

NORWALK ZONING COMMISSION
125 East Avenue
Norwalk, Connecticut



MEMORANDUM

January 6, 2022

TO: Zoning Commission - Louis Schulman, Chairman
FROM: Bryan Baker, Principal Planner
RE: **#2021-32 SP – The Guru Tegh Bahadur Ji Foundation, Inc. – 283 Richards Avenue – Construction of a two (2) story Sikh Religious Center**

Commissioners,

After the opening of the public hearing on December 8th, 2021, the main concerns that were discussed included the traffic generated, parking capacity on the site and overflow parking.

There were multiple traffic reports that were submitted. There was a traffic report provided by the applicant, which was conducted by SLR. There was an additional peer reviewed traffic report, which was conducted by AKRF. Both traffic reports concluded little impact on traffic, as the peak hours of traffic are Friday evenings at 7:00pm and Sunday mornings at 10:00am, which are both at times when traffic is generally light in the surrounding area.

In response to the concern that the trips generated onto the site during peak hours exceeding the number of parking spaces provided on the site, the applicant stated that there is a quicker turnover of parking spaces due to the anticipation that some congregants will not stay for an entire prayer service. The applicant also stated that the original traffic report that was provided, dated August 2, 2021, which indicated 60 cars entering and 10 cars exiting the site during Sunday peak hours was a more realistic expectation.

To explain why a follow-up traffic study provided by the applicant, dated September 28, 2021, had indicated an increase in the expected traffic volume, the applicant stated that those numbers were provided as a conservative exercise in response to a memo by Norwalk Transportation, Mobility & Parking (TMP) dated August 27, 2021. Staff understands the traffic increase shown in the reports is due to the original traffic report estimating traffic based on the existing membership at the 622 West Avenue location when 2.5 people travel per car, which is what the Connecticut DOT uses for their rate of measurement for similar uses to a Gurudwara. TMP's preliminary review requested the applicant to provide a traffic report using the same 2.5 people per car number and apply that standard to a maximum capacity scenario of 240 congregants, resulting in the increase from 60 cars entering the site to 100 cars entering the site. The applicant stated that the reports were provided to show traffic generation and not a parking analysis.

In response to the question of how overflow parking would be provided for special events, the applicant stated that weddings and funerals are private events and therefore would not exceed the maximum number of people that would be allowed on the site. Regarding major holidays in which attendance would be expected to exceed the 240-maximum capacity, the applicant stated that off-site parking arrangements would be secured from nearby properties, such as Fox Run Elementary School who has granted 10-12 parking spaces on Sunday, April 14, 2024, and that arrangements would also be

made with Norwalk Community College. The applicant should provide details on what sort of plans have been or will be made for overflow parking when major holidays occur on a weekday.

Staff maintains that the bulk requirements for the application, including required parking spaces, setbacks, maximum building area, maximum building height and number of stories complies with the applicable sections of the Norwalk Building Zone Regulations.

Draft resolutions are provided below:

Draft Resolution to Approve

**Whereas the application was officially received by the Norwalk Zoning Commission (the Commission) on August 18, 2021.*

**Whereas the application was presented to the Commission for a preliminary review on October 7, 2021.*

**Whereas the Commission opted to have a peer review traffic study conducted by the City's on-call traffic peer-reviewer at their October 7, 2021, meeting.*

**Whereas the applicant submitted a 47-day extension of time to open the public hearing.*

**Whereas the public hearing was opened on December 8, 2021.*

**Whereas the public hearing was continued to January 6, 2022.*

**Whereas the public hearing was closed on January 6, 2022.*

**Whereas the applicant has set forth on the record that it would accept a condition of approval that would limit the total number of worshippers within the worship hall to 240 people for services except for services on certain limited high holy days.*

**Whereas the applicant confirmed that it anticipates that it may need to exceed a total of 240 worshippers for services on certain high holy days which it estimates to take place on ___ days in any given calendar year.*

**Whereas the applicant confirmed that it anticipates that it would need to exceed a total of 265 people in the building for a limited number of special events during the calendar year.*

**Whereas the applicant has demonstrated that the proposed number of parking spaces complies with the minimum number of parking spaces required under Section 118-1220 C.(7), based on a maximum seating capacity of 240 fixed seats.*

**Whereas the City's traffic peer reviewer has indicated that an additional 32 parking spaces may be necessary based on vehicular site-generated traffic.*

**Whereas the Commission acknowledges that on-street parking is not allowed on Richards Avenue or Fallow Street.*

**Whereas the Commission acknowledges that regulating on-street parking is not within its jurisdiction, however, should the on-site parking spaces provided be inadequate, that the applicant must make arrangements to ensure that congregants can safely access the property and that any vehicles parking off-site, do so in accordance with all applicable regulations, codes, laws and ordinances.*

THEREFORE, BE IT RESOLVED by the Norwalk Zoning Commission that application #2021-32 SP – The Guru Tegh Bahadur Ji Foundation, Inc. – 283 Richards Avenue – Construction of a two (2) story Sikh Religious Center be **APPROVED** subject to the following conditions:

1. That the building and site will be developed in accordance with the following plans:
 - a. Per Site Plan (C-0) through (C-8) entitled Sikh Religious Center - Gurudwara, prepared by Cabezas DeAngelis Engineers & Surveyors dated 7/21/21 and revised to 12/3/21; and
 - b. Per Landscaping and Lighting Plans (L-1) and (L-2) entitled Planting Plan and Lighting Plan, prepared by Aris Land Studio, dated 7/21/21 and revised to 11/24/21; and
 - c. Per architectural plans (A-1) through (A-6) entitled Sikh Gurudwara Religious Center, prepared by Guedes Associates, Inc., dated 7/20/21 and revised to 9/8/21; and
2. The maximum capacity for the worship hall shall not exceed 240 people as stated by the applicant and the maximum capacity for the entire building shall not exceed 265 people, which is the maximum allowable capacity that is permitted in the building where the applicant has provided 53 on-site parking spaces; and
3. That the applicant has confirmed that the seating capacity in the worship hall will be fixed at 240 worshippers except for on certain religious services that will take place on a limited number of high holy days and special events; and
4. That prior to any high holy day or special event in which over 265 people will be gathering on the property, at least two (2) business days or more before the scheduled high holy day or special event the applicant must provide the City Staff with a written and fully executed off-site parking agreement, in a form that is acceptable to City Staff such as a letter signed by the property owner granting permission of temporary off-site parking, which confirms that additional parking will be provided at an alternate property for the entirety of the religious service or special event and that an additional parking space will be provided on the alternate property for every five (5) additional people beyond the 265 person maximum capacity that will attend the religious service or special event; and
5. That additional off-site parking shall only be used to accommodate an exceedance of 240 people in the worship hall and 265 people in the building for high holy days and special events and not for regular prayer services; and
6. That the applicant shall hire a police officer to direct vehicular traffic for the high holy days and special events in which an off-site parking agreement is required; and
7. Each special event shall not take place for more than one (1) day or twenty-four (24) hour period; and
8. That should the applicant be unable to attain an off-site parking agreement for the required additional parking spaces, that the maximum capacity of the building shall for any religious

service or special event shall remain at 240 people in the worship hall and 265 people in the building; and

9. That the hours of regular prayer services and religious instruction be generally limited to the hours proposed in the applicant's Narrative (Schedule B); and
10. That the building is not to be rented to other groups or organizations; and
11. That any changes to the parking layout or how vehicles are proposed to park on-site must be approved by the Commission prior to implementation; and
12. That all accessory structures and signage shall comply with applicable setbacks as required in the Norwalk Building Zone Regulations; and
13. That a surety be submitted, in an amount to be determined by Staff, to guarantee the installation of the required erosion and sediment controls prior to the issuance of a zoning permit; and
14. That all erosion and sediment controls be installed and maintained prior to the start of any construction or site work and that additional controls be installed at the direction of the Commission's Staff, as needed; and
15. That a Connecticut licensed engineer shall certify that all the required improvements, including any required off-site improvements, were installed to City standards prior to the issuance of a Certificate of Zoning Compliance; and
16. That a surety be submitted, in an amount to be determined by Staff, to guarantee the completion and maintenance of the site plan and any and all modifications to the plan and all work required as a condition of approval under this special permit prior to the issuance of a Certificate of Zoning Compliance; and
17. That all conditions as required in a memo dated 12/6/21 by the Norwalk Health Department shall apply to this approval; and
18. That all conditions as required in a memo dated 12/1/21 by Norwalk DPW shall apply to this approval; and
19. That all CEAC signoffs are submitted prior to the issuance of a zoning permit; and
20. That this approval is subject to Section 118-1460 C. of the Norwalk Building Zone Regulations; and

BE IT FURTHER RESOLVED that this application complies will all applicable sections of the Norwalk Building Zone Regulations; and

BE IT FURTHER RESOLVED that the effective of this action shall be January 14, 2022.

Draft Resolution to Deny

**Whereas the application was officially received by the Norwalk Zoning Commission (the Commission) on August 18, 2021.*

**Whereas the application was presented to the Commission for a preliminary review on October 7, 2021.*

**Whereas the Commission opted to have a peer review traffic study conducted by the City's on-call traffic peer-reviewer at their October 7, 2021, meeting.*

**Whereas the applicant submitted a 47-day extension of time to open the public hearing.*

**Whereas the public hearing was opened on December 8, 2021.*

**Whereas the public hearing was continued to January 6, 2022.*

**Whereas the public hearing was closed on January 6, 2022.*

**Whereas the applicant has demonstrated that the proposed number of parking spaces complies with the minimum number of parking spaces required under Section 118-1220 C.(7), based on a maximum seating capacity of 240 fixed seats.*

**Whereas the applicant's traffic engineer has indicated that an additional 32 parking spaces may be necessary based on vehicular site-generated traffic.*

THEREFORE, BE IT RESOLVED by the Norwalk Zoning Commission that application #2021-32 SP – The Guru Tegh Bahadur Ji Foundation, Inc. – 283 Richards Avenue – Construction of a two (2) story Sikh Religious Center be **DENIED** for the following reasons:

1.

BE IT FURTHER RESOLVED that the effective date of this action shall be January 14, 2022.