

CITY OF NORWALK
JOINT MEETING OF THE PLANNING AND ZONING COMMISSIONS
February 25, 2019

PRESENT: Frances DiMeglio, Chair of the Planning Commission; David Davidson; Mike Mushak; Tammy Langalis; Nora King; Steve Ferguson; Nathan Sumpter, Chair of the Zoning Commission; Michael Witherspoon; Kelly Straniti; Richard Roina; Nicholas Kantor; Louis Schulman

STAFF: Steve Kleppin; Mike Wrinn; Brian Baker; Michelle Andrzejewski

OTHERS: Tami Strauss; Paxton Kinol; Craig Flaherty; Brenda Penn Williams; Lucille Welden; Jason Milligan; Rev. Richard Clark; Woody Hodges; Diane Lauricella; Adolph Neaderland; Michael McGuire; Cynthia Cruz; Gary Melfie; Alan Webber

I. CALL TO ORDER

Mr. Sumpter called the meeting to order at 7:10 p.m.

II. ROLL CALL

Mr. Kleppin called the roll. Ms. DiMeglio explained the procedure of the joint meeting for the public's benefit. She said that everyone would have between 3-5 minutes to speak.

III. WEST WALL STREET REDEVELOPMENT PLAN: PROPOSED ZONING AMENDMENTS AND PROPOSED CHANGES TO THE BUILDING ZONE MAP FOR CENTRAL BUSINESS DESIGN DISTRICT:

Mr. Kleppin began the presentation by explaining that there was a sign-up sheet for the public and then explained the process of the meeting. There would not be any action because they were taking the comments for the draft. There would be staff recommendations and comments completed by the end of March to the Zoning Commission.

Tami Strauss of the Redevelopment Agency continued the presentation with a quick overview. She showed them the current zones which had recently been combined. She shared the vision with the public and noted that it was explained in the plan. There are currently 10 zoning districts in the areas. The Redevelopment has worked with Planning and Zoning.

Mr. Kleppin continued the presentation with how big the area should be. He discussed some issues that had come up during the drafting of the Plan of Conservation and Development (POCD). He noted that there should not be a set number of citizens. He also noted that this area is very small as compared to other parts of the city. He also said that Norwalk was struggling with its identity because although it was a city, it was unlike Manhattan or Boston. He then discussed the land area of Norwalk. He showed them a map of the urban core. He also compared Norwalk to other metro areas including Danbury and Frisco, TX which including percentage of the growth rate. He then showed them the proposed zoning map. He explained where the changes were and what

would remain the same. He also explained that there had been discussions with the Harbor Commission to confirm that there were no changes that would affect the harbor. He then said that he liked to avoid Special Permits and would like to see a similar plan for this area. He also said that the fee-in-lieu parking regulations had not been used so they would be making changes to that. He discussed the amendment highlights. He also discussed the Wall Street area and noted that there was a lack of density in this area. The existing zoning ran counter to what could help it develop. He also noted that there were historical buildings and the amendments would help to maintain those buildings. He showed an aerial picture of the existing Wall Street. He said there was no room for parking so there was stagnant growth. He then showed them an aerial photo of the existing Washington Street. He discussed incentivizing the Wall Street area which included advocating a private public partnership for the fee-in-lieu parking. He also discussed the micro units. He gave the buildout summary which was based on the Tax Assessor's data, mostly raw numbers. He noted that there was concern about water supply. However, he said according to the data there was less water demand, because of newer properties which used water conservation techniques. He discussed the infrastructure impacts. Developers were required to make infrastructure changes when they were building in an area. He also discussed demands on the Police and Fire Departments and noted that he spoke to the chiefs of both. They did not seem to see a need to increase services as of yet. He also discussed the outstanding issues which would included the fee-in-lieu formula and next steps.

