

Town of Trumbull

CONNECTICUT



Planning and Zoning
Department
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Town Hall
5866 Main Street
Trumbull, Connecticut 06611

PLANNING & ZONING COMMISSION

To: MEMBERS OF THE PLANNING AND ZONING COMMISSION

RE: REGULAR MEETING – WEDNESDAY, June 19, 2013

The Planning and Zoning Commission will hold a regularly scheduled meeting on Wednesday, June 19, 2013 beginning with a pre-application presentation at 7:00 p.m. in the Council Chambers of the Trumbull Town Hall. The Public Hearing will begin at 7:30 p.m.

AGENDA

PRE-APPLICATION PRESENTATION

Potential proposal to establish mixed-use (Retail/Residential) development at 4244 Madison Avenue.

PUBLIC HEARING

ZONING AMENDMENT

Application #13-18 – Amending of Art. II, Sec. 2 to establish size limitations on new structures created on consolidated lots within a Professional Office Overlay Zone. Petitioner: Planning and Zoning Commission.

Application #13-16 – Amending of Art. II, of the Zoning Regulations of the Town of Trumbull to add within Sec. 3.1.7. regulations to permit larger signs and a greater number of signs on certain parcels located in certain business commercial (B-C) zones. Petitioner: 41 Monroe Turnpike, LLC HEARING CONTINUED FROM MAY 15, 2013

SPECIAL PERMIT

Application #13-19 – Valerie Leinfelder
19 Rocky Ridge Drive

Pursuant to Art. II, Sec. 1.3.2.7 Special Permit to establish accessory apartment within existing structure.

Application #13-20 – ABC Sign Corporation,
100 Quarry Road

Pursuant to Art. II, Sec. 4.2.7 and Art. XIII Special Permit to install two 8'x6'1" ground signs and one 7'9"x4'6" (excluding base) ground sign.

Application #13-21 – Michael Chang, Agent for Uniqlo USA, LLC
5065 Main Street (Westfield Shopping Center)

Pursuant to Art. II, Sec. 3.1.7 and Art. XIII Special Permit to install two illuminated tenant identification wall signs with combined total area of 38 sq. ft.

Application #13-22 – Sound Development Group, LLC
41-43 Monroe Turnpike

Pursuant to Art. II, Sec. 3.1.7 and Art. XIII Special Permit to install tenant identification signage throughout shopping plaza in accordance with proposed unified signage plan.

Application #13-23 – Greater Bridgeport Board of Realtors
843 & 847 White Plains Road

Pursuant to Art. II, Sec. 2.1 Special Permit to construct two-story 2,900 sq. ft. professional office building.

REGULAR MEETING

Request for Extension of Time to Begin Construction

Application #11-14 – ABM Bothers, LLC
6540 Main Street (second request)

Request for Minor Deviation of Approved Site Plan

Application #01-03 – McCoy Ventures, LLC
29 Trefoil Drive

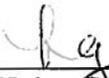
Approval of Minutes

Accept minutes of the May 15, 2013 Regular Meeting.

Pending Applications

Consider and act on applications from tonight's public hearing.

Planner's Report

By: 
Helen Granskog
Clerk

**COMMISSION MEMBERS: PLEASE NOTIFY THE CLERK AT 452-5044 or
hgranskog@trumbull-ct.gov, IF YOU ARE UNABLE TO ATTEND.**

ARTICLE II
SECTION 2: SPECIAL RESIDENTIAL ZONES

2.1 Professional Office Overlay Zone (formerly Design District)

2.1.1 Statement of Purpose

~~To enhance the vitality and cohesion of designated areas by allowing an expanded list of approved professional office uses in preexisting residential structures or new structures that demonstrate unified architectural character with single family homes in the immediate area, provide homeowners in a designated area the opportunity to preserve the basic structure of, and single family appearance of, homes in a residential neighborhood by providing additional uses of a professional nature which will preserve the residential character of the remaining homes in an area that has uses other than single family homes.~~

2.1.2 Location

For purposes of this regulation, the Professional Office Overlay Zone shall be located:

1. Along White Plains Road (Rte. 127) from the intersection of Unity Road and White Plains Road, extending northwesterly to the intersection of Reservoir Avenue and White Plains Road,
2. Along east side of Main Street from the Merritt Parkway, extending southerly to the Bridgeport City line and along west side of Main Street from the eastern entrance access driveway of the Trumbull Mall southerly to the Bridgeport City line, and
3. Properties at 17, 29 and 37 Church Hill Road.

