Planning and Zoning Department
Telephone (203) 452-5044
Fax (203) 452-5169

Town of Trumbull
CONNECTICUT

Town Hall
5866 Main Street
Trumbull, Connecticut 06611

PLANNING AND ZONING COMMISSION

To: MEMBERS OF THE PLANNING AND ZONING COMMISSION
RE: SPECIAL MEETING – **WEDNESDAY, July 15, 2020**

The Planning and Zoning Commission will hold a Special Meeting on Wednesday, July 15, 2020 at 7:00 p.m. via videoconferencing.

AGENDA

PUBLIC HEARING
7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC HEARING

SPECIAL PERMIT/SITE PLAN/ZONE CHANGE/OTHER

1. **5065 and 5085 Main Street:** Applicants, K&K Developers, Inc., Trumbull Shopping Center #2, LLC and WEA CT Houses LLC are requesting a Special Permit with a site plan to allow a proposed 260 unit multi-family residential community and associated site improvements pursuant to Art. II, Sec. 3.4, of the Town of Trumbull Zoning Regulations.

Join the meeting online:
https://zoom.us/j/98946202425?pwd=LzlQTlVXN3ZDRk1OTy9jL0poZEEzdz09
Webinar ID: 989 4620 2425
Password: 609914

Join by telephone: (301) 715-8592 or (888) 475-4499 (Toll Free)
Webinar ID: 989 4620 2425

Dated at Trumbull, CT this 2nd day of July, 2020.

By: Linda Finger, Clerk

Plans for the above listed application are on file for public inspection in the office of the Planning and Zoning Commission and online on the Town of Trumbull website.

COMMISSION MEMBERS: PLEASE NOTIFY Linda Finger, Clerk, AT 203-452-5044 or lfinger@trumbull-ct.gov, IF YOU ARE UNABLE TO ATTEND.

NARRATIVE OF COMPLIANCE WITH SPECIAL PERMIT CRITERIA AND PLAN OF CONSERVATION AND DEVELOPMENT

K&K Developers, Inc., Trumbull Shopping Center #2, LLC and WEA CT Houses LLC
July 1, 2020

Applicants K&K Developers, Inc. ("K&K"), Trumbull Shopping Center #2, LLC ("TSC") and WEA CT Houses LLC ("WEA") (collectively "Applicants") have applied for Special Permit and Site Plan Approval in connection with a proposed residential community and associated site improvements. TSC is the owner of the property located at 5065 Main Street, on which the mall is located ("Mall Property"), while WEA is the owner of the land at 5085 Main Street on which K&K as the ground tenant proposes to construct the residential development ("Residential Property"). The purpose of this narrative is to demonstrate how K&K's proposed community, The Residences on Main ("The Residences"), (i) complies with the special permit criteria found in the Trumbull Zoning Regulations ("Regulations"), (ii) complies with the Plan of Conservation and Development ("POCD") and (iii) is consistent with the themes outlined in Stantec's 2018 peer review of the Applicants' regulation amendment and zone change.

I. Compliance with Special Permit Criteria:

Article XV, Section 4 sets forth the findings the Commission must make in approving a special permit. The plan for The Residences and the site improvements on the Mall Property satisfy each of these requirements, as outlined by category below.

Site Design Issues:
(4.3 Frontage Improvements; 4.4 Traffic Access; 4.5 Emergency Access; 4.10 Water Supply)

The requirements for frontage improvements and traffic access are fully satisfied by this proposal. The Residences front on Main Street, a state road with multiple lanes in both directions. As required by this section, the pavement and shoulders will be improved in accordance with the existing street. Additionally, the proposed design and access will be subject to review and approval by the Connecticut Office of State Traffic Administration ("OSTA").

As depicted in the site plans, there are multiple points of access to the community, with ties into the adjacent Mall Property for both vehicles and pedestrians. The first access point is from the existing mall entrance road from Main Street; this will be a right turn only entrance/exit point at the center of the development. The second point of access is on Main Street in the approximate location of the former Whalburn Avenue, with full entrance and right only exit. The final access point is a full entrance/exit from the mall ring road along the western boundary of the new development. Pedestrian sidewalks, including safety features like flashing walk signals, are also included to facilitate pedestrian access and allow residents to utilize the mall's restaurants, shopping, and recreation options directly from the western portion of The Residences. These access points have been designed to accomplish the goals set forth in the

Regulations: interconnection of adjacent properties, minimization of curb cuts, and maximization of pedestrian access between adjoining sites.