Ms. DiMeglio asked about opportunity zones but Mr. Kleppin said that he was still learning about them. He thought they would affect developers and not affect this plan. Ms. Strauss said that they would send out a link about opportunity zones on the Redevelopment Agency website as well as the Planning and Zoning home page. There was a discussion about the micro-units. Mr. Kleppin noted that there was nothing in the regulations which said there had to be a minimum square footage for units. There was a discussion about the number of micro-units in the area which was 150. Mr. Kleppin explained how they had come up with this number. There was then a discussion about the height restrictions. There was also a discussion about boutique manufacturing in the area. It was noted that there was no definition for light manufacturing. There was a discussion about not having parking regulations on Wall Street. There would have to be a discussion between the city and developers about parking regulations. Ms. King asked that there be some research for the demand for the micro-units. Ms. Strauss said she would post that information. Ms. King did not think there was a demand for it in Norwalk. She also thought there should be regulations for the micro-units to set parameters for the number of people in these units. Mr. Kleppin said they were in the draft. Ms. King also asked how it would be enforced. He said that it would have to be enforced by the Dept. of Health. Ms. King said the Health Department should be part of the drafting of these regulations. Mr. Mushak noted that the leases for the micro-units could help to enforce the amount of people in them. The draft had not been sent to the Health Department for review. Mr. Roina noted that when buildings depreciate in value, owners tend to care less about the building. In newer buildings, the owners would generally take better care of the buildings since they have made a large investment in them. Mr. Ferguson thanked the Redevelopment Agency for drafting the plan. He asked about the blight process. Ms. Strauss said that the Redevelopment Agency would not qualify a building as blighted. The area would be identified as blighted. If the property was identified as blighted by the Building Department then there were certain things that could be done. There was then a discussion about reducing the parking requirements. It was clarified that the Parking Authority did not own the parking garages around the city but the city did. The Parking Authority was making improvements and making them feel safer. There was also a discussion about parking requirements and the cost to build it. Mr. Davidson asked where the number of increased units would be on the map. Mr. Kleppin noted where there are areas. There would be no change in the hospital area or the waterfront area. Ms. King asked for regulations for the entire city for the micro-units. There was a discussion about the rent for the micro-units which would be 20-30% discount on a studio unit. Mr. Milligan, Paxton Knowles and other

developers in the area had asked for this to be added in the regulations. There was a discussion about the supply and demand of units in the area. Ms. Langalis asked about the height requirements in these areas. Mr. Kleppin said that some areas were underdeveloped under the current regulations.

Paxton Kinol, Belpointe and developer of Waypointe, began the presentation by saying he was in favor of the draft regulations. He met with Mr. Kleppin because they did not understand the intent but now they did. He addressed the micro-units concerns. He also did not think there would be a lot of developers who would be constructing them. He said that he thought it was a good idea to have different size units. He thought it was a good idea to loosen the regulations to activate the street and allow other types rather than all retail. He also asked that the affordable housing regulations should be allowed throughout the city. He clarified that he had a Design Development Park (DDP) which would be lost under the new regulations. He had given up 109 units. He explained that his renters were millennials and people downsizing.

Craig Flaherty, Redniss and Mead, explained that his company represented several developers in Norwalk. He said that they had gone through the changes to make sure that the regulations did not affect some of the current projects that his company were still working on and making them non-conforming. He said that they were pleased that the regulations had been simplified and support the work of the Planning and Zoning Department staff and Redevelopment Agency. He also noted that 3 bedroom affordable units are lacking and supported the re-writing to make them more feasible. There was a discussion about the re-writing of the parking regulations.

Brenda Penn Williams thanked Mr. Davidson about his question about where the new apartment would be constructed. She opposed these regulations and thought this was gentrification. She wondered where the people that lived in the area would move to. The only blight she saw was the POKO building.

Lucille Welden, 43 Orchard Street, explained that her family owned a home on Orchard Street which would be affected by these regulations. She noted that she had only heard about Wall Street and did not understand how it would affect Orchard Street. She said that currently there were high rises on one side of the street and private homes on the other. She felt that parking would be taken away from her family. She felt that they were trying to move people over 50 out of the city and make it a city for millennials. She asked them not to forget about the people who would like to remain in Norwalk. She did not want to move to an apartment and give her home. She asked where the developers lived and doubted that any of them lived in this area. She explained the parking situation on her street. There is no longer any on street parking. There was a discussion about the parking situation in other areas. She believed that they were targeting her area because it was near the water front. There was a discussion about which homes had received letters and had not. There was a clarification of affordable housing in the Transit Oriented Development (TOD) area. Mr. Kleppin said that it should be addressed citywide.

Jason Milligan, 11 Belden Avenue, addressed comments from a prior speaker and Ms. King's comments. He said that he had shown a rental which was 300 sq. ft. and had multiple showings of it. There is demand. He said that he supported the regulations. He said he wanted the regulations to allow for flexibility. He is a huge proponent of micro-units because there is a demand. He agreed with Mr. Mushak who noted that people would self-select when choosing their housing. There was a discussion about how many people should live in these units. Mr. Milligan then discussed the historical buildings in this area.

There was a discussion about how long people had to comment. The public had until the end of the following week, March 8, to submit comments.

Rev. Richard Clark said he was concerned about changes to the zone. He said the church had been in the area since the 1870s. He asked whether the regulations would be positive to his church. He noted that some people had moved out of the city.