All properties having frontage on White Plains Road or lower Main Street or an existing easement for access onto White Plains Road or lower Main Street within the limited areas described above shall be included, except for the following:
(Note: Boundary description on file in Town Clerk's Office and Planning and Zoning Office.)

~~4. Properties zoned for multi-family and/or affordable housing shall not be included.~~

2.1.3 Conditions

1. Parking shall be permitted in the rear yard and the side yard with landscaped buffers; parking is prohibited in a front yard, and side yard parking shall be no closer to the street line than the dwelling.
2. A minimum of four (4) off-street parking spaces shall be provided for each permitted use, except for funeral homes as specified in Section 2.1.4(a)(3) below. All professional office uses shall have parking at the rate of one (1) space per 200 square feet of Gross Floor Area of the area proposed for office use. No On-Street Parking shall be permitted. The Planning and Zoning Commission shall

Comment [JB1]: The Town of Trumbull does not currently have any multi-family zones, or affordable housing zones. We do have preexisting nonconforming multi-family houses within the POOZ, but we could not regulate the owner's ability to convert to single family home and then convert to POOZ. Furthermore, by nature of preexisting nonconforming the regulations should seek to mitigate or extinguish such uses as multi-family rather than perpetuate them. Seeing as affordability is regulated through deed restriction and not a specific zone, we feel it is best to eliminate point 4.

have the discretion to vary the parking requirements based on findings from the traffic/access/parking study required for properties located on lower Main Street or based on findings from an analysis provided by applicants and accepted by the Commission for properties located on the portions of White Plains Road and Church Hill Road that are included in this overlay zone.

3. Except in the case of funeral homes, any parking spaces above the one space per 200square feet of Gross Floor Area shall be designed as "contingency parking", using a permeable pavement product such as "Grasscrete" that will preserve a lawn-like appearance while providing overflow parking. The Planning & Zoning Commission will have discretion to modify or waive this requirement if sufficient evidence of extenuating circumstances is provided.

43. All parking lots shall be designed such that they can be connected to existing or future parking lots on adjacent parcels, and no obstruction shall be placed to prevent the movement of vehicles between such adjoining parking lots. Wherever possible, the Commission shall consolidate driveways to serve multiple properties and to minimize curb cuts.

54. This use shall only be permitted in a home constructed after the effective date (July 13, 1995) of these regulations if the applicant can demonstrate, to the satisfaction of the Commission, within its sole discretion as part of the Special Permit approval process, that the new structure and the property it sits on will have the appearance of a residential property, and will be similar in character, height, size, scale, and have similar setbacks as the existing structures in the vicinity of the subject property.

66. Any structure on a single lot built after July 13, 1995 and proposed for professional office use shall be limited in size to the larger of either:

- a. the size of the previous principal structure on the subject property(in terms of net useable square footage as shown on tax assessor's records) or
- b. no more than 20% larger (in terms of net useable square footage as shown on tax assessor's records) than the average size of the two residential structures adjacent to (on either side of) the subject property or the two residential structures located closest to the subject property if that property is located on a corner lot.

7. Consolidation of two (2) preexisting lots, both having been previously included in the Planned Office Overlay Zone, is permissible. No more than two lots may be consolidated. In the case of two consolidated lots, the new structure proposed for professional office use shall be limited in size to the larger of either:

a. 2,900 square feet (in terms of net useable square footage as defined by the tax assessor)

b. no more than 20% larger (in terms of net useable square footage as shown on tax assessor's records) than the average size of the two residential structures adjacent to (on

Comment [JB2]: This paragraph has been added to clarify the regulatory stance on lot consolidations within the POOZ, where the regs had previously been silent/unclear

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either side of) the subject property or the two residential structures located closest to the subject property if that property is located on a corner lot.