To ensure adequate provision for emergency services, the site plan for The Residences feature fire lane areas 36 feet in length at the building lobbies. Fire hydrants are dispersed throughout the community, which combine with the building sprinkler system to enable firefighting. Additionally, areas for emergency vehicle parking are dispersed throughout the community, allowing easy access for first responders. The Applicants have worked closely with the Trumbull Fire Marshal, Police Department, and Emergency Medical Services and have modified the initial plan to address preliminary concerns. These revisions are outlined in a letter prepared by BL Companies dated June 30, 2020.

The Applicants have contacted the Trumbull Board of Education to coordinate school bus stop location. A copy of that communication is attached as Exhibit A.

Finally, the community will be served by public water and sewer, thus ensuring adequate water supply and waste disposal to the residents.

Construction Considerations:
(4.7 Erosion, Sediment, and Runoff Control Standards[1] & 4.9 Surface and Groundwater Protection)

The plans for The Residences include a robust erosion control plan designed to ensure there will be no erosion, sedimentation, or runoff during the construction phase. This plan meets the minimum requirements set forth by the Fairfield County Soil and Water Conservation District. As required by § 4.7, the application materials include a stormwater management plan demonstrating that there will be no increase in post-construction stormwater runoff.

Appropriateness of Use Considerations:
(4.11 Public Health and Safety; 4.12 Appropriateness of Use; 4.14 Uses In, Adjacent to, or Impacting Residential Areas)

The most broadly worded provisions for the Commission's evaluation - the issues regarding the appropriateness of the use, impacts on surrounding properties, and public health and safety - are all satisfied by the proposal for The Residences. The community will enhance the Mall Property, bringing new life to a retail center that faces significant and numerous challenges in a post-internet, post-Covid-19 environment. It also expands the housing options and opportunities in town.

Notably, The Residences will have a positive fiscal impact on Trumbull. As contained in the Fiscal Impact Study prepared by Realty Concepts ("Study"), The Residences will generate a combined $1.4 million in annual property and motor vehicle tax revenue. Adjusted for the projected demand on town services, the net fiscal impact to Trumbull will be approximately

[1] Sections 4.6 regarding sanitary waste disposal and 4.8 regarding wetland and watercourse protection are inapplicable to this application.

$910,000. Given the community design and expected rental rates, the development's residents are expected to be young professionals and seniors downsizing from single family homes in Trumbull and the surrounding towns. As a result, the projected school aged population in The Residences is 27 students, some of whom are expected to be existing students in the Trumbull school system.

The Residences are appropriately sized for the area and surrounding land uses, with easy access to the features of the Mall Property. Designed to fit into the scale of the neighborhood without any adverse impact on the nearby single-family homes, it features significant setbacks from Main Street and extensive landscaping. It provides a scaled transition from the large commercial development on the Mall Property to the surrounding residential neighborhood.

The Residences will create only a minimal traffic impact to the area road network, one likely to be imperceptible given the history volumes generated by the Mall Property. Peak hour trips are expected to occur in the weekday evenings and Saturday midday, with 110 trips and 100 trips, respectively during those peak hours; these trips include both entrances and exits to the residential development. In light of a daily volume on Main Street exceeding 20,000 trips, The Residences will not adversely affect surrounding roadways. Pedestrian movements are protected with the installation of sidewalks within the community and the Mall Property. Review by OSTA further ensures that there will be no adverse impact to the road network.

Finally, as noted above, satisfactory provision for public health and safety concerns, including fire and emergency access and utility services, have been made in the development proposal.

Architectural and Design Considerations:
(4.13 Architectural Character, Historic Preservation, Site Design; 5.1 Building Materials; 5.2 Lighting; 5.3 Site Plan; 5.4 Landscaping and Screening)

The architectural style will be an "updated traditional" look with a variety of materials and colors. The predominant building materials are cultured stone, cementitious horizontal siding, cementitious panels, and divided lite windows. The corner units will have living rooms located on the corners with glass on two sides. The pitched roofs and turned gables reinforce the traditional roots of these buildings. Private balconies are provided with decorative railings.

The Residences are designed with a suburban town center development concept in mind. Intended to be appropriate for a suburban scale, the units are situated in five (5) buildings, each a four (4) story mid-rise with elevators, constructed around a central, traffic-calming circle., Convenient access to the shared common space – a clubhouse and pool with numerous resident amenities – is also provided. Parking is dispersed throughout the community with 494 parking spaces to serve both residents and guests. A portion of those spaces (64) will be located in resident garages beneath each building.

Robust landscaping and a landscaped berm are proposed along Main Street to add year-round visual interest and appropriate screening, with additional landscaping proposed throughout

the community. Mechanical equipment is suitably screened from public view on the building roofs, as are the locations for rubbish disposal. Sidewalks have been provided as required.

