



NORWALK ZONING COMMISSION
125 East Avenue
Norwalk, Connecticut

STAFF MEMORANDUM

September 14, 2020

TO: Zoning Commission, Louis Schulman, Chair
FROM: Steve Kleppin, AICP, Planning & Zoning Director

RE: #5-20SPR – Wall St Recap Associates – 61 Wall St./17 Isaacs St. (Wall St. Place)

This application involves two (2) properties, the 61 Wall Street property (FKA POKO) being partially developed and intended to be completed as part of this project. The second parcel is the former Garden Cinemas site. As you may recall, when the 61 Wall Street Parcel was approved it was supposed to have an underground, automated parking system. That system is no longer under consideration and the intention is to have that filled and provide surface parking beneath the existing building. The 17 Isaac's Streets property will contain an additional fifty (50) units of housing as well as accommodate the required parking per zoning on that parcel.

Site Plan Application:

61 Wall St.

When this area was rezoned in 2019 the existing structure at 61 Wall Street became nonconforming to height and number of stories. However, the regulations contain a clause that grandfathers projects built under a Redevelopment Plan or Design District Development Park (Waypointe). This project has a long public history and most recently, had public discussions with Common Council. One of the concerns raised during the public discourse was regarding the design of the building. While the applicant has consulted with local architects and the historic preservation community, the proposal is still subject to design review. Assuming the Commission agrees with this I would recommend engaging DeCarlo and Doll.

Lot & Building Requirements:

- C.1 – Non applicable for the proposed structure. Number of stories and height are grandfathered.
- C.2 – The applicant is proposing a street activating use which consists of retail and display boxes for art or pictures. The total retail area proposed is slightly over 10,000 square feet.
- C-3 – The proposed retail and ground floor uses as well as the display boxes along Isaacs Street provide the required street activation.
- C.4 –The existing sidewalks meet the 7' width requirement.
- C.5 –The required recreation and open space is provided within both buildings, including rooftop access on 17 Isaacs Street.
- C.6 – The applicant has not demonstrated how they comply with 10% requirement for Public Realm space. This should be indicated on the floor plans and the zoning date table.
- C.7 through C.12 – Not applicable.

C.13 – When the zoning regulations were amended for this area the as-of-right height and number of stories were reduced for Wall Street. In addition, the former design development park regulations, that lead to the Waypointe projects, were removed. Both of these changes lead to nonconformities for varied bulk and height standards in the 61 Wall Street structure and several structures within Waypointe. With the understanding that these nonconformities would occur, the Commission added a clause, which states:

Developments and entitlements, previously approved as part of a Design District Development Park or as a Commission approved project in an approved Redevelopment Plan, which were granted: 1) bonus amenities; 2) a reduction in the total number of parking spaces required, beyond any reductions otherwise permitted in the regulations, 3) contain spaces that do not conform to the minimal dimensional standards for parking stalls, and/or 4) exceed the Schedule Limiting Height and Bulk of Buildings, but were compliant with the Zoning Regulations at the time of approval, are hereby declared to be in compliance with the current Zoning Regulations. Modification to an existing development or entitlement, as outlined above, is permitted, provided the standard being modified complies with the current Zoning Regulation. Said modification shall not require full compliance with current Zoning Regulation standards other than the standard being modified and shall not trigger comprehensive review of the underlying development or entitlement.

17 Isaacs St.

The structure proposed for 64 Wall Street is intended to provide fifty (50) additional units as well as the majority of the zoning-required parking spaces for both developments. This structure is also subject to outside architectural peer review. Within the CBD Zone, there are several lot standards in Section 118-504.C that must be satisfied, in addition to the bulk and height requirements.

Lot & Building Requirements:

C.1 – The rooftop stair tower and elevator access exceed the height maximum for the zone. The proposed text amendment is intended to address this issue. Staff has recommended an alternate to the proposed amendment.

C.2 – The applicant is proposing a street activating use which consists of display boxes for art or pictures. More information has been provided by the applicant. Since there is no commercial use intended for this space, the display boxes could provide an interesting street view for pedestrians. Something similar was approved as part of the Pinnacle project. Considering the location, a more active street use may not be necessary, as opposed to the portion of the development proposed for Wall Street.

C.3 – Since there is no actual use proposed for the ground floor of this property this provision is not applicable.

C.4 –The applicant has indicated that the sidewalk width meets 7' requirement.

C.5 –The required recreation and open space is provided within both buildings, including rooftop access on 17 Isaacs Street.

C.6 – The applicant has not demonstrated how they comply with 10% requirement for Public Realm space. This should be indicated on the floor plans and the zoning date table.

C.7 through C.13 – Not applicable.

