

# Memorandum

**To:** Members, Planning and Zoning Commission

**From:** Cindy Tyminski, AICP, Deputy Planning and Zoning Director

**Date:** October 1, 2020

**Re:** 260 (Riverside Avenue, Site Plan/Special Permit Appl. PZ #20-00570)

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## Statutory Timelines

Application Submission Date: 8/21/2020

Application Receipt Date: 9/3/20

65 Days from Date of Receipt (*when public hearing must open*): 10/25/20

Public Hearing Opened (*scheduled to open*): 10/8/2020

35 Days from Public Hearing Commencing (*when hearing must close*): 11/12/2020

65 Days from Close of Public Hearing (*when decision required*):

90 Days Governor's extension: (remaining): 90 days

## Summary

Were all documents submitted as required per §44?	Yes.
Were waivers to submit documents requested from the P&Z Commission?	Yes. The applicant seeks approval under §32-12, which requires Building Coverage. The applicant requires a Building Coverage bonus of 1.7% allowed per §32-12.5.1.
Were variances requested from the Zoning Board of Appeals (ZBA) per §46?	No.
Does the application appear to meet all applicable zoning requirements?	Yes.
Have all approvals been received pursuant to §44-2?	Yes.
Other comments?	The Planning & Zoning Commission should evaluate if the project is in accordance with the 2017 Plan of Conservation & Development, §32-12 (Inclusionary Two-family and Multi Family Dwellings), §22 (RORD #3), and §44-7 (Division of Land in Mixed Use Developments) and §35 (Landscape).

**Description of Application**

<b>Applicant Property Owner</b>	Bill Achilles, Achilles Architects Riverside Avenue Holdings, LLC Parcel A (260 Riverside Avenue)
<b>Requested Action</b>	Site Plan and Special Permit approval
<b>Proposal</b>	Applicant intends to utilize provisions of §32-12 (Inclusionary Two-family and Multi Family Dwellings) to convert 2 buildings that are currently approved for office use to 9 residential units, with two (2) of these units (2 BR) being designated as deed restricted affordable on a Parcel A of property that was formerly divided into two parcels per §44-7 and continues to operate as one zoning lot.
<b>Existing Zone</b>	Restricted Office - Retail District (RORD) #3
<b>Location</b>	The subject property is located on the west side of Riverside Avenue to the south of Sylvan Lane and lies within the CAM boundary and WPLO jurisdiction.
<b>Lot ID</b>	PID# C08002000
<b>Lot Size</b> <b>260 Riverside Ave (Parcel A):</b> <b>1 Sylvan Lane (Parcel B):</b> <b>Total Zoning Lot:</b>	.6412 Acres .5022 Acres 1.1434 Acres
<b>Existing Land Use (Parcel A):</b> <b>Existing Land Use (Parcel B):</b>	2 Buildings, Office use 3 Buildings, Multi-family Residential Use (8 dwellings)
<b>Proposed Land Use (Parcel A):</b> <b>Proposed Land Use (Parcel B):</b>	2 Buildings, Multi-family Residential Use (9 dwellings, 2 of these will be deed restricted affordable units) 3 Buildings, Multi-family Residential Use (8 dwellings)
<b>Surrounding Land Use</b>	<b>West:</b> 1 Sylvan Lane, which is Parcel B of the subject lot, is developed with three structures that are under residential use. 1 Sylvan Lane (Parcel B) is one lot with 260/264 Riverside Ave (Parcel A) and shares access and egress onto Sylvan Lane. To the west directly adjacent these parcels is Birchwood Country Club (Zone AA). <b>South:</b> 274 Riverside Avenue is developed with a commercial structure and a supporting parking lot and parking garage (Zone GBD).

<p><b>Surrounding Land Use</b></p>	<p><b>East:</b> To the east across Riverside Avenue is 259 Riverside Avenue which is multi-building lot occupied with commercial tenants (Zone GBD). Further east, adjacent to 259 Riverside Avenue, is the Saugatuck River.</p> <p><b>North:</b> Sylvan Lane is immediately adjacent to the subject property to the north. Past Sylvan Lane to the north is a property developed with a commercial parking lot (Zone RORD#3) owned by "The Anchorage Ventures".</p>
<p><b>Zoning History</b></p>	<p><b>9/8/1983:</b> Coastal Site Plan/Special Permit <b>approval</b> (#83-53) to construct 9,857 SF of office use in two commercial buildings and 8 multi-family dwelling units in three buildings on the western portion of the property.</p> <p><b>12/23/1985:</b> Site Plan modification <b>approval</b> (#85-164) to permit the division of the residential portion from the commercial office property granted per §44-4 [now §44-7] of the Town of Westport Zoning Regulations to facilitate separating the lot in to two "condominium" parcels (A&amp;B) and to retain the lot as whole for purposes of zoning compliance. These two parcels operate as one "zoning lot".</p> <p><b>2/25/1986:</b> Free standing sign <b>approval</b> (#86-12) by the Administrative Review Committee</p> <p><b>10/1/1992:</b> Site Plan <b>denial</b> (#92-127) for one additional curb cut and ingress driveway.</p> <p><b>1/22/1993:</b> Site Plan <b>approval</b> (#93-186) to allow one additional curb cut and ingress driveway with deferral of one parking space.</p> <p><b>Active Zoning Permits:</b></p> <p><b>7/6/2020:</b> Zoning Permit <b>issued</b> (#ZN 20-00417) interior renovations to existing business offices on the first and second floor. No exterior changes, or signs proposed at this time (264 Riverside Ave).</p>

<p><b>2017 Plan of Conservation and Development</b></p>	<p><b>Chapter 4.</b> Maintain and Enhance Community Character.          Goal: <i>“Maintain and enhance the character of Westport in order to retain to a sense of community, beauty and history”.</i></p> <p><b>Chapter 10.</b> Guide Residential Development.          Goal: <i>“Maintain the preponderance of single-family homes, increase housing diversity as to size of units and promote housing affordability.”</i></p> <p><b>10-2.</b> Managing Residential Development and Redevelopment.  <i>“Westport is a desirable community and there is strong demand for housing from people who want to live here. Since Westport is mostly built out, there are not many opportunities for new development other than through redevelopment of existing properties”.</i></p> <p><b>10-4.</b> Monitor Changing Housing Needs.  <i>“The POCD recommends that Westport continue to seek ways to address changing housing needs while maintaining the character and integrity of Westport. Some ways to do this might include:</i></p> <ul style="list-style-type: none"> <li>• <i>retaining / repurposing older housing,</i></li> <li>• <i>small scale developments in multiple areas,</i></li> <li>• <i>transitional locations between business areas and residential areas,</i></li> <li>• <i>accessory apartments,</i></li> <li>• <i>house sharing, and</i></li> <li>• <i>other approaches that maintain the character and integrity of Westport.”</i></li> </ul> <p><b>§10.5.</b> Continue to Address Housing Needs. (Pg. 86)          Recommendations to achieves these goals include:</p> <ul style="list-style-type: none"> <li>• <i>“Seek ways to address changing housing needs while maintaining the character and integrity of Westport.” Pg. 85</i></li> <li>• <i>“Consider ways of integrating affordable and workforce housing in future projects.” Pg. 85</i></li> <li>• <i>“Continue to address housing needs in Westport (affordable, aged, special needs, ADA).” Pg. 88</i></li> </ul>
<p><b>Applicable Regulations</b></p>	<p>§22, Restricted Office-Retail District (RORD #3); §32-12, Inclusionary Two-family and Multi Family Dwellings, §34, Off Street Parking &amp; Loading; §43/§44, Special Permit/Site Plan Review Procedures, Documents, Standards, Objectives. §35 Landscape.</p>

**Property Description/Background**

In 1985, the lot at 260 Riverside Avenue was divided into two “condominium” parcels, as approved by the P&Z Commission by Site Plan modification and are currently under separate ownership. Under this approval, the integrity of the lot as a whole is retained for zoning purposes and continues today to operate as one “zoning lot” of 1.1434 Acres that is a corner lot with two parcels (A and B).

This subject of this application is Parcel A, which uses the addresses of 260 and 264 Riverside Avenue. This parcel is .6412 acres and is on the west side of Riverside Avenue. The entire lot is located in the Restricted Office-Retail District (RORD) #3. The property is in the Coastal Area Management (CAM) zone, although not subject to CAM approval per §31-10.6.1 as it is exempt as only interior modifications to buildings are proposed. A portion of Parcel A is in the AE 10 Flood Zone, however, none of the buildings or structures on the site are in the Flood Zone. The WPLO line crosses the property and the entire lot is connected to the public sewer.

Parcel B (a.k.a 1 Sylvan Lane) is improved with 3 buildings that contain 8 market rate multi-family dwelling units. Parcel A is improved with a 5,194 SF commercial building (260 Riverside Avenue) and a 5,292 SF commercial building; both under office use. Currently, the entire commercial building at 264 Riverside Avenue and most of the commercial building at 260 Riverside Avenue are vacant.

The two existing buildings on Parcel A, are residential in appearance, but currently are under commercial use. The building on Parcel A on the westerly portion, uses the mailing address of 260 Riverside Avenue and the building on the easterly portion of Parcel A uses the address of 264 Riverside Avenue. The building at 260 Riverside is wood frame structure and is 29.4 feet in height and the building at 264 Riverside is also wood frame structure and is 27 feet in height.