II. Compliance with POCD:

The Residences achieve several of the objectives of the POCD with respect to housing options and opportunities. The POCD establishes the following goals:

> *"Key Recommendation 7 - Residential Development. Continue to protect Trumbull's residential character. Continue to provide housing opportunities and address changing housing needs."*
>
> *"As the population continues to age, it is anticipated that Trumbull will see increased interest for housing options attractive to older households (smaller, easy-to-maintain, etc.)." p. 10*
>
> *Residential Summary, Policy B.1 "Explore ways to address changing housing needs." p. 68*
>
> *Residential Summary, Policy C.1 "Maintain high standards for architecture and site design for residential developments." p. 68*

With its target demographic and operation as a rental community, the proposal expands opportunities for individuals looking to enter Trumbull or those residents who want to remain in town without the burden of a single-family home. The community is designed to be a best in class complex with high end finishes and amenities as evidenced by its high-quality architecture and site design.

III. Stantec 2018 Third Party Review Concepts:

As the Commission will recall, Stantec conducted a third-party review of the planning issues presented by the 2018 regulation amendment and zone change. The Residences implement those concepts and Stantec's findings (relevant presentation slides attached as Exhibit B) remain applicable nearly two years later. Stantec predicted that baby boomers "represent a growing share of the market" and that projected residents do not create a significant school impact. Stantec noted that multi-family housing built since 2000 generates 9.8 children per 100 units, but that would be offset by continuing declines in Trumbull's school-aged child population. As applied to The Residences, Stantec's figure would result in approximately 26 children added to the school system, a number consistent with the 27 students the Applicants' study has estimated.

EXHIBIT A

Subject: FW: Bus routes inquiry

From: Aimee Fischbeck <AimeeF@gardenhomes.com>
Sent: Wednesday, June 17, 2020 12:10 PM
To: Scott Loventhal <ScottL@gardenhomes.com>
Subject: FW: Bus routes inquiry

Confirmation of stop location.

From: Perkins, Dawn <DPerkins@trumbullps.org>
Sent: Wednesday, June 17, 2020 11:50 AM
To: Aimee Fischbeck <AimeeF@gardenhomes.com>
Subject: RE: Bus routes inquiry

Hi Aimee,

It was a pleasure speaking with you as well!

Do you have any idea of when the complex will be open for occupancy? We are just trying to determine which school district it will be in. in the meantime, however, I can confirm that bus transportation to and from school will be provided for students residing in the complex. The bus stop would be located on Main Street, at the entrance to the development.

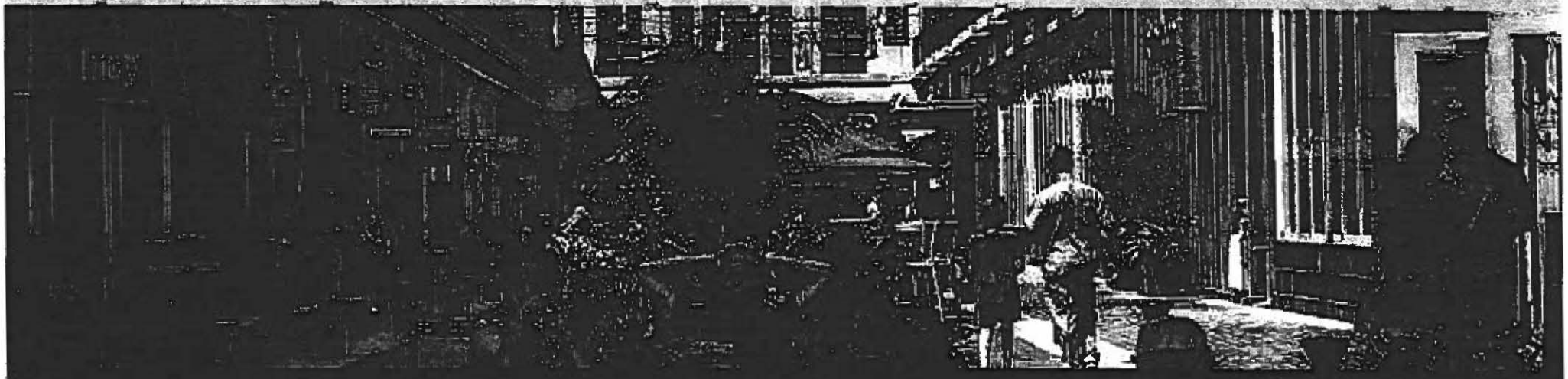
Please let me know if I can be of any further assistance.

