

PLANNING AND ZONING COMMISSION
TOWN OF TRUMBULL

REQUEST FOR ZONE CHANGE

Date: 02/28/2024

Name of Applicant: Trumbull Center LLC Phone # 203-528-0590

Address of Applicant: c/o Chris Russo, Russo & Rizio, LLC, 10 Sasco Hill Rd., Fairfield, CT 06824

Email address: Chris@russorizio.com

Location of Property: 900 White Plains Road

Present Zoning District BC

Proposed Zoning District Trumbull Center Mixed-Use Overlay Zone in Commercial B-C

Assessor's Map No. G/09 Parcel No. _____ Lot No. 383

Legal Description, on separate sheet, to be attached hereto.

Owner of Record: Trumbull Center LLC

Address of Owner of Record: c/o Chris Russo, Russo & Rizio, LLC, 10 Sasco Hill Rd. Fairfield, CT 06824

Reason for Hearing: The Applicant proposes to apply the Trumbull Center Mixed-Use Overlay Zone to the Property to support mixed-use development at the Property.

Signature of Applicant: _____

Signature of Owner: _____

**A FEE IN THE AMOUNT OF \$460.00 MUST ACCOMPANY THIS APPLICATION.
Make check payable to TOWN OF TRUMBULL.**

A 500 FOOT RADIUS MAP MUST ACCOMPANY THIS APPLICATION.

Lisa S. Broder*
LBroder@russorizio.com

Liam S. Burke
Liam@russorizio.com

Colin B. Connor
Colin@russorizio.com

William J. Fitzpatrick, III
WFitzpatrick@russorizio.com

Amanda T. Heffernan
Amanda@russorizio.com

David K. Kurata
DKurata@russorizio.com

Stanton H. Lesser*
Stanton@russorizio.com

Victoria L. Miller*
Victoria@russorizio.com

Anthony J. Novella*
Anovella@russorizio.com



10 Sasco Hill Road
Fairfield, CT 06824

Tel 203-254-7579 or 203-255-9928 Fax 203-576-6626

5 Brook St., Suite 2B
Darien, CT 06820
Tel 203-309-5500

299 Broadway, Suite 708
New York, NY 10007
Tel 646-357-3527

110 Merchants Row, Suite 3
Rutland, VT 05702
Tel 802-251-6556

www.russorizio.com

Leah M. Parisi
Leah@russorizio.com

William M. Petroccio*
WPetro@russorizio.com

Raymond Rizio*
Ray@russorizio.com

Christopher B. Russo
Chris@russorizio.com

Robert D. Russo*
Rob@russorizio.com

John J. Ryan*
John@russorizio.com

Jane Ford Shaw
Jane@russorizio.com

Vanessa R. Wambolt
Vanessa@russorizio.com

* Also Admitted in NY
* Also Admitted in VT
* Of Counsel

February 28, 2024

Rob Librandi
Land Use Planner
5866 Main Street
Trumbull, CT 06611

Re: Application to apply to Trumbull Center Mixed-Use Overlay Zone to the property located at 900 White Plains Road

Dear Mr. Librandi:

Please accept the following narrative as part of an application to the Trumbull Planning and Zoning Commission to apply the Trumbull Center Mixed-Use Overlay Zone ("TCOZ") to the property located at 900 White Plains Road (the "Site") in the Commercial B-C Zone.

Proposed Development

As shown on the site plans submitted herewith, the Site contains Three hundred forty-seven thousand and two hundred square feet (347,200 SF), or Seven and 97/100 acres (7.97 Ac.), and it is located within the Commercial B-C Zone. It is located essentially at the corner of White Plains Road (State Hwy 127) and Daniels Farm Road. It has frontages on both streets though the property located at 950 White Plains Road occupies the actual corner. It is located under Two thousand feet (2,000') of access ramps for Route 25, which makes it an ideal location for the proposed zone. The Site currently contains multiple buildings with various office and retail uses. It is an ideal location to add a residential housing use to create a mixed-use development as contemplated by the TCOZ.