Woody Hodges, 20 Commerce Street, spoke in opposition to the plan. He then discussed blighted properties. He also asked how the city could help make their properties better. It is becoming less affordable for them to live in the area. He wanted a viable partnership between residents and the city.

Diane Lauricella thanked the commission for keeping comments open. She appreciated the commissioners and staff for making changes. She asked them to go to the Public Library to look at pictures of the corner of Wall and Main Street before the flood of 1955. She encouraged them to heighten the buildings. She said she was not in favor of the micro-units. She asked that units become more affordable and larger. She asked them to add Hoyt Street to the regulations. There could be affordable units there. She also noted that the Redevelopment Agency should be closed and incorporated into Planning and Zoning. She wanted more language for conservation and reducing the price of energy.

Adolf Niederman said he had attended the ordinance meeting the previous week. Business owners made presentations that the Ordinance Committee tabled their changes. He then noted that people that had been displaced due to office buildings in Stamford moved to Bridgeport and Norwalk. He asked that the commissioners meet with the Ordinance Committee. Small businesses could be displaced in the West Avenue area. He thought that the major changes in the Wall Street area would not work. Mr. Mushak said that these were two different issues between Ordinance Committee and these committees.

Michael McGuire said he was at the Ordinance Committee meeting as well. He did not think that the area was blighted. He then read from the blighted definition in state statutes. He also noted that the Redevelopment Agency would have regulatory control but that they were not elected. There was a discussion about the information that was used from the Tax Assessor's office. Ms. Strauss said that the Redevelopment Agency did not own any buildings in the area. She invited Mr. McGuire to her office to discuss this further. Ms. King said that she thought the valuations were flawed. Ms. Strauss noted the 2 valuations that were used. Mr. Davidson asked for a presentation about the definition of blight from the Redevelopment Area.

Cynthia Cruz, Commerce Street, noted that trends come and go and that everyone wants growth. Although it is a small area, it affects the people that live there. She noted how there are changes in the parking in the area. She had concerns about having to pay for parking in a garage. She did not think it was a blighted area because there was not a lot of crime and was considered safe. She did not think she should have to move because of what was happening. She hoped that the mall brought in the business that the city hoped it would.

Gary Melfie said he was not in the proposed zone. He had concerns about the parking and that there were already problems. He also wondered if some streets could be made 1 way to help with the parking situation. He noted that New Canaan had changed their parking and it seemed to help. Mr. Mushak noted that the Parking Authority was considering making angled parking on Wall Street.

Alan Webber, CFO for DiScala Company, which has been in Norwalk for 30 years. He described the situation on Wall Street and that there needs to be more people in the area. This would help with the retail situation. Business owners have seen some increase in activity from the Head of the Harbor project. He also noted that many people do not shop there. He also noted that although the area is being joined together, there aren't many new things that can be built there.

Mr. Milligan passed around a handout of what he cannot build on Wall Street. He has done research about opportunity zones throughout the country. He said that money would come into the areas with less regulation. He noted that there is long term investment. The process should be easier. The current zoning regulations are complicated and expensive. He agrees with some of the zoning regulations.

Mr. Mushak noted that the regulations were supposed to create higher paying jobs. He asked Ms. Strauss what would incentivize companies to move to Norwalk.

a) Norwalk Zoning Commission – West Avenue/Wall Street/Belden Avenue & vicinity - Proposed changes to the Building Zone Map from D Residence, Business #2, Neighborhood Business and Central Business Design District (CBDD) to Central Business District (CBD) and Central Business District West (CBD-W) AND b) Norwalk Zoning Commission – Proposed amendments to Section 118-504 Central Business Design District (CBDD), Section 118-100 Definitions, Section 118-1050 Workforce Housing Regulation, Section 118-1220 Off Street Parking and Commercial and Industrial Schedule Part 1

No action was taken on these 2 items.

IV. ADJOURNMENT

Mr. Roina made a Motion to Adjourn.

Mr. Witherspoon seconded.

Frances DiMeglio; David Davidson; Mike Mushak; Tammy Langalis; Nora King; Steve Ferguson; Nathan Sumpter; Michael Witherspoon; Kelly Straniti; Richard Roina; Nicholas Kantor; Louis Schulman voted in favor.

No one opposed.

No one abstained.

The meeting was adjourned at 9:51 p.m.

Respectfully submitted,

Diana Palmentiero

**CITY OF NORWALK
ZONING COMMISSION
February 25, 2019**

PRESENT: Nathan Sumpter, Chair; Michael Witherspoon; Louis Schulman; Kelly Straniti; Nicholas Kantor; Richard Roina (after the roll call)

STAFF: Steve Kleppin; Michael Wrinn; Brian Baker; Michelle Andrzejewski

OTHERS: Atty. William Hennessey

I. CALL TO ORDER

Mr. Sumpter called the meeting to order at 6:17 p.m.