Best regards,
Dawn

Dawn Perkins
Transportation Manager
Trumbull Public Schools
6254 Main Street
Trumbull, CT 06611
Phone: 203-452-4321

Exhibit B

SUBURBAN REMIX



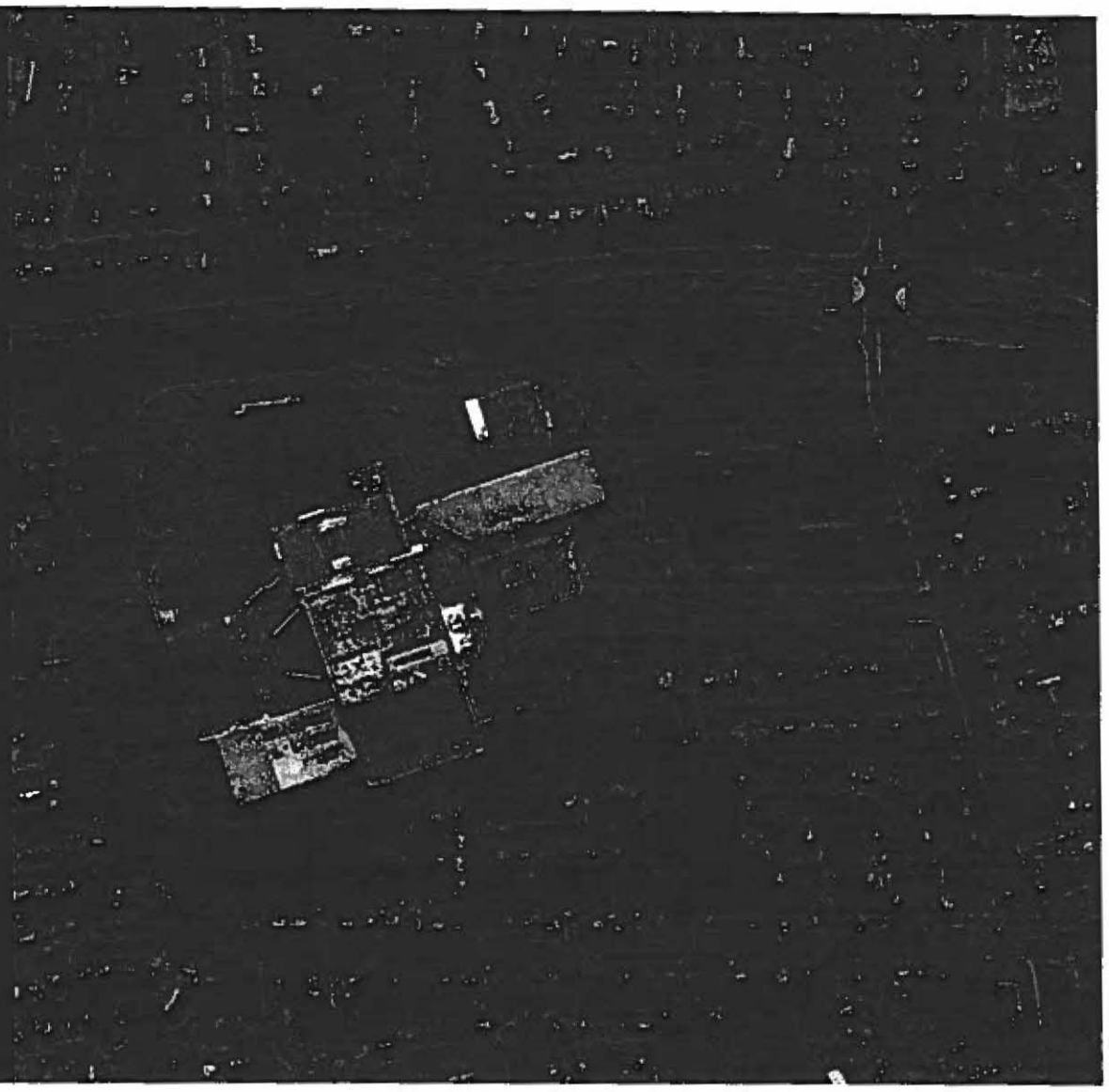
Trumbull, Connecticut . Stantec's Urban Places