264 Riverside Avenue



260 Riverside Avenue



1 Sylvan Lane (Building 1).

**Proposal**

The applicant now comes before the Commission with a Site Plan and Special Permit application and proposes to:

1. Covert all the use of the buildings on Parcel A from commercial (office) to residential; and
2. Utilize the provisions of §32-12 (Inclusionary Two-family and Multi Family Dwellings) to convert in their entirety two (2) buildings that are currently approved for office use to nine (9) residential units; and
3. Designate two (2) of the aforementioned nine (9) residential units as deed restricted affordable units, thus providing greater than 20% affordable units; and
4. Utilize the existing exterior façades with no changes to the buildings on Parcel A designated as 260 Riverside Avenue and 264 Riverside Avenue for this new use; and
5. Utilize the existing site layout (Parking, Landscaping, Circulation) on Parcel A designated as 260 Riverside Avenue and 264 Riverside Avenue for this new use.
6. Make no changes to Parcel B (1 Sylvan Lane), which is not party to this application; this includes no changes to the residential use, the building facades, the site or to the layout of the existing eight (8) multi-family one and two-bedroom residential units.

<b>New Proposal</b>	<b>Floor Area</b>	<b>#Bedrooms</b>	<b>Affordable</b>	<b>Accessible</b>
<b>(260 Riverside)</b>	5,197 SF (total area) 4,232 SF (living area)		23.7% flr. area 20% of units	
<b>1<sup>st</sup> Floor - Unit 5</b>	<b>1,005.2 SF</b>	<b>2</b>	<b>yes</b>	<b>yes</b>
1 <sup>st</sup> Floor - Unit 6	464.4 SF	1	no	
2 <sup>nd</sup> Floor - Unit 7	1,009.31SF	1	no	
2 <sup>nd</sup> Floor - Unit 8	421 SF	1	no	
3 <sup>rd</sup> Floor - Unit 9	1,248.3 SF	2	no	
<b>(264 Riverside)</b>	5,292 SF (total area) 4,356 SF (living area)		26.6% flr. area 25% of units	
1 <sup>st</sup> Floor - Unit 1	954.6 SF	2	no	
<b>1<sup>st</sup> Floor - Unit 2</b>	<b>1,161 SF</b>	<b>2</b>	<b>yes</b>	<b>yes</b>
2 <sup>nd</sup> Floor - Unit 3	949.6 SF	2	no	
2 <sup>nd</sup> Floor - Unit 4	1,288.6 SF	2	no	
<b>TOTALS</b>		15 BR	25% flr area 22% affordable	

Zoning Data	Existing	Proposed	Required/Allowed
<b>Zone:</b>	RORD#3	RORD#3	RORD#3
<b>Lot Size</b> <b>260 Riverside Ave (Parcel A):</b> <b>1 Sylvan Lane (Parcel B):</b> <b>Total Lot:</b>	.6412 Acres .5022 Acres 1.1434 Acres	No change	n/a
<b>Total Coverage</b>	58.8%	No change	70%
<b>Building Coverage</b>	21.7%	No change	20%
<b>Setbacks</b>  <b>Front:</b> <b>Side:</b> <b>Side along residential zone:</b> <b>Rear:</b>	30.6' (pergola) 15' (264 Riverside) 15.5 (1 Sylvan) none	No change	20'** 15' 30'* 25'
<b>Parking</b>  <b>Parcel A (Office)</b> <b>Parcel A (Residential)</b> <b>Parcel B (Existing Residential):</b>  <b>Spaces on the property</b>	32 0 <u>12</u>  44***	    <b>Required for proposal &amp; existing uses on lot:</b>	0 19.5 <u>13.5</u>  33

\* 30' setback along residential zones not required at the time of this approval (1983).

\*\* front setback allowed per §32-12 (Inclusionary Housing)

\*\*\* Joint Parking approved; actual demand is 58 spaces.

**CONSIDERATIONS**

§44-5 lists the Site Plan Standards and Objectives the Planning and Zoning Commission should consider in reviewing the application.

§44-6 lists the Special Permit standards the Commission should consider in reviewing the application. As a Special Permit application, the Commission has discretion to modify the plans as deemed necessary to conform to the Special Permit standards. The Commission may approve the application as submitted or approve it with modifications to conform to the Special Permit standards.

§32-12 (Inclusionary Housing) promotes the diversity of housing and provides additional below market rate housing. In order to utilize this provision, at least twenty percent (20%) of the floor area of all residential units shall be deed restricted as affordable and at least twenty-percent (20%) of all proposed residential units shall be deed restricted as affordable in accordance with CT General Statutes §8-30g.

## ANALYSIS

1. **Condominium Lot.** The property at 260 Riverside Avenue was divided into two “condominium” parcels (A and B) in 1985 and approved under §44-4 (now §44-7). This regulation allows for separate ownership of the parcels, shared ingress and egress and joint parking. The integrity of the lot as whole is retained for zoning purposes and continues today to operate as one lot. The subject parcel (Parcel A) must conform with §44-7 Division of Land in Mixed Use Developments as changes to a plan previously approved under this section, requires approval of the modifications by the Commission.

### **§44-7.2 Two Lot Split**

#### §44-7.2.2

For the purpose of compliance with these regulations such a divided development parcel shall be considered a single lot.

### **§44-7.3 Changes to Amended Site Plan**

The amended site plan shall not be changed without the prior approval of the Commission by way of special permit procedure or site plan review and the consent of the lot owners as follows:

#### §44-7.3.2

If the proposed changes to the Amended Site Plan are on one lot only, the majority in interest of the lot owners on such lot only, must consent in writing to said changes.

#### §44-7.3.3

In all cases, plans required to be submitted for approval of proposed changes to the Amended Site Plan shall show the entire site development, including both lots and the Commission shall consider the overall effect of the proposed changes on the entire site.[emphasis added]

### **Consideration:**

The Commission should note §44-7.3.3 which states that the Commission shall consider the implications of this proposal to the entire site or both parcels, including Parcel B (1 Sylvan Lane). Although there has been no site work proposed with this application on either Parcel A or B, the change of use may change or parking utilization at different times of the day and the circulation patterns. The Commission should make a finding in their decision that they considered the overall effect of the proposed changes on the entire site.

2. **Multi-family Cap.** Per §4-5 of the Westport Zoning Regulations, the total number of multi-family dwelling units in Westport shall not exceed 10% of the total number of single-family dwellings. Affordable dwelling units and below market units are exempt from this cap.

### **§4-5 Maximum Allowable Multi-Family Dwelling**

The total number of multi-family dwelling units in all zoning districts throughout the Town of Westport shall not exceed 10% of the total number of single-family dwellings within the Town of Westport as reported in the most recent official U.S. Census of Housing Data for the Town of Westport.

The 2018 American Community Survey (ACS) of the U.S. Census reports that there are 9,289\* single-family, detached dwelling units in Westport. Therefore, ten percent or 929 market multi-family units are permitted per §4-5 in the Town of Westport.

Staff has determined that there is a total of 1,220\*\* multi-family dwelling units that currently exist in town. Of these multi-family dwelling units that currently exist, 351 are deed restricted affordable units and meet the requirements §8-30g of the CT General Statutes or are non-market rate multi-family dwelling units that have been approved in the R-RHOW (Residential-Rental Housing Opportunity /Workforce Zone) district. which also need to be removed from the market rate multi-family housing total.

This results in 869 market rate multi-family units that count toward the cap required in §4-5. Therefore, at this time, 60 additional market rate multi-family dwellings can be approved before the cap of 929 is reached.

It should be noted as of 8/28/20, two §8-30g multi-family projects that the Commission denied have been overturned in court and the final disposition of these matters has not been resolved and these residential units have not been added to the data. These two proposals would add 82 multi-family market rate units that would be counted towards the cap and 48 affordable dwelling units.

The Commission has a current proposal before them, Text Amendment #785, which is proposing eliminating this section and no cap would exist.

\* Michelle Perillie, AICP used data from the Westport Tax Assessor to confirm the 2014-2018 American Community Survey 5-year estimate (8/2020).

\*\* Research by Michelle Perillie, AICP (8/2020)

**Consideration:**

**The proposed application at 260 Riverside Avenue will result in 7 more multi-family market units. The total multi-family market rate units will increase to 876 where 929 units are allowed. At this time, this proposal complies with §4-5 (Maximum Allowable Multi-Family Dwellings).**

- Inclusionary Housing.** The applicant has requested approval under §32-12 (Inclusionary Two-Family and Multi-Family Housing) which requires the applicant to provide affordable units with the proposed market rate housing. In order to utilize this provision, at least twenty percent (20%) of the floor area of all residential units shall be deed restricted as affordable and at least twenty-percent (20%) of all proposed residential units shall be deed restricted as affordable in accordance with CT General Statutes §8-30g. The applicant has submitted an affordability plan.

The applicant has proposed the following affordable dwellings:

**260 Riverside Avenue Unit 5:**

23.7% of the total residential floor area of this building is affordable; and  
 20% of the total number of units is affordable; and  
 One 2-Bedroom, accessible Unit that is 1,005.2 SF in floor area (unit 5).

**264 Riverside Avenue Unit 2:**

23.7% of the total residential floor area of this building is affordable; and  
 20% of the total number of units is affordable; and  
 One 2-Bedroom, accessible Unit that is 1,161 SF in floor area (unit 2).

To qualify for 32-12 (Inclusionary Housing) the applicant must meet the following requirements:

§32-12 Inclusionary Housing	Proposed	Required/Allowed	Parcel A or Lot
§32-12.1.1 Lot Area and Shape Percent frontage of total perimeter:	21.8%	15%	Lot
§32-12.1.3 Access Primary access from non-residential:	yes (RORD #3)	yes	Lot
§32-12.2.1 Density Maximum density of <u>Bedrooms</u> , excludes affordable BRs:	(27 - 4) 23	(20 x 1.14) 23	Parcel A
Maximum density of <u>Units</u> per gross acre: (includes affordable units)	(5 + 4 + 8) 17	(18 x 1.14) 21	
§32-12.3 Setbacks (front)	30'6"	20'	Lot
§32-12.4 Height	3 stories/29.4' & 27'	3 stories/35'	Parcel A
§32-12.5.1 Building Coverage	21.7%+	20%	Lot
§32-12.5.2 Lot Coverage	58.8%	70%	Lot
§32-12.6 Building Spacing	>10'	10' (min)	Parcel A
§32-12.7 Floor Area Ratio	.375	.5	Parcel A
Exempt Affordable units:	.332	.25 (max reduction)	
Avg. unit size	891.2 SF	1,250 SF	
§32-12.11 Parking	44	36	Lot
§32-12.12 Landscaping	none++	Must comply §35 required per §35-2.2.4 required, screened required	Parcel A
§32-12.12 Sidewalks	yes		
§32-12-12.2 Refuse Areas	provided		
§32-12-12.3 Mailboxes	interior, provided		
§32-12.12 Traffic Analysis	Not required	Not required per §44-2.5	Parcel A

+Commission may provide a 5% Building Coverage bonus and may exempt an additional minimal amount of coverage associated with open porches, decks, balconies and other similar open structural projections from building coverage.

