

**CITY OF NORWALK
ZONING COMMITTEE
March 13, 2014**

PRESENT: Joseph Santo, Chair; James White; Nathan Sumpter; Nora King; Linda Kruk; Michael Mushak; Jill Jacobson

STAFF: Michael Wrinn; Dori Wilson; Adam Carsen

OTHERS: Atty Liz Suchy; Paxton Kinol

Joseph Santo (acting as Chair) called the meeting to order at 8:36 p.m.

I. PROPOSED CHANGES TO THE BUILDING ZONE MAP, SITE PLAN & COASTAL SITE PLAN REVIEWS

a) #1-14M/#2-14SPR/#2-14CAM – Norwalk West VI, LLC. – 26-36 & 33 Orchard St / 2 Quincy St – Proposed change to Building Zone Map from D Residence to CBDD Subarea B (8 parcels) & 6 story, 62 unit multifamily building in a Design District Development Park (7 parcels) with 89 pkg. spaces & related modifications to DDDP – Preliminary review & request for waiver of 3D model

Ms. Wilson began the presentation by orienting the commissioners as to the location of the property on an aerial map. She showed the commissioners which parcels the applicant was requesting a zone change for. She indicated that the request was to change the zone from D Residence to Central Business Design District therefore a public hearing was required for this application. The applicant had modified the original area proposed for change area to eliminate 35 Orchard St therefore changes were still being made to the proposed site plan which will be presented next month. Ms. Wilson said that the earliest date for a public hearing would be in May.

Atty. Suchy continued the presentation. She explained that this area is adjacent to the current project that is under construction. Her client is proposing to add several parcels to the overall development park project; however, these parcels have to be re-zoned because there would be setback issues with the D Zone. There was a discussion about some of the lots that were included and not included. Mr. Kinol suggested that the Redevelopment Agency may be buying one of the parcels to allow for Academy St to be extended to Orchard St.

Mr. Mushak discussed the difference in the amount of taxes that would be generated from the houses that were in the area versus the amount of taxes that would be generated from the new buildings. The Committee agreed to waive the required 3D model. The applicant submitted revised traffic and drainage reports which are in the commissioners' packets. Mr. Mushak mentioned that there are contractor's yards near the property. Mr. Wrinn said they were probably illegal. This application will be on the committee's agenda again next month.

II. PROPOSED AMENDMENTS TO THE BUILDING ZONE REGULATIONS

a) #8-13R – Planning Commission - Proposed amendments to regulate the location and screening of mechanical equipment and HVAC units on rooftops in multifamily and business zones – Further review

Ms. Wilson explained the proposed amendment, requiring the location and screening of mechanical equipment, to the Zoning regulations which had been referred by the Planning Commission. The proposed amendment would expand the zones which would be regulated. Currently, there is no requirement by an applicant to screen mechanicals but that screening is often added as part of the site plan review process. Ms. Wilson said that most towns handle it the way Norwalk currently does. There was a discussion about enforcement. Some of the commissioners wanted to change the draft text to revise the criteria that applicants must comply with. Staff indicated that a revised amendment would be provided for review at the April meeting. Mr. Sumpter wondered if it would be beneficial to have a joint Planning/Zoning commission meeting. Ms. Wilson said that there is a liaison committee of select members of each commission that could meet, if it was so desired. Mr. Santo said that he had asked Torgny Astrom for a joint meeting and would ask again.

b) Indoor contractor parking facility: Discussion of possible amendments

Mr. Wrinn began the presentation by handing out a sheet of possible amendments relating to indoor contractor parking facilities. He explained the difference between a contractor's yard and an indoor parking facility. Mr. Wrinn said that one of the issues was whether to allow indoor contractor parking facilities as a principal or a special permit use. Another was whether to change the required lot size from 12,500 sq. ft. to 10,000 sq. ft. Ms. Wilson showed the commissioners where some of these undersized lots were on a map indicating that most of the smaller lots were in Industrial #1 and Business #2 zones and many are close to residential areas. Mr. Mushak explained why he felt that these amendments were necessary after the public hearing held the previous year. He felt there were possible locations for contractor facilities that could not be utilized under the current regulations. Ms. Wilson indicated that there were only a few smaller lots in the Restricted Industrial and Business #1 zones. There was a discussion of why the minimum lot size was first adopted in 1990's. Mr. Santo mentioned that some of the contractor's yards on Hemlock Place were illegal. There was a discussion as to the purpose of these amendments and who benefits from it. Mr. Wrinn explained that the amendments would open up new areas for contractor parking facilities and that the Commission needed to decide where these should be.

The Committee discussed adding the use to the Restricted Industrial zone agreeing that it was not appropriate for Norden Place. Discussion ensued regarding the other two RI areas one on MLK Blvd. and the other on lower Woodward Ave. Mr. Sumpter said that Woodward Av already has enough truck traffic and does not need any additional trucks. Mr. Santo said that he had spoken to a few contractors who said they could not afford to buy a piece of property and put up a structure for this use. Mr. Mushak mentioned that real estate agents indicated that there was a need at the public hearing last year. He also said

that Stamford and Bridgeport zoning regulations have no minimum lot size. Ms. Wilson said that Stamford was thinking of changing their regulations and that the Bridgeport requires contractor uses to provide a 15 ft. buffer on any line which abuts a residence zone to protect residential areas.

Mr. Mushak said that there are a lot of empty spaces around the city that could provide a location for these uses. Mr. O'Reilly asked him to provide information on the location of these empty spaces. Mr. Mushak thought that changing the code would make Norwalk more business friendly. Although he was not against the amendment, Mr. Sumpter was concerned about allowing the use in the Woodward area and did not want to see contractor uses permitted there. There was a discussion about whether to keep the special permit requirements so that the Commission can review how the properties look. Mr. Santo suggested that the proposed amendments should be tried in one area at a time so the Commission can see how the new regulation is working before expanding the use to other areas. There was a discussion about how much traffic this amendment would generate even though most contractors leave in the morning and come back at night with little traffic generated during the middle of the day. Ms. King said that a small contractor with 5 trucks could easily grow to a larger contractor with 20 trucks. Mr. Wrinn noted that MLK Dr is designed to accommodate higher traffic levels. Ms. Wilson summarized by saying that the staff would draft an amendment to allow indoor contractor uses in the Restricted Industrial under certain conditions subject to site plan review. With the exclusions, the amendment should limit the area to the RI zone on Martin Luther King Dr. The staff will also explore the idea of adding a sunset clause. The Committee agreed to discuss the draft amendments at their next meeting.

The meeting was adjourned at 10:04 p.m.

Respectfully submitted by

Diana Palmentiero