David Dixon FAIA and Jeff Sauser, August 15, 2018

Stantec

Town of Trumbull
Westfield Mall proposal

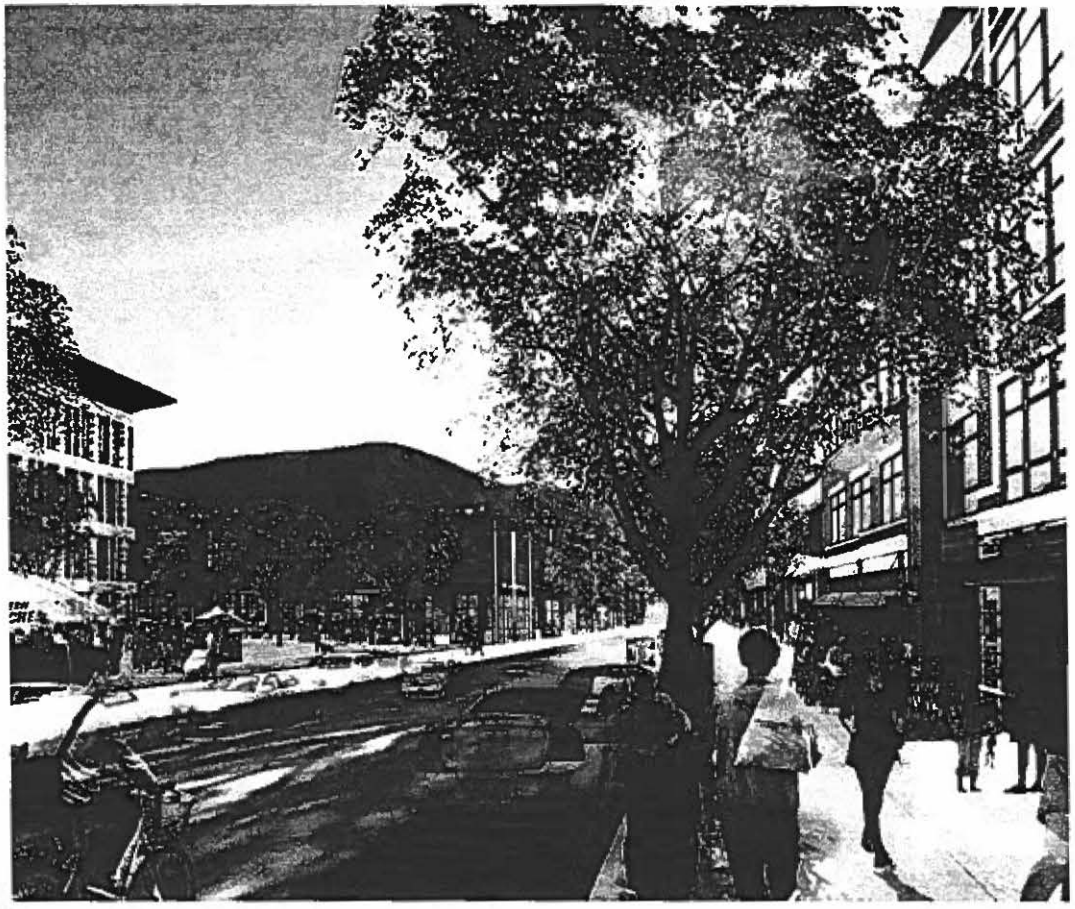
Third-party zoning and development review



Proposal consistent with national trends

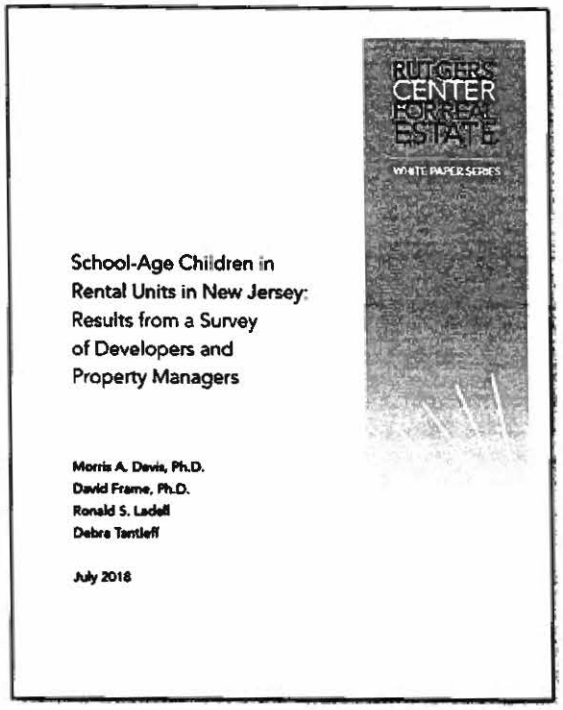
- **Malls across the country – even successful ones – are adapting** by, for example, diversifying land uses (housing, office, etc.), creating main streets and connections to surrounding communities, and focusing on experiential products and services.

- **This proposal to add multifamily at Westfield is consistent** with typical adaptations observed across the country.



School impacts placed in context

- **Today's market-rate multifamily developments attract many fewer families** with children than in the past.
- **Birth rates are down nationally**, especially among cohorts attracted to market-rate multifamily (relatively affluent millennials).
- **Baby boomers are downsizing in favor of multifamily housing** in walkable environments and represent a growing share of the market.
- According to the industry-standard Rutgers Center for Real Estate's periodic survey, **projects built before 2000 house 25.9 children per 100 units. Projects built since 2000 house 9.8 children per 100 units** (62% reduction).