The Site satisfies all criteria for the application of the TCOZ. It is zoned commercial B-C and it contains greater than 5 acres with road frontage and direct traffic access to White Plains Road and Daniels Farm Road. It is a perfect location for mixed-use development, which is the intent of Art. II, Sec. 3.6 of the Regulations.

The Application is also in complete conformity with the 2014 Plan of Conservation and Economic Development (the "POCD"). The POCD noted that "Trumbull is predominantly built out with little vacant land." *Id.* at 62. The POCD acknowledged that this condition "means that meeting economic demand and housing demand for alternative housing types could occur in developed areas or in areas that abut established neighborhoods." *Id.* The Residential Densities Plan of the POCD identified the area proposed for the TCOZ as a "Community Node." *Id.* at 63. The POCD then stated

that Trumbull may consider “allowing additional housing types” and requiring that “all new higher density development make provisions for housing diversity.” *Id.* at 65. The POCD specifically identified the area proposed for the TCOZ for “Mixed-use development, where apartments are located above retail.” *Id.* at 66. The benefit to this type of development is that “Mixed-use allows for smaller and more affordable housing units in areas where a car is not needed for basic errands. *Id.* “The Town has responded to demand by creating new zones to allow developments. *Id.* at 67.

The B-C Zone and Special Permit regulations empower the Trumbull Planning and Zoning Commission with significant discretion, particular in sections regarding bulk, provisions for vehicles, signs, and lighting along with the restrictions stated in this proposed amendment for any developments to ensure they are created in the mixed-use design contemplated by the POCD. The designation of the Site within the TCOZ will also assist the Town in achieving its affordable housing goals and aid in its effort to prevent dense housing in single-family residential neighborhoods through state statute.

For all these reasons, the application of the TCOZ to the Site satisfies the purpose and intent of Art. II, Sec. 3.6 of the Regulations and the Applicant respectfully requests its approval.

Sincerely,



Christopher Russo

**Metes & Bounds Description
for Proposed Zone Change of
Parcel known as
-900 White Plains Road-
Trumbull, Connecticut**

Commencing at a point on the easterly street line of White Plains Road at the northwesterly corner of Trumbull Burial Ground Association,

Thence northerly along the easterly street line of White plains Road for a distance of 184'±

Thence easterly, northerly and westerly along Trumbull Center Enterprises, LLC for a distance of 265'±

Thence northerly along the easterly street line of White plains Road for a distance of 241'±

Thence easterly and northerly along land of Alliance Energy LLC for a distance of 443'±

Thence easterly along the southerly street line of Daniels Farm Road for a distance of 192'±

Thence southerly and easterly along land of The State of Connecticut for a distance of 78'±

Thence southerly along the centerline of the Pequonnock River for a distance of 887'±

Thence westerly along land of Church Hill South, Inc. and Trumbull Burial Ground Association, each in part, for a distance of 585'±. Said parcel contains 7.97 Acres±.

Article II

Section 3 COMMERCIAL ZONES

3.6 Trumbull Center Mixed-Use Overlay Zone in Commercial Zone B-C

3.6.1 Statement of Purpose

It is the intent of this regulation to enhance the vitality and cohesion of designated areas by allowing for mixed-used development including commercial uses with rental or ownership housing opportunities in an aesthetically pleasing community for individuals and households, including singles, couples, empty-nesters, and others, who, for reasons of cost or lifestyle, choose not to reside in a single-family house. A mixed-use development is intended to blend multiple uses, such as residential, commercial, cultural, institutional, or entertainment, into one location, where those functions are to some degree physically and functionally integrated.

3.6.2 Location

For purposes of this regulation, the Trumbull Center Mixed-Use Overlay Zone may be applied to properties zoned Commercial B-C and located on parcels of land with a minimum lot size greater than five (5) acres with road frontage and direct traffic access to both White Plains Road (Route 127) and Daniels Farm Road.