- 86. The owner of a property approved for professional office use in this overlay zone may, but is not required to, live in and/or operate a professional office on the subject property. The owner may rent all or a portion of the premises for either residential or office use. The Planning and Zoning Commission shall have the discretion to allow more than one professional office use on the property.
- 97. Building coverage shall not exceed 25%.
- 108. Signage for funeral homes shall be limited to one per lot, no larger than twelve (12) square feet, ground lighting only, and set back a minimum of 10 feet from the property line; all other signage and shall not exceed six (6) square feet.
- 119. Approval of an application for professional office use on lower Main Street shall require a traffic/access/parking analysis. Applicants shall be required to pay the cost of a study to be prepared by an expert selected by the Planning and Zoning Commission for the purpose of assessing traffic impact, ingress, and egress, parking and vehicular safety for the proposed use. The cost for this analysis shall not exceed an amount estimated by the Town Planner and Town Engineer to cover the cost of an independent traffic/access/parking analysis. The Commission, may, at its discretion, permit an alternative method or arrangement for funding a traffic/access/parking analysis.
- 120. Approval of applications for professional office use on lower Main Street shall be contingent upon the Planning and Zoning Commission accepting the results of the traffic/parking study described above and approving plans for the subject property showing proposed landscaping, signage, lighting, parking, driveway access and handicapped access.
- 134. Structures on lower Main Street to be considered for professional office use should be visible from the street. The front of the structure should be no more than 75 feet back from the street.
- 142. The Planning and Zoning Commission shall have the discretion to deny a request for a professional office use in any of the areas where this zone applies if they determine based on all the information provided by an applicant, applicant's consultants, Town staff or consultants to the Town that a particular proposed application could have detrimental impacts on health or safety or on the character of the surrounding residentially zoned area.

2.1.4 Permitted Uses

Professional persons in the following list shall be licensed by the State of Connecticut.

a. Funeral Homes

- (1) The minimum lot area shall be 4.5 acres.

- (2) The minimum road frontage shall be 400 feet.
 - (3) A minimum of thirty (30) off-street parking spaces shall be provided.
 - (4) Funeral homes not existing as of August 19, 2009 shall not be permitted on lower Main Street.
- b. Attorneys at Law
 - c. Accountants
 - d. Architects
 - e. Engineers and Surveyors
 - f. Medical professional persons, which shall include doctors of medicine, dentistry, optometry, chiropody, podiatry, osteopathy, naturopathy, etc., Doctors: of Veterinary Medicine shall be included only as Veterinary Outpatient Clinics, as defined in Article J, Section 3, 183.
 - g. Registered dietitians
 - h. Psychologists
 - i. Family therapists
 - j. Social workers
 - k. Nurse clinicians
 - l. Insurance agents
 - m. Other professional offices, including those not requiring a license from the State of Connecticut.
 - n. Real estate offices

2.1.5 Application Procedure

An application for a Special Permit for a permitted use in a Professional Office Overlay Zone shall be made to the Planning and Zoning Commission in accordance with Article XV of these Regulations, and shall include, in addition to the information required by that Article, the following:

- a. A floor plan of ¼ inch to the foot showing proposed changes to the building; an accurate description of the proposed use, four sets of all drawings, including any proposed addition, elevations, and certified plot plan for the facility. These plans shall show the location of all buildings, building materials (if used), uses, parking

areas, traffic access and circulation drives, open spaces, landscaping, exterior lighting, signage, and special features relating to the property.

- b. Applications for professional use on Lower Main Street shall be accompanied by a request for the Town to conduct a traffic/access/parking analysis as described in Section 2.1.3 of these regulations and a deposit in an amount to be determined by the Planning and Zoning Commission to undertake the analysis. If the analysis is completed for less than the deposit amount, the unspent portion will be returned to the applicant within 30 days from completion of the analysis.

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EXISTING REGULATIONS FOR MULTI-USE PARCELS IN B-C ZONE

2. **Multiple Use Parcels.** Where a particular B-C Zone has multiple uses, tenants or owners, the following sign shall be allowed, provided that such sign shall be of such size and design and located in such manner as the Planning and Zoning Commission shall specify with due regard to the requirements, conditions and limitations set forth below: One sign per entrance to the parcel, individual signs for major tenants to be affixed to the building and individual signs for each entrance to the building.
 - a. Entrance signs shall identify the parcel and not any single tenant. These signs shall follow all of the rules stated above for single use parcels; the maximum sign area shall be 100 square feet;
 - b. Individual signs for major tenants must be located upon the building surface and shall follow all of the rules stated above for single use parcel signs affixed to a building. Size of the sign shall be one (1) square foot per 1,000 square feet of rented space to the major tenant. Signs must be no more than three colors. Signs may be divided into multiple signs up to one (1) sign for each 50,000 square feet of leased area;
 - c. Located at any entrance to the building, there may be affixed a sign to the building to identify the entrance. Such identification can include the names of the tenants. Two styles of signs are permitted: either a unlit sign which can be a directory; or, a lit sign which can then identify only one tenant. Such signs shall be limited to twenty-five (25) square feet. A lit sign identifying one tenant is not permitted if that tenant has a major tenant sign as provided in (2) (b) above. In addition to the above limitations, the signs shall conform to the limitations for building affixed signs identified in (1) above;
 - d. Notwithstanding anything above, no signs shall be allowed, except the entrance signs, which are lit and visible from any residential structure located within 1,000 feet of boundaries of the B-C property.