++Per §35-4, if a new use, then must comply with landscaping requirements.

**Consideration:**

**The proposed application at 260 Riverside Avenue provides the Town of Westport with two (2) additional affordable units and in addition, the applicant has also made both of these units accessible. Commission needs to consider granting the Building Coverage bonus. In addition, the applicant has provided a plan showing trees that have not survived. If these are replaced, it will bring the site closer to compliance. This review could be accomplished at the Landscape subcommittee prior to Zoning Permit.**

4. **Parking.** When the property at 260 Riverside Avenue was divided into two “condominium” parcels (A and B) per §44-7 (§44-4) in 1985, per a Site Plan Modification and the shared or Joint Parking per §34-8 was utilized. The Commission is permitted to reduce the parking per §34-8 when an applicant is able to demonstrate that there is no substantial conflict in the operating hours between the buildings or uses for which joint parking facilities are proposed and that parking on the street will not occur. At the time of the 1985 approval, two buildings were under office use (Parcel A) and this had an increased parking utilization during the daytime hours. The Joint Parking was considered with Parcel B, with three buildings under residential use, that had an increased parking utilization during the evening hours.

The existing parking demand for Parcel A with 10,486 SF of office use (1 space per 250 SF) is 42 parking spaces. The existing demand for Parcel B is 16 parking spaces. There are 44 parking spaces on site where the existing demand is 58 spaces.

The current parking demand for the proposal is as follows:

# Residential Units:	Unit Size:	Residential Parking Demand:	Required Parking:
<b>Parcel A (proposed):</b>			
2	1 Bedroom	1.75 spaces per unit	3.5 spaces
6	2 Bedroom	2.25 spaces per unit	13.5 spaces
1	3 Bedroom	2.50 spaces per unit	2.5 spaces
<b>Parcel B (existing):</b>			
4	1 Bedroom	1.75 spaces per unit	7 spaces
4	2 Bedroom	2.25 spaces per unit	9 spaces
Total Demand			35.5 spaces

**Consideration:**

This proposal is for Parcel A but is still one lot with Parcel B and the parking demand has to be looked at as a whole. When Parcel A was under Office Use the total demand for the site was 56 parking spaces with 44 spaces provided. With Parcel A being converted to a residential use, 36 parking spaces are required with 44 provided. The site no longer needs to utilize Joint Parking as it is compliant with the regulations with an excess of 8 parking spaces. The applicant has provided two (2) accessible spaces on the site, which meet the requirement of the State Building Code. However, since there is an excess of 8 parking spaces, staff would suggest that the applicant provide at least two (2) more accessible spaces in their proposal. If the applicant agrees to this requirement, this would bring the total of handicapped parking spaces on site to four (4) for the 17 residential units on site. The parking lot needs restriping regardless of the adding handicapped spaces.

5. **Landscaping.** The applicant has provided a landscape plan of the existing conditions on site. There are six (6) tree stumps on Parcel A that were likely required trees. There is a parking space in the required vegetated 30-foot buffer from Sylvan Lane.

**Consideration:**

The Commission should require this applicant be reviewed by the Landscape subcommittee to bring Parcel A into landscaping compliance as required §35-4. It should be noted that the owner of Parcel B is not a party to this application and the required landscaping modifications cannot extend onto this part of the lot.

**SUMMARY: Findings prior to Approval of the Site Plan and Special Permit.**

1. The Commission shall consider providing the bonus per §32-12 (Inclusionary Housing) to increase the Building Coverage from the allowed 20% to 21.7%.
2. The Commission shall make a finding in their decision that they considered the overall effect of the proposed changes on the entire site, including Parcel B, per §44-7.
3. The Commission shall make a finding that at least twenty percent (20%) of the Floor Area and at least twenty percent (20%) of the total number of Residential Units be deed restricted as affordable per §32-12 (Inclusionary Housing).
4. The Commission may consider requiring at least two (2) more accessible parking spaces for a total of four (4) accessible spaces.
5. The Commission shall refer the applicant for review to the Landscape subcommittee for modifications to the landscape to bring Parcel A into compliance with §35.

**Prior to Zoning Permit.**

The applicant should submit the following prior to issuance of a Zoning Permit for the proposed work:

1. The Commission may require that the development plan be modified to provide two additional accessible parking spaces and the plan should be modified to remove the parking space in the landscape buffer and the to designate the refuse area.
2. Proof of filing the Special Permit resolution on the Westport Land Records.
3. The conversion of use from commercial to residential will require approval from the Westport BOS/WPCA for the changes if any to the sewer demand.
4. The applicant shall meet with the Landscape subcommittee and gain their approval (which includes the removal of the western-most parking space that is in the 30-foot landscape buffer) to bring Parcel A into a code compliance for landscape as required per §35-4 for the new use.

**Prior to Zoning Permit.**

1. Final approval from the Town Attorney of the affordability plan which shall be modified to meet her requirements and shall reference the Special Permit approval and must include a plan that shows the location of the affordable units. This document shall be executed and filed on the Westport Land Records.
2. The owners of 260 Riverside Avenue have entered into a contract and obtained a Road Opening Permit for reconstructing adjoining sidewalks. This work must be completed in accordance with Town Standards prior to obtaining a Zoning Certificate of Compliance.

**Department Comments**

Engineering Department	10/1/2020: WPCA approval required prior to Zoning Permit and Sidewalk work required prior to ZCC.
Conservation	9/29/2020: No change in footprint. No WPLO permit required for interior changes.
Fire Department	9/29/2020: Will require fire sprinklers and other interior revisions prior to Building Permit.
Town Attorney	9/25/2020: Revisions needed to Affordability Plan, prior to Zoning Permit.

**No formal field trip is scheduled but members are encouraged to visit the site individually.**

**Attachments:**

- Narrative, last revised 9/14/2020.
- Existing Survey, prepared by J Edwards & Associates, LLC, last revised 1/27/2020.
- Landscape plans, prepared by William Achilles, last revised 10/1/2020.
- Architectural Plans prepared by William Achilles, last revised 9/28/2020.
- Affordability Plan prepared by Neil Lippman, Esq., dated 8/12/2020.
- Comments from Nate Gibbons dated 9/28/2020.
- Comments from Eileen Flug dated 9/25/2020.
- Comments from Ted Gill 10/1/2020.

**Notice to the Public**

The zoning regulations require the Commission hold a Public Hearing to invite residents to testify and offer comments in person before the Commission renders their decision. At this time, traditional public meetings are not being held due to COVID-19, the First Selectman's Declaration of a Local Civil Preparedness Emergency, and related concerns on public assembly. Consistent with Governor Lamont's Executive Order No. 7B, the Commission's public hearing will be held remotely, will be recorded, and all information made accessible to the public on the Town's website in advance of the meeting. The Town of Westport has the resources and capacity to make remote meeting accessible to the public in real-time, and the July 23 public hearing will be live streamed on [www.westportct.gov](http://www.westportct.gov), and accessible on Optimum Government Access Channel 79 and Frontier Channel 6020. Additionally, dedicated E-mail addresses are offered to receive public comments prior to the public hearing by using [PandZ@westportct.gov](mailto:PandZ@westportct.gov), during the public hearing by using [PandZComments@westportct.gov](mailto:PandZComments@westportct.gov), and interested parties may obtain access to the remote meeting link and "join" the meeting and offer live testimony during the public hearing if the meeting link is requested from the Planning and Zoning Director by sending an email to [maryyoung@westportct.gov](mailto:maryyoung@westportct.gov) by noon on the day of the meeting.

The State Statutes require a legal notice appear in the local newspaper advertising a public hearing. Newspaper notice requirements were modified by EO No. 7B due to COVID-19 to instead require notice be posted on the Town's website 10 days prior to the hearing. A legal notice will be posted on September 25, 2020 for the public hearing on October 8, 2020, satisfying all legal notice requirements.



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**SITE PLAN/SPECIAL PERMIT APPLICATION**  
**FOR A CONVERSION OF TWO OFFICE BUILDINGS INTO**  
**TWO RESIDENTIAL BUILDINGS WITH 9 UNITS & 2 AFFORDABLE AND ACCESSIBLE**  
**AT 260 RIVERSIDE AVENUE, WESTPORT, CT 06880**  
**8-12-2020, REVISED 9-14-2020**

The 260 Riverside Avenue property lies in the RORD-3 zone and has a gross lot area of 49,810 sf and a base lot area of 49,257 sf. There is a small amount of steep slopes and an easement on the property. There are no wetlands on the property and although there is a FEMA flood line on the property, the line does not intersect with the buildings, therefore the buildings are not in the flood zone.

There are two parcels on the property, A, 0.6412 acres, and B, 0.5022 acres. Parcel A contains two office buildings known as 260 Riverside Avenue and 264 Riverside Avenue. This proposal relates to parcel A only. Parcel B contains 3 buildings with 8 residential units with garages, known as 1A,1B,1C,3A,3B,3C,5A,5B. There are no changes proposed to the Parcel B buildings, the parking or the site features.

Since the property was purchased by the present owner during the Covid-19 situation, the office tenancies have been virtually vacant. The Owner decided to renovate the offices and a permit to do so was obtained. During the construction, the concept of converting the offices into residential units arose.

