municipal and Board of Education employees during the preceding fiscal year. Additional bedrooms will result in higher maximum sales prices: two bedroom unit prices will be limited to five times and three bedroom units to six times the median annual Town paid wages as described above.
 - iii. In the case of a condominium ownership structure, there shall be no extra up-front charge for minimum required facilities such as, but not limited to, parking and recreational facilities. Each unit owner, however, shall pay his fair share of common charges, expenses and assessments as provided in the Common Interest Ownership Act of the State of Connecticut and as approved by the Town of Greenwich Planning and Zoning Department. (6/20/19)
- (4) Resale Restrictions:
- i. For moderate-income dwelling units, the title to said property shall be restricted so as to maintain the unit in the moderate-income category in perpetuity beginning on the date of issue of the Certificate of Occupancy (the "Restriction Period"). Said restriction shall provide that in the event of any resale of the unit by the original owner or any successor owner, the maximum resale price shall be limited by the same guidelines and rules indicated in 6-110(h)(3)(ii) above. (6/20/19)
 - ii. For rental moderate-income dwelling units, the title to said property shall be restricted so as to maintain the rents charged for the units in the moderate-income category in perpetuity beginning on the date of issue of the Certificate of Occupancy. This title restriction will survive any sale of the rental project to a subsequent owner during the Restriction Period. There shall be no limitation on the sales price of an entire moderate-income rental project; however, if less than the entire project is sold, any moderate-income dwelling unit(s) sold must be sold to a qualifying moderate-income household during the Restriction Period. (6/20/19)

- iii. If a moderate-income dwelling unit is subject to a Restriction Period other than “in perpetuity”, twelve months prior to the end of the Restriction Period, the owner of any moderate-income dwelling unit shall notify, by certified mail, the Town of Greenwich Planning and Zoning Department or its designee of the impending end of the Restriction Period. Failure by the owner of the moderate-income dwelling unit to notify, by certified mail, the Town of Greenwich Planning and Zoning Department or its designee twelve months prior to the end of the Restriction Period shall extend the Restriction Period by the number of days equal to the period of failure to give notice. (6/20/19)
- iv. In the case of moderate-income dwelling units which are part of a commonly owned building in which a moderate-income dwelling unit cannot be sold individually, then such moderate-income dwelling unit will remain in the Restriction Period, if applicable, until such unit can be eligible to be sold in accordance with the procedure of Sec. 6-110. (6/20/19)
- v. Each moderate-income dwelling unit shall be subject to an option to purchase (the “Purchase Option”) at the maximum allowable restricted sales price or any mutually agreed upon sales price that does not exceed the maximum sale price. The Purchase Option shall be available to the Town of Greenwich, or its designee, followed next by the Housing Authority of the Town of Greenwich, then followed next by a qualified non-profit as approved by the Town. Upon receipt of a notice of the end of the Restriction Period, if applicable, the Purchase Option shall be available to the Town of Greenwich for 90 days. If the Town exercises the Purchase Option, it may enter into a contract of sale. If the Town fails to exercise the Purchase Option or declines to exercise the Purchase Option within 90 days, the Housing Authority of the Town of Greenwich shall have 30 days to exercise the Purchase Option and enter a contract of sale. If the Housing Authority of the Town of Greenwich fails to exercise the Purchase Option or declines to exercise the Purchase Option within 30 days, a qualified non-profit as approved by the Town shall have 30 days to exercise the Purchase Option and enter into a contract of sale. If the qualified non-profit fails to exercise the Purchase Option or declines to exercise the Purchase Option within 30 days, the existing moderate-income dwelling unit owner will be free to proceed with the sale of the moderate-income dwelling unit at the end of the Restriction Period, if applicable. (6/20/19)
- vi. A seller of a moderate-income dwelling unit that has been restricted as a moderate-income dwelling unit for a Restricted Period who has provided the requisite notice of an intent to sell shall have the option to proceed with a sale at fair market value without restriction if no contract of sale has been signed in accordance with paragraph (h)(4)v above, provided that the Town of Greenwich, or its designee, shall examine the contract of sale to determine if the proposed sale price bears a reasonable relationship to the moderate-income dwelling unit’s fair market value. The Town of Greenwich, or its designee, may rely on comparable sales or an appraisal, and shall not approve a contract of sale where there is a determination that the sale price does not bear a reasonable relationship to fair market value. Upon transfer of title on the moderate-income dwelling unit, the seller of the moderate-income dwelling unit shall pay 50% of the difference between the contract sale price of the unit and the final restricted sale price to the Town of Greenwich. (6/20/19)