RUTGERS CENTER FOR REAL ESTATE

WHITE PAPER SERIES

School-Age Children in Rental Units in New Jersey: Results from a Survey of Developers and Property Managers

Morris A. Davis, Ph.D.
David Frame, Ph.D.
Ronald S. Ladell
Debra Tantleff

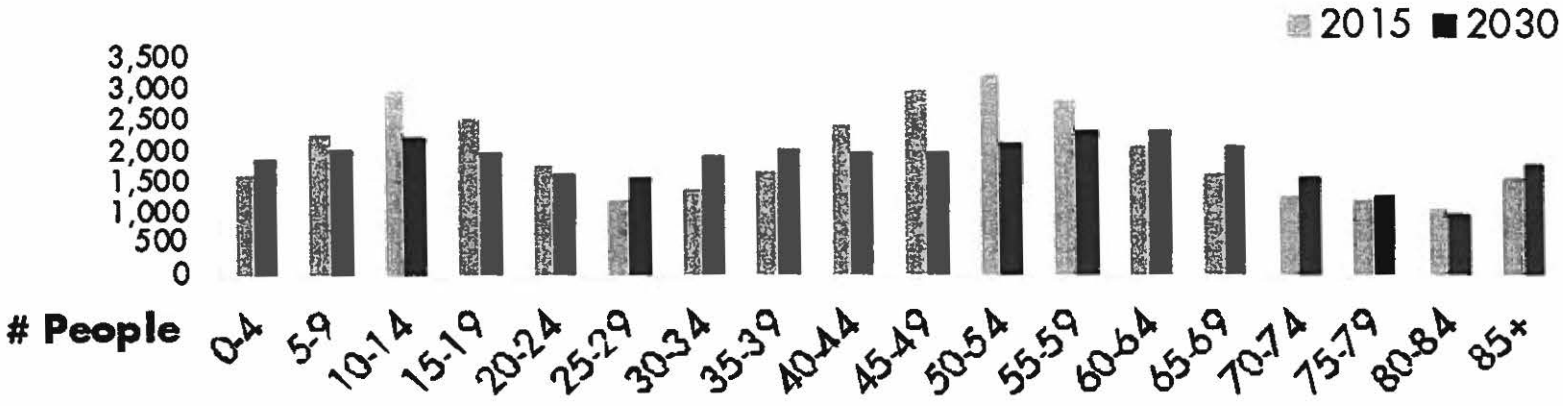
July 2018

Enrollment is down (and will drop further)

- **Trumbull school enrollment has dropped by 3.8%** over the last 5-6 years (257 students).

- **Trumbull's school-age population is projected to decrease by 15%** by 2030 (about 1,200 children) according to the Partnership for Strong

- Even if the 660 units currently in the development pipeline matched Avalon's 43 children per 100 units (instead of the 9.8 Rutgers suggests), the resultant 284 children would **not come close to replacing those lost to demographic projections**.



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PLANNING AND ZONING DEPARTMENT

APPLICATION FOR SPECIAL PERMIT OR SITE PLAN APPROVAL

☒ **SPECIAL PERMIT**

☒ **SITE PLAN REVIEW**

ZONE:

☒ **Commercial Zone B-C, B-C LH, TH Node, MDD**

☐ **Industrial Zone I-L, I-L2, I-L3**

☐ **Residential Zone A, AA, AAA**

☐ **Overlay Zone** _____

Location of Property: 5065 Main Street and 5085 Main Street, Trumbull

Assessor's Map No.: _____ Parcel No.: _____ Lot No.: See attached

Trumbull Land Records: Volume: _____ Page: See attached

Applicant: K&K Developers, Inc., Trumbull Shopping Center #2, LLC and WEA CT Houses LLC

Address of Applicant: c/o John W. Knuff, Esq., 147 N. Broad Street, Milford, CT 06460

Telephone Number: Day c/o 203 877-8000 Evening _____

Email Address: c/o JKnuff@hssklaw.com

Owner of Record: Trumbull Shoping Center #2, LLC and WEA CT Houses LLC

Address of Owner of Record: c/o Westfield, LLC, 2049 Century Park East, 41st Floor, Los Angeles, CA 90067

Telephone Number: c/o 203 877-8000 Email c/o JKnuff@hssklaw.com

Party to be notified: JOHN W. KNUFF, ATTORNEY AGENT

Address of Attorney or Agent: 147 N. Broad Street, Milford, CT 06460

Telephone Number: 203 877-8000 Email: JKnuff@hssklaw.com

Site Engineer: BL Companies, 355 Research Pkwy, Meriden, CT 06450

Address of Owner of Record: c/o Westfield, LLC, 2049 Century Park East, 41st Floor, Los Angeles, CA 90067

Telephone Number: c/o 203 877-8000 Email: c/o JKnuff@hssklaw.com

Relevant Article(s) and Section(s) of the Regulations: (i.e. Art__, Sec __)

Article II, Section 3.4

Description of the proposed request, including specific use to be conducted:

See attached Narrative

Is the property within 500 feet of another municipality?