Bulk & Height Standards:

After reviewing the site plan materials submitted, there are several items that need to be addressed. The zoning table has several items:

1. *Maximum Height/Stories:* The height and number of stories of 61 Wall Street was discussed previously. The plans indicate that the proposed building at 17 Isaacs Street complies with the height and number of stories; however, the grade indicated on the Site Plan and the grade on the architectural plans are not the same. This should be clarified and the height verified. In addition, the elevator/roof tower access area to the roof requires an amendment to the regulations which is a separate agenda item.
2. *Minimum Height/Stories:* Both sites comply with the minimum number of height and stories.
3. *Minimum Size of Plot:* This standard is not applicable since both lots are existing; however, both sites comply with the minimum lot size
4. *Minimum Yards:* Since the lots are existing the minimum width is not applicable. There is no rear yard on 17 Isaacs Street since it fronts on 2 streets.
5. *Maximum Yards:* The front yard setback to the proposed building at 17 Isaacs Street is indicated at 11.5 feet. Since there is no public improvement in this area, this needs to be rectified. The maximum front yard setback also applies to Commerce Street, since there is a small portion of the site that abuts the street in the southeast corner. The applicant has intended to address this by adding a public improvement in this area to comply with this standard.
6. *Maximum Building Area:* The zoning table indicates that the building area complies with 90% maximum but there is no indication of compliance with the open space or public realm requirements. This needs to be rectified by the applicant.
7. *Maximum F.A.R.:* The maximum F.A.R. for the zone is 3.0. The F.A.R. for 61 Wall Street is 3.08. Section 118.504-C.13 addresses this overage. In addition, the zoning table indicates that there is an amenity bonus which justifies the additional FAR. The proposed F.A.R. for 17 Isaacs Street is 1.43.
8. *Recreation Area:* The required recreation area for both sites complies with the standards. This is depicted in the zoning table.
9. *Residential Density:* The residential density for both sites complies with the allowed density.
10. *Parking:*
 - a. The parking table within the architectural plans which depicts parking within the new garage does not align with the parking spaces as depicted. This should be clarified and corrected.
 - b. The reference to additional public parking should be removed. While it could be part of the narrative and discussion it should not be included on the zoning table.
 - c. There will need to be a covenant on the land records tying the parking between the 2 parcels together.
 - d. There is a reference to a curb-cut reduction credit of 2 spaces. The plans do not indicate reduction in the number of curb-cuts. Any reduction that was done for 61 Wall Street is no longer applicable. In addition, the existing garden cinemas site appears to only have 1 curb-cut currently.
 - e. The reference to a mixed use credits should be removed.



f. The schematic for the parking garage does not show columns. The applicant should clarify whether the column sizes and locations will result in a reduction of the required parking. This should be clarified now so there is no request for modifications after the fact.

11. The applicant needs to submit an affordability plan. In addition a plan needs to be submitted indicating which units are designated as the workforce housing units.

Additional Site Plan Application Requirements

Stable Traffic Flow – The 61 Wall Street property is proposing the same use as previously approved by the Commission, albeit with less commercial space than the prior application. 17 Isaacs Street’s former use as a movie theater had different peaks and volumes than will be realized with the residential development. I will be reviewing the proposal with Mike Yeosock, from Transportation, Mobility and Parking.

The applicant has provided a schematic indicating the movement and turn patterns for a Norwalk Fire Department truck, indicating maneuverability is adequate. Fire Marshal, Broderick Sawyer has indicated that the proposed turning movements are acceptable.

Drainage Report & Infrastructure Improvements –The drainage report must be approved by DPW for compliance with the City’s Drainage Manual. I am awaiting confirmation on this and whether there are any other outstanding infrastructure issues.

Design Review – Design review, concurrent with review of the Redevelopment Agency is required. Staff would recommend formally engaging DeCarlo & Doll to undertake the review.

Workforce Housing – The applicant must submit a workforce housing plan indicating compliance. The zoning table indicates calculations based on the area median income. Our Workforce Housing regulations calculations are based on state median income which are lower values.

CAM Application:

Staff’s Preliminary Comments

Consistency with Coastal Zone Regulations and Statutes

Staff agrees with the applicant's findings of the project's consistency with general policies and goals, listed in Section 2.1 of the Coastal Area Management Report dated August 13, 2020 by Redniss & Mead.

- The two properties that are included in this application, 61 Wall Street and 17 Isaacs Street, are not waterfront properties but are within the coastal area management zone. Both properties are already developed with buildings and parking lots, therefore the proposed development will not impact future waterfront development or natural resources. Furthermore because the properties that are part of the proposal are not waterfront, they do not limit the public’s ability to access the water.
- According to the Coastal Resource Map there are no coastal resources on either property.
- Both properties are not located in a flood zone.

Schedule/Timing of Project

As indicated in the CAM application, after all approvals are received the Land Disposition and Development Agreement requires that the project be completed within 24 months of construction. The applicant should notify the Planning & Zoning Office of the date that construction begins to ensure compliance with this requirement.

Referral to DEEP

The Commission may refer the application to DEEP for their review of the project's consistency with the Coastal Management Act and may also send it to the Harbor Management Commission for review. However, since both parcels are already improved parcels and are not on, in or contiguous to the harbor, staff does not believe these referrals are necessary since DPW is reviewing drainage as part of their review.

Public Hearing

A public hearing is required per 118-1110C.(1)(a). Staff would recommend conducting the hearing for this application and the text amendment simultaneously.

END