II. ROLL CALL

Mr. Kleppin called the roll.

III. DISCUSSION/ACTION ON PENDING APPLICATIONS

a. **#6-16SPR/#7-16SPR – Norwalk Land Development LLC – 100 North Water St - Request to modify approved Comprehensive Exterior Signage Manual dated Oct 4, 2016 and graphic examples dated October 7, 2016 for The SoNo Collection properties - Report & recommended action (Two reports/resolutions) and b. #21-15SP/#22-15SP – Norwalk Land Development, LLC (The SoNo Collection) – West Av/N. Water St – Request to modify approved plans for an 8 story mixed use retail shopping center development – Report & recommended action (Two reports/resolutions)**

The presentation would be on the record for both applications.

Mr. Kleppin began the presentation by noting that there were changes from the application which they had seen months before. Mr. Hennessey handed out packets to the commissioners so that they could review them. He explained that there were no changes to height or the look of the building. He noted that since there were changes it was decided to show them to the Zoning Commission. There were some changes to signage which lessened the amount of them as well as changes to the materials. He showed the commissioners on the packets where the changes were. Some of the materials would be more durable. He also showed the changes to the public that were in attendance. He also noted that there now would only be one electronic sign and not 2, as originally approved. There was a discussion about the size of the "SONO Collection" sign. There was also a discussion about the SONO Garden which was also changed.

**** MR. SCHULMAN MOVED: BE IT RESOLVED** that site plan review application **#6-16SPR** and coastal site plan application **#20-16CAM**; Norwalk Land Development, LLC (The SoNo Collection) – 1 Putnam Av/North Water St/Crescent St: **North Parcel** to add new signs including new Electronic Video

Screen (EVS) signs along with various wall, projecting and ground signs as shown in the **“Comprehensive Exterior Signage Manual for Norwalk Land Development, LLC” dated July 21, 2016 and revised to October 4, 2016 along with a booklet of “Exterior Signage Presentation Graphics” dated August 30, 2016 and revised October 7, 2016” as revised to February 13, 2019** and related exhibits for proposed signs associated with special permit application #21-15SP and coastal site plan application #26-15CAM – Norwalk Land Development, LLC (The SoNo Collection) – 1 Putnam Avenue/North Water St/Crescent St – North Parcel: 8 story, ±759,800 square foot mixed use retail shopping center development, be **APPROVED**, subject to the following conditions:

1. That CEAC signoffs be submitted on the revised plans, including the Redevelopment Agency sign-off and that final plans showing the applicant's compliance with all the original conditions of approval be submitted, prior to implementation of the proposed modifications; and
2. That any changes to the approved EVS signs, including any changes in timing, be reviewed and approved by the Zoning Commission; and
3. That any future changes to the approved manual, including any proposed new signs or revisions to the approved signs shown in the approved sign manual, be reviewed and approved by the Zoning Commission; and

BE IT FURTHER RESOLVED that the effective date of this action be March 8, 2019.

Mr. Roina seconded.

Nathan Sumpter; Michael Witherspoon; Louis Schulman; Kelly Straniti; Nicholas Kantor; Richard Roina voted in favor.

No one opposed.

No one abstained.

**** MR. SCHULMAN MOVED: BE IT RESOLVED** that the request to modify approved plans for special permit application **#21-15SP** and coastal site plan application **#26-15CAM** – Norwalk Land Development, LLC (The SoNo Collection) – 1 Putnam Avenue/North Water St/Crescent St – **North Parcel**: 8 story, ±761,251 square foot mixed use retail shopping center development with ±498,375 sf retail, ±45,392 sf restaurant/cafe and public improvements with 2,410 parking spaces in a shared garage as shown on a set of plans entitled "THE SoNo COLLECTION A GGP Retail Development Project: Final Site Plan Submission" by RTKL Architecture, Langan Engineering, Mahan Rykiel et al, dated April 15, 2016 as revised October 7th 2016 as revised by a set of plans entitled "Site Plan Approval – Fall 2018 Revisions" dated February 13, 2019, be **APPROVED**, subject to the following conditions:

1. That the original conditions of approval shall remain in effect; and

BE IT FURTHER RESOLVED that the effective date of this action be March 8, 2019.

Mr. Roina seconded.

Nathan Sumpter; Michael Witherspoon; Louis Schulman; Kelly Straniti; Nicholas Kantor; Richard Roina voted in favor.

No one opposed.