The proposal is to convert the two existing office buildings into two residential buildings. 260 Riverside, a 3 story building with a partial cellar and crawl space, would contain 5 residential units, one being affordable and handicapped accessible. 264 Riverside, a 2 story slab on grade building with no attic, would contain 4 residential units, one being affordable and handicapped accessible.

As required by Section 32-12.15 of the regulations, the proposal provides that at least twenty percent (20%) of the residential rental units will meet the criteria for "affordable housing" as defined in Connecticut General Statutes § 8-30g ("C.G.S. § 8-30g"). Twenty two percent (22%), specifically two (2) dwellings of 9 total units in the community will be designated as affordable. Additionally, at least 20% of the floor area of all residential units shall be deed restricted as affordable.

An affordability plan has been submitted and this plan complies with Section 32-12.15.1, and further describes how the affordable housing apartment homes will be administered.

There are presently 32 parking spaces, including 2 handicapped spaces, on the property dedicated to Parcel A, the two office buildings. The parking is non-conforming as it relates to the existing offices as 42 spaces are required and only 32 spaces are available. The conversion of the two buildings into residential units will only require **20** parking spaces and will be conforming.

Since the virtually vacant office buildings are not producing any significant traffic both due to the vacancies and due to the Covid-19 situation and since the proposed 9 apartment units will produce significantly less traffic, we request that the P&Z Commission waive the requirement for a traffic study. We believe that any study conducted at this time will produce incomplete and inaccurate information. Additionally, the proposed residential units will practically produce much less traffic than buildings with office tenancies and any traffic study performed will indicate a reduction in traffic.

Respectfully submitted,



William A. Achilles, Jr. AIA  
Achilles Architects



NOTES:

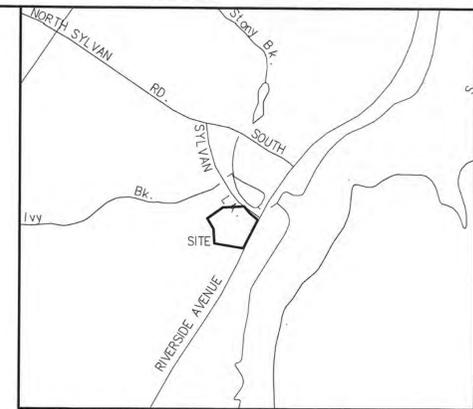
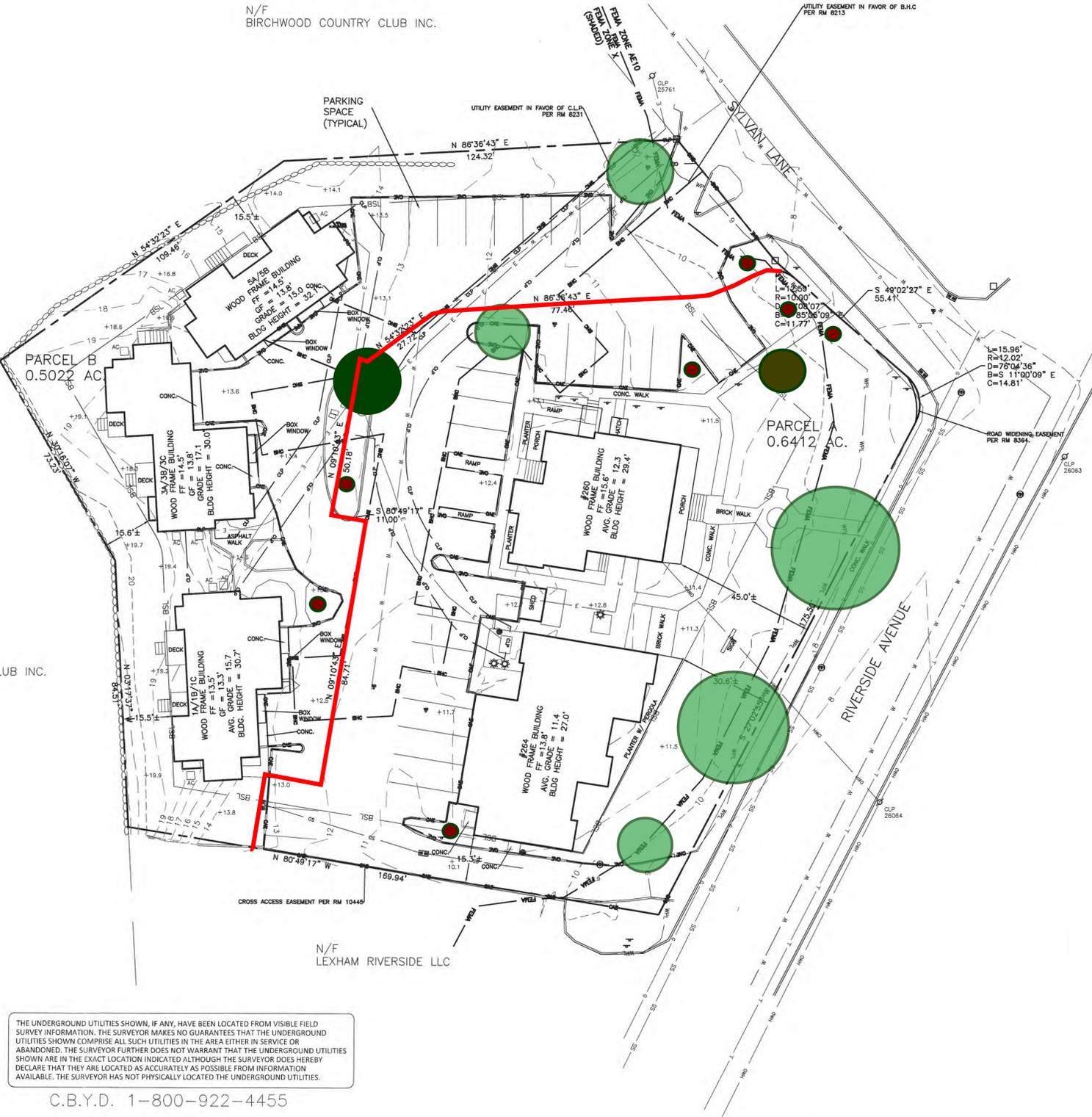
- THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH THE SECTIONS 20-300B-1 THROUGH 20-300B-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - "MINIMUM STANDARDS FOR SURVEY AND MAPS IN THE STATE OF CONNECTICUT" AS ENDORSED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. IT IS AN EASEMENT SURVEY BASED UPON A DEPENDENT RESURVEY AND CONFORMS TO HORIZONTAL ACCURACY CLASS A-2.
- REFERENCE IS MADE TO THE FOLLOWING MAPS ON FILE IN THE WESTPORT TOWN CLERK'S OFFICE:
  - RM 8364 - "MAP OF PROPERTY PREPARED FOR KAUFMAN-ARCIOLA ASSOCIATES WESTPORT, CONN.; SCALE 1"=20'; JANUARY 22, 1986" PREPARED BY SHAUGNESSY AND PLAIN.
  - RM 8231 - "MAP SHOWING EASEMENT FOR THE CONNECTICUT LIGHT & POWER COMPANY OVER LAND OF KAUFMAN-ARCIOLA ASSOCIATES". DATED 09/13/84 PREPARED BY LEO LEONARD
  - RM 8213 - "MAP SHOWING EASEMENT FOR THE BRIDGEPORT HYDRAULIC COMPANY OVER LAND OF KAUFMAN-ARCIOLA ASSOCIATES". DATED 09/13/84 PREPARED BY LEO LEONARD
  - RM 10445 - "EASEMENT MAP 260 RIVERSIDE AVENUE, WESTPORT, CONNECTICUT" DATED NOVEMBER 20, 2019; PREPARED BY J. EDWARDS & ASSOCIATES, LLC.
- THE LOCATION OF UNDERGROUND UTILITIES, IF ANY, IS UNKNOWN
- PLAN PREPARED FOR ALEXANDER GUREVICH.
- ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) AS DETERMINED USING GEOID12a. LINEAR UNITS ARE IN U.S. SURVEY FEET. HORIZONTAL COORDINATES ARE REFERRED TO THE CONNECTICUT COORDINATE SYSTEM OF 1983, AS REALIZED FROM OBSERVATION REFERENCED TO NAD83 (CORS2011). COORDINATES WERE DETERMINED FROM STATIC GPS OBSERVATIONS MADE ON NOVEMBER 20, 2019 IN ACCORDANCE WITH "GUIDELINES AND SPECIFICATIONS FOR GLOBAL NAVIGATION SATELLITE SYSTEM LAND SURVEYS IN CONNECTICUT" ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC., HOLDING THE FOLLOWING VALUES FOR PUBLISHED BASE DATA: STATION: DARIEN, LATITUDE N 41° 03' 57.06968", LONGITUDE W 73° 30' 25.94233", ELLIPSOID -13.266
- CERTIFICATION OF THIS MAP APPLIES TO CONDITIONS AS OF THE ORIGINAL DATE OR REVISED DATE DEPICTED HEREON. EXISTING CONDITIONS ON THIS PROPERTY MAY HAVE CHANGED SINCE THAT DATE AND AN UPDATED SURVEY IS RECOMMENDED TO ACCURATELY DEPICT THE CURRENT CONDITIONS.
- THE PROPERTIES ARE SUBJECT TO THE FOLLOWING DOCUMENTS WHICH MAY NOT BE DEPICTED IN THIS SURVEY:
  - 672 P. 298 - DRAINAGE EASEMENT - REFERENCE MAP NOT FOUND
  - 708 P. 215 - ROAD WIDENING - DEPICTED
  - 694 P. 205 - DRAINAGE EASEMENT - NOT ON SUBJECT PROPERTY
  - 781 P. 63 - CONDO. DECLARATION
- PARCEL MAYBE SUBJECT TO RIGHTS OF OTHERS AS RECORD MAY APPEAR IN THE WESTPORT LAND RECORDS
- BUILDING SETBACK LINES SHOWN ASSUME 2 FRONT LINES AND NO REAR LINE.
- PROPERTY IS IN FEMA ZONE AE10, X SHADED AND X. PER FIRM 09001C0413G, REVISED TO JULY 8, 2013.

