

**CITY OF NORWALK
ZONING COMMITTEE
March 14, 2013**

PRESENT: Adam Blank, Chair; Joseph Santo; Jim White; Nathan Sumpter; Emily Wilson; Mike O'Reilly; Jill Jacobson; Harry Rilling; Mike Mushak

STAFF: Michael Greene; Mike Wrinn; Dori Wilson; Brenda Hrtanek

OTHERS: Ron Kellogg, Wayne D'Avanzo; Atty Liz Suchy; Andrew Hill; Tom Rich;

Adam Blank called the meeting to order at 8:25 p.m.

I. PROPOSED AMENDMENTS TO BUILDING ZONE REGULATIONS & SPECIAL PERMIT

a) #1-13M/#2-13SP - G. & M. Vona - 15 Arch St/Lynes Pl - Proposed map change from AAA & D Residence to entirely D Residence and proposed 12 unit multifamily development - Preliminary review

Dori Wilson began the presentation. She showed the commissioners an aerial map of the property which is near the Waypointe project. It is also near the Route 7 connector. The application is for a request to change the zoning on the property. The applicant would like to construct a 12 family multi-family development to replace the house on the property. She said that the application complies with zoning. A sidewalk would be added.

Ron Kellogg continued the presentation. He said that the applicant still need a few more sign-offs. Mr. Rilling told him that it was an improvement over what was there. Mr. Mushak questioned whether water was being held on-site for drainage purposes. Mr. D'Avanzo said that the water was not being held on-site. Dori Wilson said that she had discussed pervious pavement with the applicant before the committee meeting. Mr. Mushak told them about Unilock pavers which could be used in place of pavers. He explained that the commissioners could make that a condition of approval. Mr. D'Avanzo explained how they were not sure where the water table would re-establish. They would try to use pervious pavers for the sidewalks. Mr. Mushak suggested a rain garden in the back but Mr. D'Avanzo said they had the same problem in not knowing where the water table would re-establish. There was a question about using the pervious pavers on the public sidewalk. Ms. Wilson said that their plans had been received this week and were still being reviewed. It would be on the Zoning Commission agenda in April.

II. PROPOSED AMENDMENTS TO BUILDING ZONE REGULATIONS & SITE PLAN REVIEWS

a) #16-12R/#1-13SPR/CAM/#4-12CAM - TR Sono Partners, LLC - 99 Washington St - Proposed amendment to allow valet, tandem & stacked parking for multifamily developments of 50+ units in the Washington Street Design District & request to modify approved site plan for a 52 unit multifamily

development with 99 sp parking garage to add 14 units, add 55 sp, convert garage to valet, tandem & stacked parking spaces & eliminate 24 offsite parking spaces at 43 S. Main - Further review

Dori Wilson began the presentation. She said that the Zoning Department was sending out the technical memos to the commissioners as soon as they arrive. Mr. Blank asked for a review of all the technical memos to confirm that he had all of them. Ms. Wilson read from her summary sheet. Atty Suchy went over the list with him as well. She then continued the presentation.

Atty Suchy reminded the commissioners that the applicant was requesting to modify the site plan that had been approved in 2012 as well as proposing a text amendment for the parking issues. As she explained, the applicant was now proposing that all parking be located on-site in two levels. They would be able to accomplish this through the use of valet, tandem and stacked parking.

Andrew Hill, Desman Associates, continued the presentation. He discussed the questions that they had tried to answer with their technical memos. One question was whether there was enough capacity. He also discussed the Urban Land Institute's (ULI) methodology which they used for their analysis. He said that it was big enough for the vehicles they expected. The next question was functionality of the garage. He said it would function properly if it was laid out correctly. Another question to be answered was how many people would be needed to manage the space. He went over the various assumptions that they used for the studies. He went over the average rate of inbound vehicles and how long it took to park one. Another item was whether the applicant could financially support the staff needed to manage the space. Mr. Blank had specific questions on some of the technical memos which included the charts. Mr. Sumpter had questions about how the parking related to the workforce housing. Mr. Hill said that he had done that in their analyses. Some of the questions that Mr. Sumpter asked, Mr. Hill said would have to be answered by the applicant. Atty Suchy said that she had requested the advice from Atty Tim Hollister about this subject. Atty Hollister, who had drafted the regulation § 8-30g law, stated that since parking is not required for everyone, the fee would not be included in the maximum monthly payment calculation as set forth in this regulation. The applicant is not required to provide parking to workforce housing tenants without charge to them. Mr. Sumpter was concerned about the parking cost for a workforce housing tenant. Atty Suchy said that the applicant would try to clarify it. Mr. O'Reilly was concerned about 2-3 cars idling on Washington St. Mr. Hill suggested that it could happen when the parking garage was understaffed during the peak hours. Mr. Mushak did not think there was much room for stacking. Mr. Santo asked what the applicant would charge for parking. Mr. Hill said that it would be \$5-6 for early bird parkers and \$1 per hour for short term parkers. Mr. Hill also told Mr. Santo that the garage would be staffed 24/7. Mr. Santo also had questions about the rates for taking the cars in and out. Mr. Hill explained that the way the lifts were configured could hinder the rates. Mr. Santo had questions about some of the examples of other buildings that were used in the memos. Mr. Santo also asked about the ceiling height. Mr. Santo asked Mr. Greene how many pending projects could do what this applicant is contemplating. Mr. Greene said that all could do valet parking. Parking that required the lifts would require high ceilings or the lifts could be on the top floor as long as the structure could bear the load. Mr. Santo also suggested that this

type of parking only be done inside a structure and not outside.