No one abstained.

c. #7-15SPR/#20-15CAM - Highpointe Holding, LLC – 74-76, 78, 80, 82-84, 86 and 88 Main St; 6 and 8 North Av; 37, 41 & 45 High St - Highpointe West: 6 story, 284,788 square foot mixed use development with 212 units and 12,730 sf retail and 304 space parking facility with wider sidewalk and through block arcade amenities – Request for extension of approval time - Report and recommended action

Mr. Wrinn said that there were violations on the property. Atty Hennessey asked for a 30 day extension in order to find a resolution for them. There was a discussion about the fact that the applicant does not control some of the properties. Mr. Schulman asked if the resolutions were not resolved that the applicant has to start the process again. Mr. Wrinn then discussed all of the violations which included using the property as a contractor's yard without permits. Atty Hennessey said that it was not his client who owned the property but rather the lessees on the property. Mr. Wrinn noted that this was the same problem they had last year. It is holding up the extension. He said it should be a quick clean-up. Mr. Wrinn said he had spoken to the attorney for the lessee to let him know there would be consequences. Mr. Roina said that he supported putting the applicant on a short notice, such as 30 days,

**** MR. SCHULMAN MOVED: BE IT RESOLVED** that the request for a one year extension of approval time for site plan application **#7-15SPR** and coastal site plan application **#20-15CAM** - Highpointe Holding, LLC – 74-76, 78, 80, 82-84, 86 and 88 Main Street; 6 and 8 North Avenue; 37, 41 and 45 High Street - **Highpointe West** - 6 story 284,130 square foot mixed use development with 212 units (22 workforce housing units and 190 market-rate units), 12,730 sf retail and 304 space parking facility with wider sidewalks and through block arcade amenities as shown on a set of plans entitled "Highpointe West Norwalk, CT. prepared for Highpointe Holding, LLC" by Redniss and Mead Engineers dated January 7, 2016 and various related plans by Gooding Architecture and Eric Rains Landscape Architects, LLC, be **APPROVED**, subject to the following conditions:

1. That property taxes be kept current for the duration of the extension period; and
2. That evidence of ownership and/or the control of the properties in this development be demonstrated to the Commission; and
3. That the original conditions of approval remain in effect; and
4. That the new approval deadline for obtaining permits will be **March 26, 2019**; and
5. That the subject properties are clear of all violations within a 30 day period; and

BE IT FURTHER RESOLVED that the effective date of this action be **March 8, 2019**

Ms. Straniti seconded.

Nathan Sumpter; Michael Witherspoon; Louis Schulman; Kelly Straniti; Nicholas Kantor; Richard Roina voted in favor.

No one opposed.

No one abstained.

d. #8-15SPR - Highpointe Holding, LLC – 42, 46 and 48 High Street - Highpointe East: 6 story, 91,174 square foot mixed use development with 66 units and 4,320 sf retail and 94 space parking facility with wider sidewalk amenity – Request for extension of approval time - Report and recommended action

**** MR. SCHULMAN MOVED: BE IT RESOLVED** that the request for a one year extension of approval time for site plan application **#8-15SPR** - Highpointe Holding, LLC – 42, 44 and 48 High Street - **Highpointe East** - 6 story, 91,174 square foot mixed use development with 66 units (7 workforce housing units and 59 market-rate units), 4,320 sf retail and 94 space parking facility with wider sidewalk amenities as shown on a set of plans entitled "Highpointe East Norwalk, CT. prepared for Highpointe Holding, LLC" by Redniss and Mead Engineers dated January 7, 2016 and various related plans by Gooding Architecture and Eric Rains Landscape Architects, LLC, be approved, subject to the following conditions:

6. That property taxes be kept current for the duration of the extension period; and

7. That evidence of ownership and/or the control of the properties in this development be demonstrated to the Commission; and
8. That the original conditions of approval remain in effect; and
9. That the new approval deadline for obtaining permits will be **March 26, 2019**; and
10. That the subject properties are clear of all violations within a 30 day period; and

BE IT FURTHER RESOLVED that the effective date of this action be **March 8, 2019**

Ms. Straniti seconded.

Nathan Sumpter; Michael Witherspoon; Louis Schulman; Kelly Straniti; Nicholas Kantor; Richard Roina voted in favor.

No one opposed.

No one abstained.

IV. ADJOURNMENT

Mr. Roina made a Motion to Adjourn.

Mr. Witherspoon seconded.

Nathan Sumpter; Michael Witherspoon; Louis Schulman; Kelly Straniti; Nicholas Kantor; Richard Roina voted in favor.

No one opposed.

No one abstained.

The meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Diana Palmentiero