LEGEND

- CAE--- LIMIT OF CROSS ACCESS EASEMENT
- BHC--- LIMIT OF B.H.C. EASEMENT
- CLP--- LIMIT OF C.L.P. EASEMENT
- BSL--- BUILDING SETBACK LINE(SEE NOTE 11).
- FENCE
- OHW--- OVERHEAD SERVICE WIRES
- SD--- APPROXIMATE STORM DRAIN
- SS--- APPROXIMATE SANITARY SEWER
- W--- WATER PAINT LINE
- G--- GAS PAINT LINE
- E--- ELECTRICAL LINE
- T--- TELE/FIBER PAINT LINE
- SF SQUARE FEET
- AC ACRES
- ▭ CATCH BASIN
- DECIDUOUS TREE
- ELECTRIC BOX
- TELEPHONE BOX
- EXISTING IRON PIN/PIPE
- GV GAS VALVE
- LFP LAMP
- MH MANHOLE (CONC. OR METAL)
- UTILITY POLE
- SIGN
- WV WATER VALVE
- P/M PARKING METER
- M/MW MONITORING WELL
- BOLLARD

N/F BIRCHWOOD COUNTRY CLUB INC.

N/F LEXHAM RIVERSIDE LLC



LOT AREA COVERAGE WORKSHEET - ZONE RORD3

BASE LOT CALCULATION (All entries in square feet-- do not write in shaded areas)		EXISTING CONDITIONS
1.	GROSS LOT AREA	= 49810
2.	Above Ground Utility Easements	0 +
3.	Streets and Roads	0 +
4.	Other Exclusive Surface Easements	11 +
5.	TOTAL EASEMENTS AND ROADS (Sum of lines 2,3 and 4)	= 11
6.	Wetlands area	0 +
7.	Steep Slopes of 25% or greater	678 +
8.	TOTAL WETLAND AND STEEP SLOPES (Sum of line 6 & 7)	= 678
9.	Wetlands/Slopes reduction 0.80 x line 8	= 542
10.	BASE LOT AREA Lines 1, minus line 5 and line 9	= 49257
MAXIMUM LOT AREA COVERAGE CALCULATION		
11.	BASE LOT AREA (Copied from line 10, above)	49257
12.	Square feet of Total Coverage	28956
13.	Line 12 divided by line 11 for a percentage	58.8%
14.	Square feet of Building Coverage	10676
15.	Line 14 divided by line 11 for a percentage	21.7%

IF LINE 13 AND 15 ARE EQUAL TO OR LESS THAN THE PERCENTAGE FOR MAXIMUM PERMITTED BUILDING AND/OR TOTAL COVERAGE WITHIN THE ZONING DISTRICT, THE COVERAGE COMPLIES

### TREE SYMBOLS

- DECIDUOUS TREE
- EVERGREEN TREE
- FORMER TREE EXISTING TREE TRUNK

### LANDSCAPE PLAN

260 RIVERSIDE AVENUE  
WESTPORT, CONNECTICUT



SCALE 1"=20' SEPTEMBER 30, 2020

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

THIS MAP IS NOT VALID UNLESS EMBOSSED WITH THE SEAL OR AFFIXED WITH THE LIVE STAMP OF THE SIGNATORY.

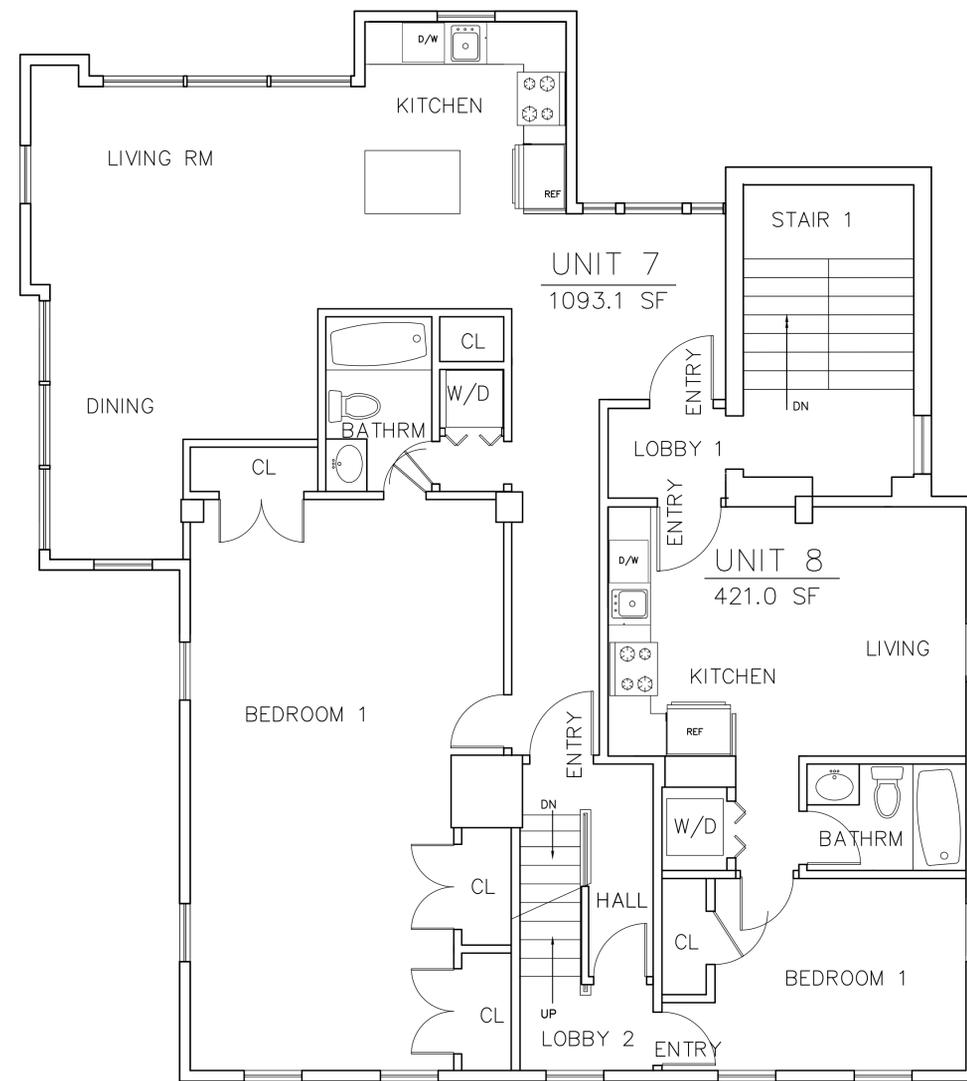
THE UNDERGROUND UTILITIES SHOWN, IF ANY, HAVE BEEN LOCATED FROM VISIBLE FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES HEREBY DECLARE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

**J. EDWARDS & ASSOCIATES, LLC**  
Engineering and Surveying  
227 Stepaney Road  
Easton, CT, 06612  
(203)-268-4205  
www.jedwardsassoc.com

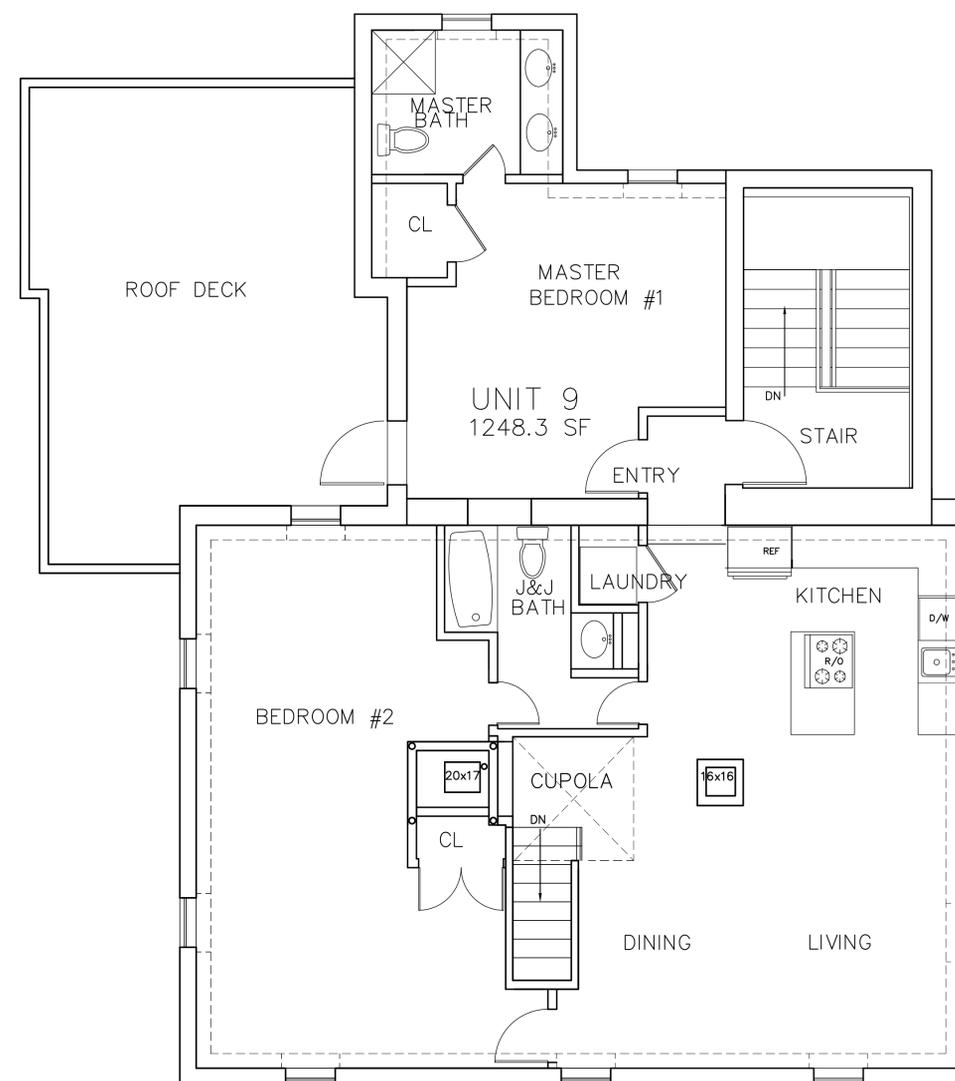
*J. Edwards*  
JASON EDWARDS, L.S. No. 70308