PROPOSED NEW REGULATIONS FOR SHOPPING CENTERS (ADDITION, NOT REPLACEMENT)

3. **Shopping Centers** - with respect to parcels within the B-C Commercial Zone that contain more than five (5) but fewer than fifty (50) acres, at least seventy-five percent (75%) of net usable square footage dedicated to retail use, abut a state highway, and are within one thousand (1,000) feet of a limited access state highway, the signage for shopping centers shall be in accordance with the following. The purpose of this section is to enhance the visual aspect of retail developments, presenting a cohesive identity for the shopping center and supporting the businesses therein without creating undue light trespass or garish or superfluous signage. In the event of a conflict between the provisions of this section 3.1.7.3 and any other regulation, including but not limited to Section 3.1.7.1, 3.1.7.2, 3.1.7.4 and Article XIII, this section shall govern.
 - a) Entrance signs shall identify the parcel and not any single tenant. These signs shall follow all the rules stated above for single use parcels; the maximum sign area shall be 60 square feet. The entrance sign shall be a minimum of fifteen (15) feet and maximum of seventy-five (75) feet from any lot line.
 - b) **Unified Signage Plan for Tenant Signage** – Applicant shall submit a unified sign design plan for approval by the Planning & Zoning Commission. Signs on multi-tenant buildings shall be of the same general type, character, size and relative location so as to provide a harmonious design. A sign design plan shall be prepared by a qualified sign designer, graphic artist, or architect, and shall include all proposed sign locations and designs including method of mounting, method of lighting, height, length, depth, and position on walls. The plan shall include a drawing showing the sign(s) dimensioned and to scale on the façade of the building(s) it will be attached to. The sign plan must be consistent with all other elements of the signage regulations contained in this Section and Article XIII. Once a unified sign plan is approved by the Planning & Zoning Commission, substitutions that remain consistent with the originally approved sign plan may be approved administratively by the agent of the Planning & Zoning Commission. Any significant deviations from the plan must return to the Planning & Zoning Commission for review.
 - c) The total area of all building wall signs for each tenant shall not exceed one square foot for each linear foot of the front of the building, or 150 total square feet, whichever is smaller. The front of the building shall be defined as the longest building wall which faces directly onto a street or driveway. In the case of a corner tenant or stand-alone building, up to two adjoining walls may be included in the calculation of building front. Signs may be placed on any side of the building that faces the roadway or substantial parking area.
 - d) Attached signs shall not protrude more than 24” from the building façade, except in the case of pedestrian oriented blade signs, which may extend up to 36” from the building façade.
 - e) Preferred method of illumination is external spot light or reverse channel light (also known as halo light) in white. External spot lights should be directed to minimize light shed onto or beyond the building façade. Where the applicant provides ample evidence that internal illumination appropriate for the character of the Town and avoids discomfort or glare on residential properties, public highways, and traffic signals, then the Commission may permit such illumination. In accordance with Article XIII, any method of illumination that shows the bulb (such as neon) is not permissible.
 - f) Notwithstanding anything above, the Commission may limit or prohibit the size, location or illumination of any sign deemed to be visible to a residential zone or structure within 1,000 feet of the Multiple Tenant Retail Center

	Old	New	Comment	
Ground Sign Height	10'	10'		
GS Location	20'	15'	Offers better roadway visibility	
GS Area	100'	60'	Better cohesion with IL Zones and more consistent with regulations of peer towns	Not much changing in the ground sign regs – preference still given to on-building signage
# of Signs	1 per parcel	1 per parcel		
Wall Sign	No Unified Plan Required	Unified Plan Required		
	P&Z Approves All Changes	Administrative Approval of any "swaps" as long as consistent with Unified Plan as approved by P&Z	Affords P&Z initial control but expedites permitting process for new businesses	
Area	1 SF sign per 1,000 SF rented area	1 SF sign per 1 lineal foot of building face – max 150 SF	More consistent with peer towns- more reasonable	Often businesses would have to use "entrance sign" loophole to get to 25 SF and even this is not considered large enough by most individual retail stores today. See 3.1.7.2.c
# of Signs	1 per tenant	not regulated – business can decide # of signs so long as SF allowance is not exceeded		
Location	Not above roofline	Not above roofline	Can place sign on any building side facing roadway or significant parking area	
Illumination	Internal OK	Internal not preferred but OK		P&Z has authority to approve or deny requests for internal illumination based on assessed impact on neighboring residential areas.