Mr. Blank had a few more questions about the charts in the memos. Mr. Sumpter had questions about people who were eating at restaurants in the area and had parked their cars in the garage. Mr. Hill explained the process. There was also a discussion as to the staging of the parking garage and technology, both of which can help alleviate some back-up of cars. Mr. Blank had further questions about the technical memos including financial analyses. He thought that some numbers could be skewed to favor the applicant. He also commented that staffing levels may need to be set forth in the text amendment. Atty Suchy said that the commission could have an applicant provide a parking management plan. Mr. Rilling thought that staffing levels would have to be done by the applicant because if people waited for their vehicles, then they would lose money. Mr. Blank also thought that the cities that were used in the technical memos were not similar to Norwalk. He did not feel comfortable with their proposal and wanted some guarantees in the regulation. Mr. Santo did not feel comfortable with the mechanical lifts.

Tom Rich, the owner of the project, continued the presentation. Mr. Hill said he was confident it would work after Mr. Rich asked him whether what was proposed would work. He went through the proposal. He said that the lifts added to the parking since they were required to provide 130 parking spaces. The lifts would give the parking garage 154 spaces. Mr. Santo asked Mr. Rich why he did not have lifts in his buildings in Stamford. He said that there was not enough ceiling height and that they did not need them there. Mr. Sumpter told Mr. Rich that he was still not feeling comfortable about the proposed amendment. Mr. Rich tried to allay Mr. Sumpter's concerns about the garage not having enough parking for overnight guests. Mr. Rich clarified that they would be charging for all spaces whether it was valet or self-park. Mr. Rich addressed the concerns about queuing on Washington Avenue. He reminded the commissioners that there was already a valet parking lot there which did not have any problems. He said that if there were problems, he would hear about them. Atty Suchy asked Mr. Blank what he would like to see happen to make him feel comfortable. Mr. Blank wanted something to be in the proposed amendment so that if the regulation is passed, it would have to work for other developers as well. Mr. Rich said they could work with the Zoning Department staff for a solution.

There was a discussion about the remaining issues such as the public parking and the parking for the workforce housing and how they would be handled going forward. There had been some misunderstanding from the original approval whether the public parking would be free. The Zoning Department staff had thought it would be while the applicant did not think it would be. Atty Suchy noted that the regulation was silent on this point. She believed it would have been addressed if that had been the case. Dori Wilson noted that the text amendment had to be on the Zoning Commission's agenda in April. She suggested that the applicant try to resolve the issues before the legal notices ran. She also noted that the applicant could try to fix it but the Planning Commission had already denied the text amendment that was currently proposed.

Mr. Rich summed up the issues for the text amendment. He told the commissioners that if they conditioned the amendment that the applicant had to have

free parking for the workforce housing, he would do it.

b) #11-12R - Zoning Commission - Proposed amendments to add indoor contractor parking facility as a new use in the Industrial No. 1 Zone, Business No. 1 & No. 2 zone and related technical amendments - Review of public hearing

Dori Wilson began the presentation. She told the commissioners that some comments from the public hearing could not be considered under this amendment because they were not part of the proposed amendment nor were they advertised. She also said that she had gone back to look at the history of the current regulation that was passed in 1996. She went over how the minimum lot size came to be as well as the list of available lots for contractor's yards that are between 10,000 sq. ft. and 12,500 sq. ft. She noted that with a smaller lot, sometimes what happens is the trucks end up in the front setback. Mr. Mushak said that he had looked at the size of contractor's yards in Stamford, which were smaller. Dori Wilson recommended that the commissioners go forward and pass the amendment. They could revise the regulation later. Emily Wilson said that there were certain parts of the language of this proposed amendment that did need to be clarified. There was a discussion about whether commercial vehicles should be included as vehicles allowed to be parked outside. Some commissioners thought that it should be while others thought it should not. Mr. Mushak said that he thought the proposed amendment was very flawed and that they should begin again. Some commissioners thought they should pass it and then start working on another, similar amendment for other zones. There was also a discussion as to what materials should be allowed to be stored inside. The commissioners also discussed how to classify commercial vehicles. Some wanted to set limits by size of the vehicle. Mr. Greene said that it may become difficult to enforce. Mr. White thought that with all of these changes, they may need to have another public hearing because the proposed amendment was changed too much. Emily Wilson suggested that they should vote on the proposed amendment at the next Zoning Commission meeting. If it was denied, they could re-write it.

c) Discussion of Workforce housing regulations

Dori Wilson began the presentation. She said that there was a letter that was sent to the Mayor, Common Council, as well as other City Departments, State representatives, SWRPA, housing organizations including, Housing Authority, New Neighborhoods, community and cultural organizations including NAACP, churches and synagogues, attorneys and developers and the Coalition of Norwalk Neighborhood Association. They had received a couple of responses.

The meeting was adjourned at 10:45 p.m.

Respectfully submitted by,

Diana Palmentiero