C.B.Y.D. 1-800-922-4455





SECOND FLOOR – PROPOSED



THIRD FLOOR – PROPOSED

# 260 PROPOSED SECOND FLOOR PLAN

1,848 TOTAL SF=  
=1,514.1 SF UNITS + 333.9 SF COMMON

# 260 PROPOSED THIRD FLOOR PLAN

1,501 TOTAL SF=  
=1,248.3 SF UNIT + 252.7 SF COMMON

FINISHES
NEW VINYL PLANK FLOORING FINISHES THROUGHOUT UNLESS NOTED OTHERWISE
NEW TILE ON FLOOR AND TUB/SHOWER IN BATHROOMS
NEW PAINTED GYPSUM BOARD WALLS & CEILINGS

UNIT COUNT & SF
<u>FIRST FLOOR</u>
UNIT 5 2 BR, 2 BATH 1005.2 SF (UNIT 5 IS AN AFFORDABLE UNIT) (UNIT 5 IS AN ACCESSIBLE UNIT)
UNIT 6 1 BR, 1 BATH 464.4 SF
<u>SECOND FLOOR</u>
UNIT 7 1 BR, 1 BATH 1093.1 SF
UNIT 8 1 BR, 1 BATH 421.0 SF
<u>THIRD FLOOR</u>
UNIT 9 2 BR, 2 BATH 1248.3 SF
4,232.0 SF GRAND TOTAL
AFFORDABLE UNIT SF PERCENTAGE 1005.2/4232.0 SF = 23.75%

JOB TITLE  
PROPOSED RESIDENTIAL  
DEVELOPMENT AT  
260 RIVERSIDE AVE., AKA 260  
WESTPORT, CT 06880

REVISIONS  
9-10-20  
9-14-20  
9-28-20

SEAL  
ACHILLES ARCHITECTS  
REGISTERED ARCHITECT  
NO. 10000  
STATE OF CONNECTICUT

Achilles Architects  
498 ANSON STREET  
(203) 259-5828  
BRIDGEPORT, CT 06606  
WACHILLES@AOL.COM FAX 259-5683

DRAWING TITLE  
BUILDING #260  
PROPOSED  
SECOND & THIRD  
FLOOR PLANS

DATE  
8-12-20

SCALE  
1/4"

JOB NO.  
2009

SHEET NO.  
A-2



LEFT ELEVATION  
260 RIVERSIDE AVE

NO CHANGES PROPOSED



FRONT ELEVATION — STREET  
260 RIVERSIDE AVE

JOB TITLE  
PROPOSED RESIDENTIAL  
DEVELOPMENT AT  
260 RIVERSIDE AVE., AKA 264  
WESTPORT, CT 06880

REVISIONS



SEAL  
**Achilles Architects**  
498 ANSON STREET BRIDGEPORT, CT 06606  
(203) 259-5828 WACHILLES@AOL.COM FAX 259-5683

DRAWING TITLE  
BUILDING #260  
PROPOSED  
ELEVATIONS  
— NO CHANGE

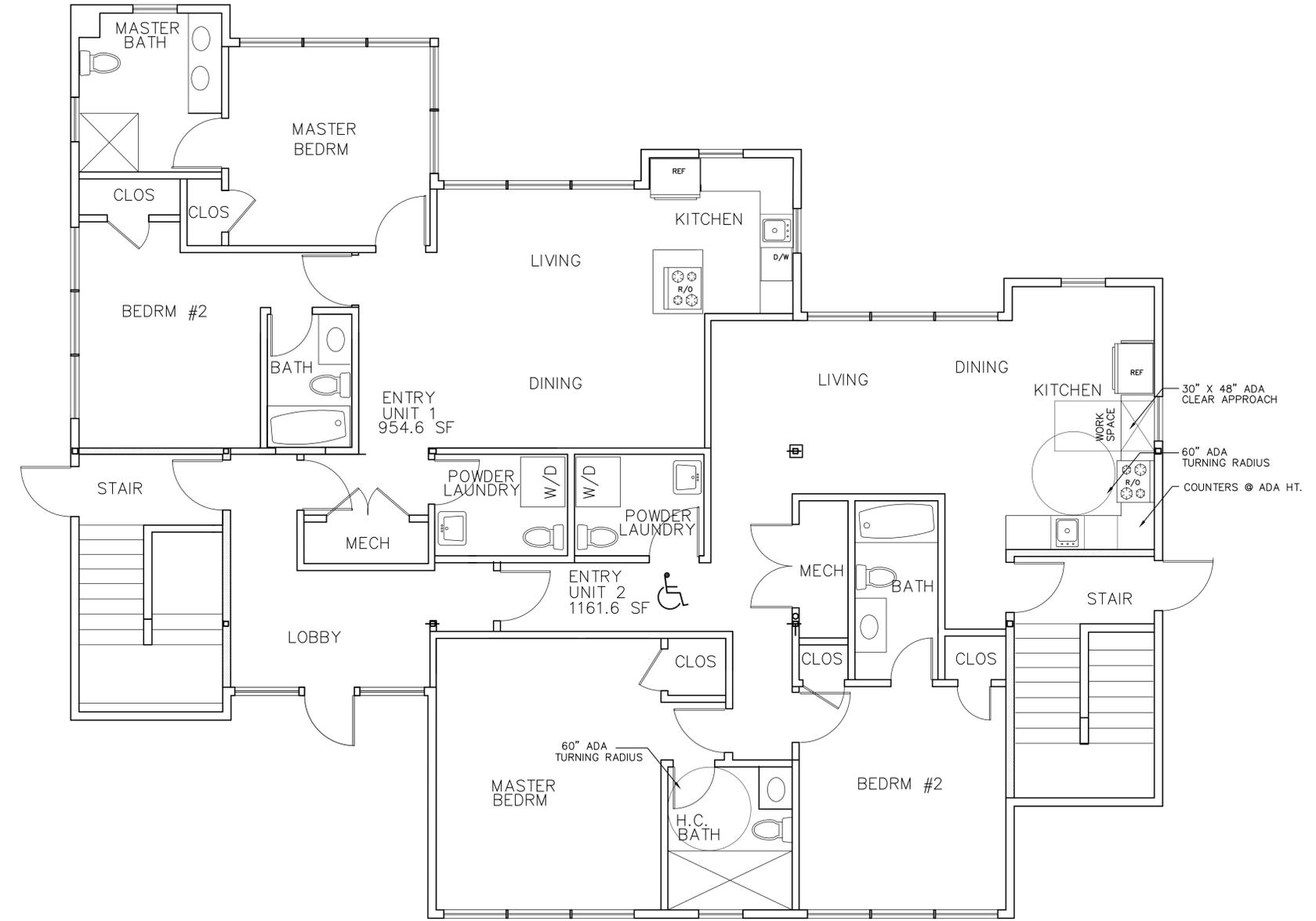
DATE  
8-12-20

SCALE  
1/4"

JOB NO.  
2009

SHEET NO.  
A-3





JOB TITLE  
 PROPOSED RESIDENTIAL  
 DEVELOPMENT AT  
 260 RIVERSIDE AVE., AKA 264  
 WESTPORT, CT 06880



SEAL  
 Achilles Architects  
 498 ANSON STREET BRIDGEPORT, CT 06606  
 (203) 259-5828 WACHILLES@AOL.COM FAX 259-5683

DRAWING TITLE  
 BUILDING #264  
 PROPOSED FIRST  
 FLOOR PLAN

DATE  
 8-12-20

SCALE  
 1/4"

JOB NO.  
 2009

SHEET NO.  
 A-5

FINISHES  
 NEW VINYL PLANK FLOORING  
 FINISHES THROUGHOUT UNLESS NOTED OTHERWISE  
 NEW TILE ON FLOOR AND TUB/SHOWER IN BATHROOMS  
 NEW PAINTED GYPSUM BOARD WALLS & CEILINGS