☒ YES ☐ NO

Does this proposal involve a structure that was built before 1940?

☐ YES ☒ NO

Does this proposal require the approval of the Inland Wetlands Agency?

☐ YES ☒ NO

Are there any deed restrictions on this property that may affect this application?

☐ YES ☒ NO

Has a previous application been filed for this property?

☒ YES ☐ NO

If yes, when? various dates Attach a copy of decision letter.

Project is to be started on _____ Completed on _____

List of Federal and State permits required and their status:

Submission to State DOT upon local approval

Certification

I/We certify that all of the above information and statements contained in any documentation submitted with the application are true to the best of my/our knowledge.

I/We fully understand that the Planning and Zoning Commission reserves the right to revoke any permit should the information contained herein not be true or that the information requested by the application has not been fully disclosed.

Signature of Owner
Trumbull Shoping Center #2, LLC and
WEA CT Houses LLC By: John W. Knuff

Date May 28, 2020

Signature of Applicant (if not property owner)
Trumbull Shoping Center #2, LLC, WEA CT Houses LLC
and K&K Developers, Inc. By: John W. Knuff

Date May 28, 2020

NOTICE: By signing this application, owner and applicant consent to site inspections by Town Staff and/or Commissioners.

A FEE IN ACCORDANCE WITH APPROVED FEE SCHEDULE MUST ACCOMPANY THIS APPLICATION. Make check payable to TOWN OF TRUMBULL.

FOR OFFICE USE ONLY

Date Application and Fee Received:_____ By:_____

Date of Public Hearing:_____ Date Action Taken:_____

List of Abutters Submitted:_____

Revised 2/25/2020

Application for Special Permit or Site Plan Review

K&K Developers, Inc., Trumbull Shopping Center #2, LLC and WEA CT Houses LLC
May 28, 2020

Assessor Information and Deeds for Subject Properties

5065 Main Street

Assessors Map No.: E/11/00014/000

Deeds:

Volume 1031 Page 509
Volume 1796 Page 687

5085 Main Street

Assessor's Map No.: E/11/00170/000

Deeds:

Volume 946 Page 1
Volume 946 Page 18
Volume 980 Page 578
Volume 1004 Page 427
Volume 1004 Page 527
Volume 1004 Page 529
Volume 1004 Page 531
Volume 1004 Page 599
Volume 1026 Page 123
Volume 1053 Page 511
Volume 1057 Page 461
Volume 1155 Page 302
Volume 1190 Page 438
Volume 1196 Page 710
Volume 1332 Page 212
Volume 1722 Page 842
Volume 1774 Page 453
Volume 1774 Page 462
Volume 1796 Page 684

APPLICATION NARRATIVE
May 28, 2020

K&K Developers, Inc., Trumbull Shopping Center #2, LLC and WEA CT Houses LLC

Applicants K&K Developers, Inc. ("K&K"), Trumbull Shopping Center #2, LLC ("TSC") and WEA CT Houses LLC ("WEA") (collectively "Applicants") seek Special Permit and Site Plan Approval in connection with a proposed residential community and associated site improvements. TSC is the owner of the property located at 5065 Main Street, on which the mall is located ("Mall Property"), while WEA is the owner of the land at 5085 Main Street on which K&K as the ground tenant proposes to construct the residential development ("Residential Property").

The multi-family luxury residential community, to be known as The Residences on Main ("The Residences") will include 260 units (comprised of one and two bedroom units), as well as parking and amenity space, while the improvements on the Mall Property will facilitate greater pedestrian access between The Residences and the mall.

Background:

Over the course of more than two decades, WEA acquired numerous parcels located on the former Stuart Place and Whalburn Avenue with the intention of developing that area. However, due to a variety of factors, economic conditions, and changes in retail demand, other commercial development was not feasible. Those streets were formally discontinued in a process approved by the Town Council and signed by former First Selectman Herbst in 2016.

Simultaneously with the 2018 Amendment, the Commission approved a zone change for the Mall Property and the Residential Property to Mixed-Use Design District. After these approvals, TSC and WEA consolidated the various properties to create two parcels: the Mall Property now identified as 5065 Main Street and the Residential Property now identified as 5085 Main Street.