- vii. In the event of a casualty or other destruction of a moderate-income dwelling unit, any replacement unit shall be subject to the regulation of this Sec. 6-110.
 - viii. Any conversion of a rental moderate-income project to another use shall not be permitted during the Restriction Period, if applicable, unless such conversion includes the creation of the required number of for sale moderate-income dwelling units in accordance with Sec. 6-110. (6/20/19)
- (5) Declaration of Restrictions:
- The developer/owner of moderate-income dwelling units shall submit to the Planning and Zoning Commission a Declaration of Restrictions and Lien adopted by the Town of Greenwich, as to the ownership, use, occupancy, and resale of such moderate-income dwelling units. This declaration of restrictions shall be binding upon such developer and all succeeding owners of the moderate-income dwelling units and shall incorporate the provisions of this Sec. 6-110 therein by reference hereto. Final site plan approval shall be given by the Commission only after it has been satisfied that the Declaration of Restrictions binds the developer and all succeeding owners of the moderate-income dwelling units and duly restricts the ownership, use, occupancy, and resale thereof, and requires adherence to established sales and rental guidelines and administrative procedures, all in accordance with the provisions of this Sec. 6-110. The Commission may cause any such Declaration of Restrictions to be reviewed by the Town Attorney. Each deed for a moderate-income dwelling unit will indicate the restrictions on such unit and refer to the Declaration of Restrictions and Lien, which shall be on file with the Town Clerk as part of the Town's land records.
- (6) Administration:
- i. The Greenwich Planning and Zoning Department or other designated agent/agency approved by the Town shall maintain a list of eligible moderate-income households in accordance with the priority list set forth in (b)(3) above. Where the number of those eligible in the same category of priority exceeds the number of available moderate-income dwelling units, the applicant shall be selected by lottery. As the goal of this program is to provide the greatest benefit to the largest number of eligible people, the Town will seek, at its discretion, to match the size of an available moderate-income dwelling unit to the most appropriately sized eligible household. The selected moderate-income household must reside in the moderate-income dwelling unit. Moderate-income dwelling units must be occupied by the qualified owner(s) or legal lessee(s) only. If there is more than one qualified owner or legal lessee, each owner or legal lessee must occupy these units as their primary residence. These moderate-income dwelling units cannot be rented, assigned, leased out, or occupied by others not legally allowed or approved by the Town or its designated agency. (6/20/19)
 - ii. At the time of Site Plan approval for each housing development, the Planning and Zoning Commission shall approve the designation of an administrative agency to monitor and administer guidelines for the rental, sale, or resale of moderate-income dwelling units. Such administrative agency, which may buy the moderate-income dwelling units for the purpose of rental or resale to moderate-income households, may be a non-profit corporation, an agency of the Town, a Community Housing Development Corporation pursuant to Section 8-217 of the Connecticut

General Statutes, a 501(c)(3) non-profit corporation such as a Greenwich Community Development Partnership, or other approved organization. Such agency may maintain and submit an eligibility list to the Planning and Zoning Department or other designated agent, but the choice of households for available moderate-income dwelling units even if owned by the designated agency shall be in accordance with (b)(3) above. (6/20/19)

- iii. The designated agency shall establish the sale price, resale price, or annual rent of the individual dwelling unit in accordance with the guidelines and requirements of (h)(3) and (h)(4) above and with the approval of the Greenwich Planning and Zoning Department or other designated organization. There will be an Affordability Plan filed on the Greenwich Land Records indicating the deed restrictions on the specific unit which the designated agency will enforce. (6/20/19)
- iv. The designated agency shall set up such procedures as may be necessary to receive annual certification or other information from owners and or tenants which confirms continuing compliance with the guidelines and requirements of this Sec. 6-110 and which notifies it of any conversion in the form of ownership. This information shall be submitted to the Planning and Zoning Department. (6/20/19)