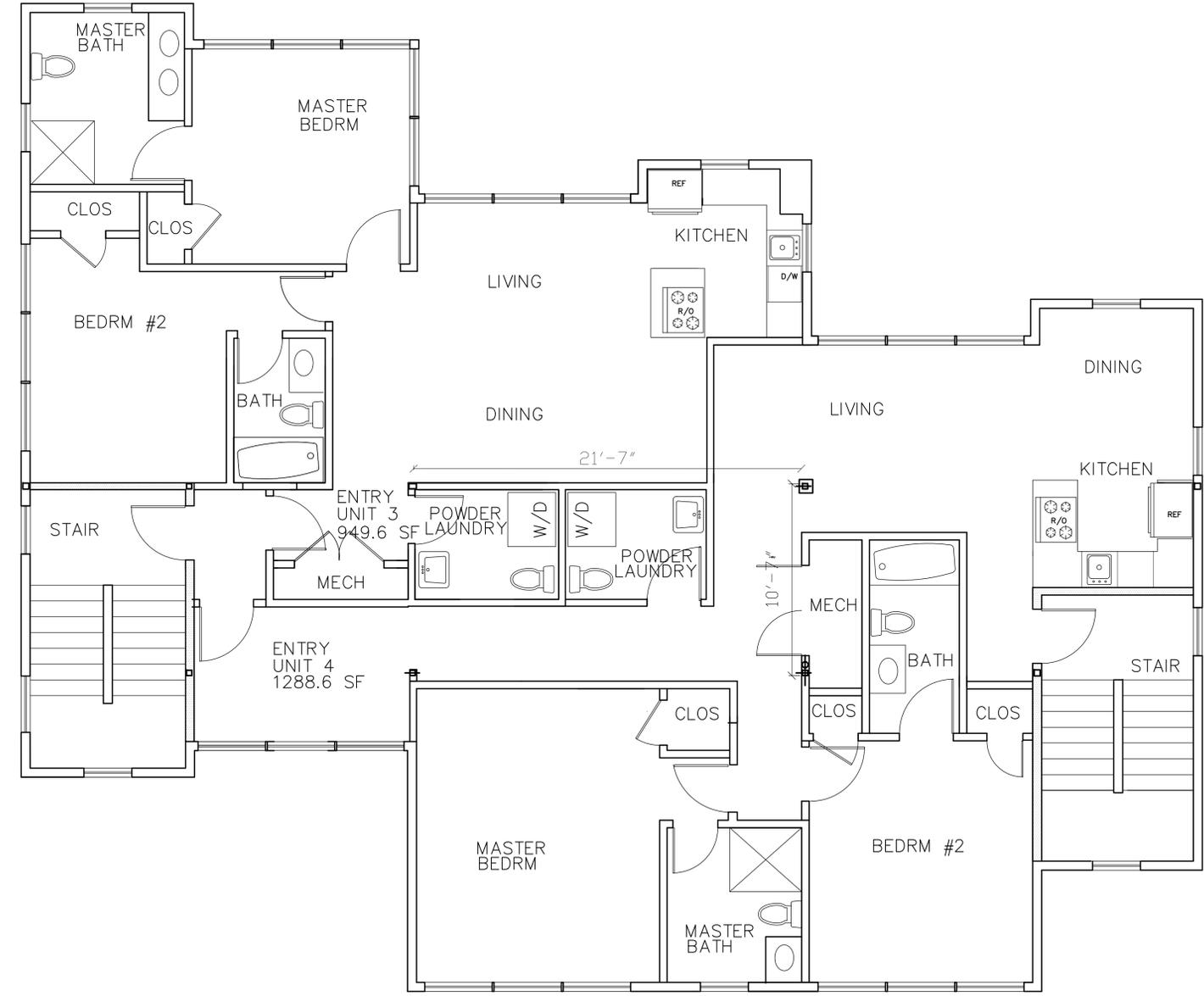
# 264 PROPOSED FIRST FLOOR PLAN  
 2,646 TOTAL SF=  
 =2,116.2 SF UNITS+529.8 SF COMMON

UNIT COUNT & SF

FIRST FLOOR  
 UNIT 1 2 BR, 2.5 BATH 954.6 SF  
 UNIT 2 2 BR, 2.5 BATH 1161.6 SF  
 (UNIT 2 IS AN AFFORDABLE UNIT)  
 (UNIT 2 IS HANDICAP ACCESSIBLE)

SECOND FLOOR  
 UNIT 3 2 BR, 2.5 BATH 949.6 SF  
 UNIT 4 2 BR, 2.5 BATH 1288.6 SF  
 4354.4 SF TOTAL

AFFORDABLE UNIT SF PERCENTAGE  
 1161.6/4354.4 SF = 26.68%



## # 264 PROPOSED SECOND FLOOR PLAN

2,646 TOTAL SF=  
=2,238.2 SF UNITS + 407.8 SF COMMON

FINISHES

NEW VINYL PLANK FLOORING  
FINISHES THROUGHOUT UNLESS NOTED OTHERWISE

NEW TILE ON FLOOR AND TUB/SHOWER IN BATHROOMS

NEW PAINTED GYPSUM BOARD WALLS & CEILINGS

UNIT COUNT & SF	
<u>FIRST FLOOR</u>	
UNIT 1	2 BR, 2.5 BATH 954.6 SF
UNIT 2	2 BR, 2.5 BATH 1161.6 SF (UNIT 2 IS AN AFFORDABLE UNIT) (UNIT 2 IS HANDICAP ACCESSIBLE)
<u>SECOND FLOOR</u>	
UNIT 3	2 BR, 2.5 BATH 949.6 SF
UNIT 4	2 BR, 2.5 BATH 1288.6 SF
4354.4 SF TOTAL	
AFFORDABLE UNIT SF PERCENTAGE 1161.6/4354.4 SF = 26.68%	

JOB TITLE  
 PROPOSED RESIDENTIAL  
 DEVELOPMENT AT  
 260 RIVERSIDE AVE., AKA 264  
 WESTPORT, CT 06880



SEAL  
 Achilles Architects  
 498 ANSON STREET BRIDGEPORT, CT 06606  
 (203) 259-5828 WACHILLES@AOL.COM FAX 259-5683

DRAWING TITLE  
 BUILDING #264  
 PROPOSED SECOND  
 FLOOR PLAN

DATE  
8-12-20

SCALE  
1/4"

JOB NO.  
2009

SHEET NO.  
A-6



NO CHANGES PROPOSED



LEFT ELEVATION  
264 RIVERSIDE AVE



SECOND FL

FIRST FL

FRONT ELEVATION — STREET  
264 RIVERSIDE AVE

JOB TITLE  
PROPOSED RESIDENTIAL  
DEVELOPMENT AT  
260 RIVERSIDE AVE., AKA 264  
WESTPORT, CT 06880

REVISIONS



SEAL  
**Achilles Architects**  
498 ANSON STREET BRIDGEPORT, CT 06606  
(203) 259-5828 WACHILLES@AOL.COM FAX 259-5683

DRAWING TITLE  
BUILDING #264  
PROPOSED  
ELEVATIONS  
— NO CHANGE

DATE  
8-12-20

SCALE  
1/4"

JOB NO.  
2009

SHEET NO.  
A-7



RIGHT ELEVATION  
264 RIVERSIDE AVE

NO CHANGES PROPOSED



REAR ELEVATION  
264 RIVERSIDE AVE

JOB TITLE  
PROPOSED RESIDENTIAL  
DEVELOPMENT AT  
260 RIVERSIDE AVE., AKA 264  
WESTPORT, CT 06880

REVISIONS

SEAL

Achilles Architects  
498 ANSON STREET BRIDGEPORT, CT 06606  
(203) 259-5828 WACHILLES@AOL.COM FAX 259-5683

DRAWING TITLE  
BUILDING #264  
PROPOSED  
ELEVATIONS  
- NO CHANGE

DATE  
8-12-20

SCALE  
1/4"

JOB NO.  
2009

SHEET NO.  
A-8

# 260 Riverside Ave FAR

## Calculations

Revised thru 9-28-20

Building		SQ FT
Building 1		2,922.0
Building 3		2,914.0
Building 5		2368.0
260		4,191.8
<u>264</u>		<u>4,130.4</u>
TOTALS		16,526.2
FAR	$16,526.2 / 49,810 = 33.17 \% \text{ FAR}$	

September 29, 2020

Mr. Alexander Gurevich  
Riverside Holdings, LLC  
268 Post Road  
Fairfield, Connecticut 06824

**Subject           Traffic Evaluation – Office to Residential Conversion – 260 Riverside Avenue,  
Westport, Connecticut**

Dear Mr. Gurevich:

As requested, we are pleased to submit this Traffic Evaluation Letter for submission to the Town of Westport for the proposed conversion of the existing commercial buildings to nine residential units. The following sections describe existing roadways, site access, a comparison of site traffic generation and benefits of converting the existing development from office to residential use.

### **Project Understanding**

The developed site is located at the intersection of Riverside Avenue at Sylvan Lane. The proposal is to convert the existing 10,489 square feet of office space to nine residential units located in the front of the site. Access to the site will be maintained, without any modifications to the Sylvan Lane and Riverside Avenue access drives. Access to Sylvan Lane will be maintained as a two-way, right in/right out only since Sylvan Lane is a one-way eastbound roadway. The access drive directly to Riverside Avenue will remain an entrance only.

For purposes of preparing this Traffic Evaluation it is assumed this development will be approved by the Town, renovations and modifications will be completed and full occupancy will occur by the end of 2021. The rear residential units located in the site will remain and share the existing access drives.

### **Roadways**

This site fronts Riverside Avenue, which is designated State Route 33. It is north-south, two-lane, roadway maintained by the Connecticut Department of Transportation (CTDOT). The posted speed limit is 30 miles per hour along the site frontage and decreases to 25 miles per hour north of the Sylvan Lane intersection. Along the site frontage this roadway provides a double yellow centerline and painted shoulder lines providing an eight-foot wide shoulder for both northbound and southbound movements. The travel lanes are approximately 12 feet in width. Curbs and

sidewalks are provided along both sides of the road in the vicinity of the site. A one hour parking limit is permitted along the site frontage on both sides of Riverside Avenue. Other areas prohibit on-street parking.

Sylvan Lane is Town controlled, one-way, roadway along the site frontage. The intersection approach to Riverside Avenue is controlled with a STOP sign and provides one lane for right turn movements and one lane for left turn movements.

Sylvan Lane is a short connecting road beginning at Riverside Avenue and terminating to the immediate east at Sylvan Road South. To the west of the Sylvan Lane intersection Sylvan Road South is a two-lane, Town-maintained roadway. However, the section of Sylvan Road South, between Sylvan Lane and Riverside Avenue is a one-way, one-lane, roadway for westbound movements from the Riverside Avenue intersection.