The requested approvals implement the concepts outlined in the Mixed-Use Design District regulation amendment adopted by the Planning and Zoning Commission in October 2018 (the "2018 Amendment"). The initial draft of the 2018 Amendment made a number of modifications designed to streamline certain changes at the mall including modifications to tenant signage and re-tenanting without full commission approval. The regulation also sought to add vitality and expanded opportunities at the mall by allowing multi-family residential units in addition to the commercial uses permitted in the zone. Although the regulation initially proposed up to 580 units in the zone, the final language substantially reduced that figure to a maximum of 260 residences on not less than seven (7) acres. Finally, the 2018 Amendment established certain criteria for future residential applications, including establishment of bulk criteria and submission of a fiscal impact study.

Residential Plan:

The Residences are designed with a suburban town center development concept in mind. The residential parcel is approximately 10 acres, which exceeds the regulatory seven (7) acre minimum. Intended to be appropriate for a suburban scale, the units are situated in five (5) buildings, each a four (4) story mid-rise with elevators, constructed around a central, traffic-calming circle. The architectural style will be an "updated traditional" look with a variety of materials and colors. The predominant building materials are cultured stone, cementitious horizontal siding, cementitious panels, and divided lite windows. The corner units will have living rooms located on the corners with glass on two sides. The pitched roofs and turned gables reinforce the traditional roots of these buildings. Private balconies are provided with decorative railings.

The two buildings closest to Main Street comply with the 50 foot front building setback, but with the bulk of the buildings set back more than 130 feet from Main Street. The development will include a 4,400 square foot clubhouse that will include a club room with fireplace, gym, stretching/yoga space, individual workspaces (places where residents can do office work), restrooms, and leasing center, as well as an outdoor pool and patio for residents' use. The clubhouse will also feature a generator to serve as a refuge point if needed for residents in the event of a weather or other disaster. While there are sidewalks throughout the community, there is no playground or extensive green space proposed. Robust landscaping and a landscaped berm are proposed along Main Street to add year-round visual interest and appropriate screening.

Parking is dispersed throughout the community with 494 parking spaces to serve both residents and guests. A portion of those spaces (64) will be located in resident garages beneath each building. As depicted in the site plans, there are multiple points of access to the community. The first access point is from the existing mall entrance road from Main Street; this will be a right turn only entrance/exit point at the center of the development. The second point of access is on Main Street in the approximate location of the former Whalburn Avenue, with full entrance and right only exit. The final access point is a full entrance/exit from the mall ring road along the western boundary of the new development.

Mall Site Improvements:

In addition to the proposed residential community, site improvements are proposed on the overall mall property. As conceptualized at the time of the 2018 Amendment, the Applications propose a new sidewalk to ensure connectivity between the mall buildings and The Residences. This sidewalk will facilitate pedestrian access and allow residents to utilize the mall's restaurants, shopping, and recreation options directly from the western portion of The Residences. Pedestrian safety features, including flashing walk signals, are also included.

Development Impacts:

The Residences will have a positive fiscal impact on Trumbull. As contained in the Fiscal Impact Study prepared by Realty Concepts ("Study"), The Residences will generate approximately $1.2 million in annual property tax revenue, plus an additional $178,000 in

personal property taxes (specifically motor vehicle taxes). Obviously, any new development will create some demand on town services, but the expected cost for those services falls well below this additional revenue, creating a net fiscal impact to Trumbull of approximately $910,000.

Given the community design and expected rental rates, the development's residents are expected to be young professionals and seniors downsizing from single family homes in Trumbull and the surrounding towns. With a lack of active recreation area or playground, the development is unlikely to attract families with children, a finding consistent with K&K's experience in similarly designed communities. As the Study notes, the demographics and design of the development influence the number of school aged children that would reside in a residential complex. Here, the projected school aged population in The Residences is 27 students, some of whom are expected to be existing students in the Trumbull school system.

Traffic impacts from The Residences are also anticipated to be minimal. The Traffic Study, prepared by BL Companies, demonstrates that the traffic generated by The Residences will not create a significant impact on the area road network. Peak hour trips are expected to occur in the weekday evenings and Saturday midday, with 110 trips and 100 trips, respectively during those peak hours; these trips include both entrances and exits to the residential development. Given the overall volume of traffic entering the mall and the highly traveled Main Street (with a daily volume exceeding 20,000 trips), these additional cars are expected to be imperceptible on the road network. Moreover, Connecticut Department of Transportation data for Main Street shows a decline in the daily traffic volume since 2004, when the daily volume was nearly 29,000 trips, further supporting the lack of traffic impact from the proposed development.