



NORWALK ZONING COMMISSION
125 East Avenue
Norwalk, Connecticut

MEMORANDUM

JUNE 17, 2020

TO: Zoning Commission, Louis Schulman, Chairman

FROM: Staff (DW)

RE: #1-18SPR/#3-20SPR – Stone Realty Assoc, LLC – 15 Oakwood Av – New 4 story 21,260 sf Innovation center office, R&D & 3 units – Request to modify plan to remove parking deck & add 29 sp. offsite pkg lot

OWNER/APPLICANT: Stone Realty Associates, LLC 15 Oakwood Ave Norwalk CT 06851

PROPERTY ADDRESS/DBL: 15 Oakwood Ave (District 5, Block 38A, Lot 12) 1.75 acres

27 Seir Hill Road (District 5, Block 40, Lot 80) .33 acres

ZONING DESIGNATION: Business #2 zone

PLAN OF CONSERVATION & DEVELOPMENT DESIGNATION: Mixed Use Center

EXISTING USES: 15,370 sf office building and 9,042 sf warehouse building with surface parking lot

NEW SITE PLAN FOR OFF-SITE PARKING LOT AT 27 SEIR HILL RD: The applicant has submitted a new site plan application to construct a **20 space** off-site parking lot at 27 Seir Hill Rd. The plans show that the applicant will obtain an easement from the City of Norwalk to improve the ROW at the end of Seir Hill Rd to enable access between the two properties. The site lighting plan for the new parking lot was revised to show zero foot-candles at property lines. A public hearing is optional for this new site plan application.

PROPOSED MODIFICATIONS TO APPROVED PLANS: The applicant received approval to construct a new 4 story Innovation center with w/15,587 sf office, 3,768 sf research & development space, three (3) residential dwelling units and associated parking deck. In April 2018, the Zoning Commission also approved a related request for a waiver for 29 parking spaces. Subsequently the applicant acquired additional land from the CT. Dept of Transportation, property now known as 27 Seir Hill Rd, and has submitted a request to modify the approved plan to remove the proposed parking deck, reconfigure the primary access for the new building to front on Seir Hill Rd and to use the above **20 space** off-site parking lot at 27 Seir Hill Rd instead (see above). Various modifications to the approved plan are proposed including revising the entrance courtyard with 7 parking spaces located south of the new building, relocating the sewer line to the north of the plaza and provide connection to sewer in Seir Hill Rd., extending Seit Hill Rd travelled way to access the new parking lot and building entrance and related site changes. The applicant is proposing to continue the parking waiver for 29 parking spaces and has agreed to post a \$439,000 bond with the City for 2 years. The purpose of the bond is to provide funds in reserve in the event that the waived parking is needed; if the additional parking is NOT needed the bond would be returned to the applicant at the conclusion of the 2 year period. A lot consolidation survey to consolidate the properties into one tax lot was not submitted and it is unclear if the lots can be consolidated as the City still owns the ROW connecting the two parcels.

TRAFFIC & STORMWATER REPORTS: A revised traffic report was submitted by Frederick P. Clark Associates which indicates that the additional traffic based on the anticipated number of trips on Seir Hill Rd will not affect the level-of-service and can be accommodated without any significant impacts to traffic in the area. A revised stormwater management report was submitted by McChord Engineering Associates and indicates that the additional site improvements will be attenuated by the installation of a hydrodynamic separator to pre-treat any runoff on the site. A number of low impact development strategies are employed to reduce the burden on the proposed stormwater management system including a rain garden. The report states that the proposed site development will have no adverse impacts to the adjoining property owners or any downstream drainage systems.

APPLICATION STATUS: The applicant submitted plans to DPW, WPCA, First District Water Dept, Fire Marshal, and Conservation; CEAC sign-offs have been received from Conservation. No adverse impacts are anticipated, as the development is more than 50' away from inland wetlands.

STAFF COMMENTS: The staff reviewed the plans and notes that the applicant plans to install a gate at 15 Oakwood Ave restricting access to the new south entrance; the Commission may want to confirm that daytime access will be unrestricted. Truck deliveries should be made to the 15 Oakwood Ave warehouse building as the truck turning movements at the Seir Hill Rd entrance show use of public right of way for turning movements which is not permitted.

NOTE: Action must be taken on the new 20 space parking lot at 27 Seir Hill Rd. (#3-20SPR) prior to taking action on modification to remove parking deck at 15 Oakwood Ave. (#1-18SPR)

The following draft resolutions are offered:

*** DRAFT RESOLUTION TO APPROVE 27 SEIR HILL ROAD***

BE IT RESOLVED that site plan application #3-20SPR – Stone Realty Associates LLC – 27 Seir Hill Rd - Proposed new 20 space off-site parking lot with a new entrance drive, site lighting, new landscaping, civil utilities and related site improvements as shown on a set of plans by McLennan Design, LLC and McChord Engineering dated March 7, 2018 **as revised to June 5, 2020** be **APPROVED**, subject to the following conditions:

1. That final CEAC signoffs shall be submitted prior to the start of construction including a final review by the Zoning Inspector to confirm that the proposed plans comply with zoning; and
2. That a surety (in an amount to be determined by staff) be submitted to guarantee the installation of the required erosion and sediment controls; and
3. That all soil and erosion controls be installed and maintained prior to the start of any construction or site work; that silt sacks be installed in all existing and proposed catch basins, and that additional controls be installed at the direction of the Commission's staff, as needed; and
4. That the storm water maintenance plan be implemented to ensure the maintenance of onsite drainage systems; and
5. That a Connecticut licensed engineer shall certify that all of the required improvements, including any required off-site improvements, were installed to City standards and that the development as constructed complies with all relevant regulations and that an as-built plan and engineer's certification be submitted prior to the issuance of a Certificate of Zoning Compliance; and
6. That any changes to the plan or the use of the property be submitted to the Zoning Commission for review and approval; and
- 7.

BE IT FURTHER RESOLVED that the application complies with the Norwalk Building Zone Regulations, including Section 1 18-522 Business #2 zone and Section 1 18-1451, Site Plan Review.

BE IT FURTHER RESOLVED that the effective date of this action be **June 26, 2020**.

*** DRAFT RESOLUTION TO APPROVE REQUEST TO MODIFY PLANS FOR 15 OAKWOOD AV ***

BE IT RESOLVED that the **request to modify site plan application #1-18SPR** – Stone Realty Associates LLC – 15 Oakwood Avenue – Proposed 4 story, ±21,260 sf Innovation Center with 15,517 sf office, 3,768 sf research & development space, three (3) residential dwelling units with 59 new parking spaces required (subject to associated parking waiver for 29 spaces) and related recreation area and site improvements as shown on a set of plans by McLennan Design, LLC and McChord Engineering dated March 7, 2018 **as revised to June 5, 2020** be **APPROVED**, subject to the following conditions:

1. That a lot consolidation survey showing the consolidation of the existing parcels into one lot be submitted for review by staff and then filed on the Norwalk Land Records prior to the issuance of a zoning permit; and
2. That final CEAC signoffs shall be submitted prior to the start of construction including a final review by the Zoning Inspector to confirm that the proposed plans comply with zoning; and
3. That this approval includes a request for a fifty percent (50%) parking waiver for twenty-nine (29) parking spaces and that the applicant shall submit a surety in the amount of \$435,000 (29 spaces X \$15,000 per space) to cover the future cost of construction of a second level of parking deck to accommodate the waived parking spaces prior to the issuance of a final certificate of zoning compliance (CZC); and
4. That such parking waiver surety be held for a minimum period of two (2) years from the issuance of a final CZC; and
5. That at the conclusion of the two (2) year period, the owner submit a detailed parking analysis to the Commission to confirm that a fifty percent (50%) parking waiver is warranted; at which time the Commission will act either to request that the second level of parking be constructed or to permanently waive the parking; and

6. That a surety (in an amount to be determined by staff) be submitted to guarantee the installation of the required erosion and sediment controls; and
7. That all soil and erosion controls be installed and maintained prior to the start of any construction or site work; that silt sacks be installed in all existing and proposed catch basins, and that additional controls be installed at the direction of the Commission's staff, as needed; and
8. That a Connecticut licensed engineer shall certify that all of the required improvements, including any required off-site improvements, were installed to City standards and that the development as constructed complies with all relevant regulations and that an as-built plan and engineer's certification be submitted prior to the issuance of a Certificate of Zoning Compliance; and
9. That any changes to the plan or the use of the facility be submitted to the Zoning Commission for review and approval; and
10. That within six months of the issuance of the Certificate of Zoning Compliance a follow-up traffic study be submitted to the Commission; and
11. That the storm water maintenance plan be implemented to ensure the maintenance of onsite drainage systems; and
12. That any and all HVAC units shall be located in conformance with the applicable zoning setbacks; and
13. That all signage, existing and proposed, conform to the zoning regulations and that any graffiti on the site, now or in the future, be immediately removed; and
14. That the hours of garbage pick-up be no earlier than 7:00 a.m. and no later than 7:00 p.m. and that any deliveries be no earlier than 8:00 a.m. and no later than 6:00 p.m.; and
15. That any sidewalks to be installed or replaced provide be a full 5' clearance from any obstruction; and
16. That cutoff shields be installed on all lighting to prevent any stray light from being emitted off the property and that all light fixtures on the upper level of the parking deck be properly shielded so as to reduce any impacts on residential units beyond the property line; and
17. That any graffiti on the site, now or in the future, be removed immediately; and
18. That the proposed entrance gate to permit access to the new building from Seir Hill Road remain open during daytime hours to allow for deliveries and visitor access; and
19. That all truck deliveries use the Oakwood Avenue entrance to the property as truck turning movements cannot be accomplished at the Seir Hill Road entrance without use of the public right of way; and
- 20.

BE IT FURTHER RESOLVED that the modifications to the approved plans complies with the Norwalk Building Zone Regulations, including Section 118-522 Business #2 zone and Section 118-1451, Site Plan Review.

BE IT FURTHER RESOLVED that the effective date of this action be **June 26, 2020**.