At the Riverside Avenue intersection the State modified pavement markings as part of the repaving of Riverside Avenue to provide a northbound left lane and one through lane for northbound movements. Southbound movements are in one-lane. Wide paved shoulders are provided along Riverside Avenue along the site frontage and through the Sylvan Road South intersection and permit on-street parking. The posed speed limit on Sylvan Lane and Sylvan Road South is 25 miles per hour.

The Sylvan Lane section along the site frontage does not provide a curb or sidewalks along the site side; however, has an asphalt curb located between the travel lane and the private parking area located along the northerly side of this roadway and opposite the site frontage. However, there is a sidewalk from the site driveway to the intersection of Riverside Avenue. The site driveway is limited to right turn movements through traffic control signing and a raised center median on the site driveway indicating right turn movements. Refer to the attached photographs.

### **Comparison and Estimation of Site-Generated Traffic**

The existing site comprises 10,489 square feet of office use, plus existing residential units in the rear buildings. Based on trip generation rates provided by the Institute of Transportation Engineers (ITE) and published in "Trip Generation," 10<sup>th</sup> Edition, 2017, a commercial development of this type and size is estimated to generated 12 vehicle trip ends during the weekday morning and weekday afternoon peak hours.

For comparison purposes 9 residential units in a low-rise development and using the same ITE publication noted above, it is estimated to generate 5 and 7 vehicle trip ends during the weekday morning and weekday afternoon peak hours, respectively. Therefore, a comparison between the previous/current office use and the proposed residential use will have a net decrease in site traffic

of 7 and 5 vehicle trip ends during the weekday morning and weekday afternoon peak hours, respectively. Refer to attached Table 1.

### **Site Access Provisions**

Access to the site will be maintained via the two-lane, two-way, access drive to Sylvan Lane. The right turn in/right turn out movements will be maintained, since Sylvan Lane is one-way for eastbound movements between Sylvan Road South and Riverside Avenue. Access directly to Riverside Avenue from within the site parking area and located along the southerly property line will be maintained as an entrance only.

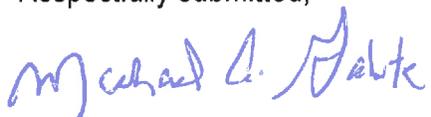
### **Findings**

As indicated above, the level of site traffic generation will decrease significantly, with the conversion of an office use to a residential use. Based on the reduction in site traffic, there will be a reduction in potential impacts to area roadways. The current roadway configuration, traffic control and pavement markings can be maintained without any modification since traffic levels will decrease and there will be no increase in potential impacts or need for modifications.

\*\*\*\*\*

We trust this Traffic Evaluation provides the Town with sufficient evidence that the conversion of this development from office to residential will not have any significant impacts and not require any modifications to traffic control or pavement markings at the existing site driveways.

Respectfully submitted,



**Michael A. Galante**  
**Director of Traffic**  
**Hardesty & Hanover, LLC**

Table 1  
 SITE TRAFFIC GENERATION COMPARISON – PEAK HOURS  
 Office to Residential Conversion  
 260 Riverside Avenue  
 Westport, Connecticut

LAND USE	INTENSITY	TRAFFIC DIRECTION	VEHICLE TRIP ENDS	
			Weekday Morning	Weekday Afternoon
1. Existing General Office	10,489 S.F.	Enter	10	2
		Exit	<u>2</u>	<u>10</u>
		Total	12	12
2. Proposed Multi-Family Housing (Low-Rise)	9 Dwelling Units	Enter	1	4
		Exit	<u>4</u>	<u>3</u>
		Total	5	7
Net Difference (2-1)		Enter	-9	2
		Exit	<u>2</u>	<u>-7</u>
		Total	-7	-5

Sources: "Trip Generation," 10th Edition, published by the Institute of Transportation Engineers (ITE), 2017, using:

1. General Office Building, Land Use Code #710 Average Rates.
2. Multi-Family Housing (Low-Rise), Land Use Code #220 Fitted Curve Equation.

Frederick P. Clark Associates/Hardesty & Hanover, LLC

Y:\Shared\Offices\NYR\Traffic\2010-11\F4971.00 260 Riverside Ave Westport\Word\20-001.stc.doc  
 9/28/20



At Site Drive Facing Riverside Avenue



Riverside Avenue at Sylvan Lane

September 28, 2020

**FREDERICK P. CLARK** / Hardesty  
ASSOCIATES / & Hanover

File: \\EgnyteDrive\hardesty\Shared\Offices\NYR\Traffic\2010-11\F4971.00 260 Riverside Ave Westport\Word\TrafficPhotos.doc

**Exhibit 1**



Riverside Avenue to the North of Sylvan Lane



Sylvan Lane at Site Drive

September 28, 2020

**FREDERICK P. CLARK** / Hardesty  
ASSOCIATES / & Hanover

File: \\EgnyteDrive\hardesty\Shared\Offices\NYR\Traffic\2010-11\F4971.00 260 Riverside Ave Westport\Word\TrafficPhotos.doc

**Exhibit 2**



Site Driveway to Sylvan Lane

September 28, 2020

**FREDERICK P. CLARK** / Hardesty  
ASSOCIATES / & Hanover

File: \\EgnyteDrive\hardesty\Shared\Offices\NYR\Traffic\2010-11\F4971.00 260 Riverside Ave Westport\Word\TrafficPhotos.doc

**Exhibit 3**

Cindy:

I have not reviewed Plans in advance. Part of my review is confirming that the Plan meets the P&Z's requirements set forth in their resolution (as well as the state law and the applicable zoning regulations). I would want to do a thorough review after the P&Z takes the action that requires the Plan.

That said, I quickly reviewed it and noticed:

- Yes, the Plan should reference the resolution that required it.
- There needs to be a definition of the term "Owner."
- The references to "Affordable Home" sometimes are singular and sometimes are plural.
- The Introduction says in the first paragraph that the community has 4 rental apartment units, but the second paragraph says that 22%, "specifically two (2) dwellings of 9 total units" will be designated affordable.
- The deed restriction language will need to be changed in the second paragraph and in Schedule D, to comply with the regulation.
- I noticed that they did not include a diagram showing where the affordable units will be located, which we generally require.
- It appears that they used the 1141 PRE affordability plan as a model, which had 2 off-site affordable houses. In that case, the P&Z required that upon a change of ownership, the Town has the right to buy the affordable houses. The last paragraph of the 260 Riverside Plan also has a \$1 buy-out right in the event the Owner is dissolved. Is this intended? Will the property even be subdivided so that the Affordable Homes could even be bought separately from the other buildings on the premises?

I reserve the right to have more comments after I see the resolution, but I thought the attorney may want to review the Plan again.

Thanks,  
Eileen



# WESTPORT, CONNECTICUT

DEPARTMENT OF PUBLIC WORKS  
TOWN HALL, 110 MYRTLE AVENUE  
WESTPORT, CONNECTICUT 06880  
(203) 341 1120

## MEMORANDUM

**Date:** 10/01/2020

**To:** Planning & Zoning Commission

**From:** Edward Gill, Engineer II

**Re:** 260 Riverside Avenue, PZ-20-00570

### Reference Materials Reviewed:

- Site Plan / Special Permit Application, no date.
- Narrative prepared by Achilles Architects dated 08/12/2020 as revised to 09/14/2020.
- Survey prepared by J. Edwards & Associates, LLC entitled "Existing Conditions Survey, 260 Riverside Avenue, Westport, Connecticut," dated 01/27/2020.
- Plans prepared by Achilles Architects entitled "Proposed Residential Development at 260 Riverside Ave., AKA 260, Westport, CT 06880," dated 08/12/2020 as revised to 09/14/2020.
- Sidewalk Violation Notice prepared by Rafael J. Ramos entitled "Sidewalk Deterioration, 260 Riverside Avenue, Assessor Map #Co8, Tax Lot # 002/000," dated 08/21/2020.

Dear Planning & Zoning Commission:

Our office has reviewed the proposed activity as depicted by the above referenced documents. Based on these criteria, we offer the following comments:

1. **Project Description.** The applicant is proposing renovate two existing commercial buildings and convert them to residential use.
2. **Board of Selectman/WPCA.** The conversion of use from commercial to residential will require approval from the Westport WPCA prior to the issuance of a Zoning Permit.

With respect to the referenced materials, we offer the following comments:

1. **Sidewalks.** The owners of 260 Riverside Avenue have entered into a contract and obtained a Road Opening Permit for reconstructing adjoining sidewalks. This work must be completed in accordance with Town Standards prior to obtaining a Zoning Certificate of Compliance.

Per this review, the application is substantially complete and requires no further submissions. While the granting of this approval is at the discretion of the Commission, we find no issues in our review which would preclude taking such action.

Please contact me should you have any questions regarding the above items.

Thank you,

A handwritten signature in blue ink, appearing to read "Edward Gill", is centered on the page. The signature is written in a cursive style with a blue ink pen.

Edward Gill,  
Engineering Department



DEPARTMENT OF FIRE SERVICES  
**Fire Marshals Office (203) 341-5020**  
**Fax (203) 341-5009**  
**Nathaniel Gibbons, Fire Marshal**

September 29, 2020

Cindy Tyminski, AICP, Deputy Director  
Planning and Zoning Department  
Town of Westport  
110 Myrtle Avenue  
Westport, CT 06880

**Subject: Occupancy Change at 260 Riverside Ave.**

Dear Cindy:

This office has received and reviewed the application to convert 2 buildings at 260 Riverside Ave. from business to residential occupancy and has the following comments:

Adopted Standard: CSFSC 2018 Part III, Sec. 102.1

Proposed Occupancy Classification: Residential Group R-2 Apartment Houses

Requirements:

The conversion of 260 Riverside Avenue from a business occupancy to R-2 Apartment Buildings shall comply with all requirements of the CFSFC Part III, including installation of required fire sprinklers, fire alarms, fire-rated separations of common areas and all other requirements of the current fire code in effect.

Please call if you have any questions.

Nathaniel Gibbons  
Fire Marshal