3.6.3 Requirements

- a. Except as otherwise stated in this regulation, any development must comply with all of the requirements of the Commercial Zone B-C regulation, Article II Section 3.1.
- b. Multi-family dwellings shall be permitted provided that units are restricted to upper floors of a development that includes commercial development on the ground floor except for any lobby, access, or amenity area to the multi-family dwelling use.
- c. The maximum allowable residential density shall be seven (7) units per gross acre.
- d. Residential units shall be limited to efficiency (studio), one-bedroom and two-bedroom units.
- e. A minimum of 10% of residential units constructed in this zone shall be restricted to a rent or sales price affordable to residents who earn 80% or less of the area median income. Said affordable units shall be designated age-restricted to residents fifty-five years old or older unless otherwise prohibited by state or federal law.
- f. The height of any building containing multi-family dwellings may be up to a maximum of five (5) stories or sixty-five (65) feet, provided that the Planning and Zoning Commission finds that the proposed development has sufficient accessible public outdoor spaces to create a sense of place as further required by subsection (h).

- g. The buffer of any mixed-use building containing multi-family dwellings from a property line or any other zone shall be forty (40) feet.
- h. All new development in this zone must incorporate accessible public outdoor spaces to create a sense of place that encourages informal gatherings for people to stay longer and create an active town center. Such accessible public outdoor spaces may include, but are not limited to, a pocket park, central green or other additional gathering spaces. Accessible public outdoor spaces along the Pequonnock River should be incorporated in mixed-use developments to the extent possible.
- i. Land that is not covered with impervious surfaces, such as buildings, drives, parking areas, and walkways shall be suitably landscaped as approved by the Commission. Applicants shall provide a copy of the Landscaping Plan in sufficient time for the Town Planner to review and make comments and recommendations. A bond, which shall insure completion of landscaping requirements, shall be submitted in a form satisfactory to the Commission.
- j. All utilities servicing the buildings shall be placed underground. All rooftop utilities or other equipment shall be concealed from view of pedestrians, car traffic and residential units which may be located on higher floors.
- k. The dimensions and construction of parking areas shall conform to all applicable Town ordinances and regulations.
- l. Interior fit outs of residential units should include high quality finishes like granite countertops, upgraded appliances, and upscale lighting fixtures.
- m. All new development in this zone shall be compatible with or exceed the quality of the surrounding development in terms of materials, building siting, architecture and landscaping. Exterior elevations should have staggered or off-set facades and varied façade materials are preferred. A combination of materials may be used but the entire building should be of the same architectural style. Concrete blocks shall not be visible on any other façade of a building.
- n. In accordance with the provisions of Public Act 21-29 with respect to navigable waterways draining to Long Island Sound, all new developments in this zone must demonstrate that the proposed development considers the environmental impact on Long Island Sound.
- o. A photometric plan shall be submitted demonstrating no light pollution outside of the property and be approved by the Commission.
- p. A traffic study and parking analysis shall be submitted with any application for new development and the Commission reserves the right to retain an independent third-party traffic study and parking analysis at the expense of the applicant.
- q. No antenna shall be placed on the property without obtaining special permit approval by the Planning & Zoning Commission.

3.6.4 Application Procedure for Zone Change

An application for a zone change to the Trumbull Center Mixed-Use Overlay Zone must include the following:

- a. An application for a Special Permit with accompanying Site Plan in accordance with Article XV of these Regulations .
- b. A written statement describing how the proposal (i) complies with the purposes set forth in Section 3.6.1 of these Regulations and (ii) takes into consideration the recommendations of the Trumbull Center Corridor Improvements Study presented to the Commission in 2022.
- c. Final approval from the Trumbull Inland Wetlands and Watercourses Commission for the project proposed in the Special Permit application. Said approval to be obtained prior to applying for a zone change to the Planning and Zoning Commission.
- d. Final approval from the Trumbull Water Pollution Control Authority for the project proposed in the Special Permit application. Said approval to be obtained prior to applying for a zone change to the Planning and Zoning Commission.
- e. Final approval from the Trumbull Police Commission for the project proposed in the Special Permit application. Said approval to be obtained prior to applying for a zone change to the Planning and Zoning Commission.

The Commission may approve a petition to change the zone to the Trumbull Center Mixed-Use Overlay Zone if it conforms to the purposes set forth in this regulation.

With respect to any standard or guideline established by this Section, the terms of this regulation shall supersede, or in the event of any conflict prevail over, any other provision established by these Regulations.