

Agenda Item Summary

Date: June 26, 2007

To: Honorable Mayor and Members of the Town Council

Prepared By: Eric Barz, Town Planner

Reviewed By: Peter Souza, Town Manager

Subject: Minor Amendment to the 2004 Plan of Conservation and Development

Background

On June 13, 1995, the Town Planning and Zoning Commission (TPZC) approved a minor amendment to the 1991 Plan of Development (1991 POD), to modify the Windsor Center Plan (page 71), incorporating 6 Spring Street into the area designated as "Fringe Area". An application for a change in non-conforming use accompanied the amendment in order to replace a boarding house on the property with an upholstery business. According to the 1991 POD (page 74), the purpose of the Fringe Area is to:

- 1) serve as a gateway into Windsor Center;
- 2) encourage the reuse of existing commercial establishments with low intensity uses,
- 3) avoid strip development; and
- 4) improve the overall aesthetics through landscaping and building design.

For reasons unknown, the upholstery business never moved to the site and when the current 2004 Plan of Conservation and Development (2004 POCD) was adopted, the Windsor Center Plan forwarded to Planimetrics for inclusion in the POCD did not reflect the 1995 amendment, effectively reversing the TPZC's earlier decision. The property has subsequently been purchased by Jim Walsh who wishes to operate a professional office on the site but absent the Fringe Area designation, the R-8 residential zoning of the property would require Mr. Walsh to live on the premises in order to operate a professional office. The inclusion in the Fringe Area would eliminate that requirement and allow a professional office by Special Use Permit.

Discussion/Analysis

Mr. Walsh seeks to remedy what he perceives to be an oversight by the TPZC in not including 6 Spring Street in the Fringe Area. It is not clear whether staff made a conscious decision, based on the failure of the upholstery business to relocate to 6 Spring Street, not to include it in the Fringe Area in 2004. As the consultant developing the 2004 POCD, I cannot recall any discussions regarding this property when the Windsor Center Plan was entered into the geographic information system (GIS) and updated for inclusion in the POCD.

Given that:

- 1) the 2004 POCD is only an advisory document;
- 2) the change back to the Fringe Area designation will not alter the R-8 residential zoning of the property;
- 3) a Special Use Permit will still be required to add a professional office without a residency requirement; and

4) the TPZC previously approved a similar change, knowing that a more intensive upholstery business would be permitted;
Staff sees no serious negative connotations to this change.

Other Board Action

The Connecticut General Statutes concerning POCD were recently amended to ensure that POCDs get adequate public exposure prior to adoption. The current requirements with respect to the Town Council are as follows:

CGS §8-23 f (2) At least sixty-five days prior to the public hearing on adoption, the commission shall submit a copy of such plan or part thereof or amendment thereto for review and comment to the legislative body or, in the case of a municipality for which the legislative body of the municipality is a town meeting or representative town meeting, to the board of selectmen. The legislative body or board of selectmen, as the case may be, may hold one or more public hearings on the plan and shall endorse or reject such entire plan or part thereof or amendment and may submit comments and recommended changes to the commission. The commission may render a decision on the plan without the report of such body or board.

Recommendations

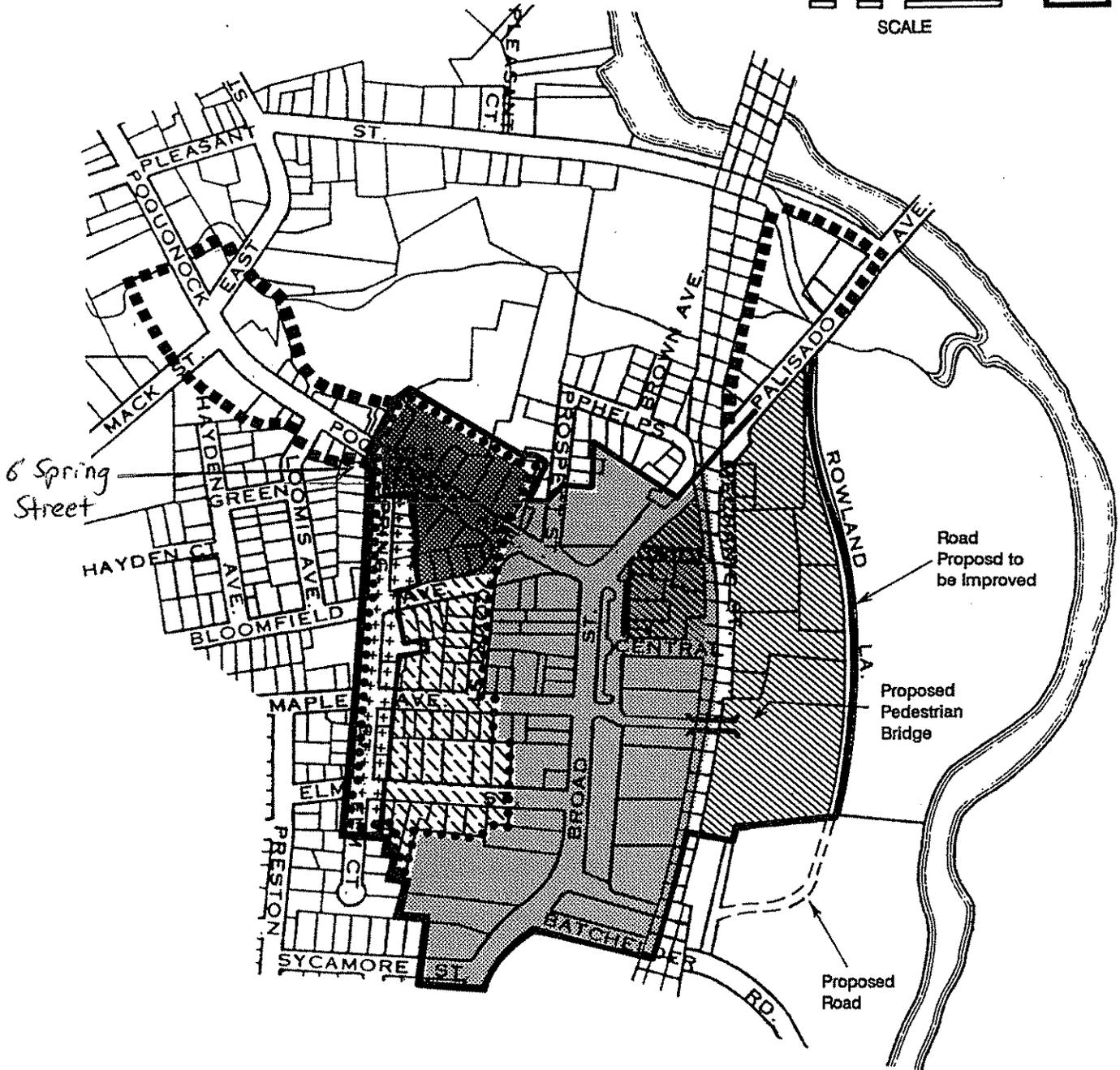
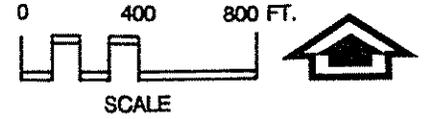
Staff would recommend endorsing the proposed amendment as being in keeping with the intent of the 2004 POCD and correcting a possible oversight in reversing the TPZC's prior amendment to the 1991 POD.

Attachments

1991 POD Windsor Center Plan
2004 POCD Windsor Center Plan
Proposed amended 2004 Windsor Center Plan
Excerpt from 1991 POD
Excerpt from 2004 POCD
Excerpt from the June 13, 1995 TPZC Minutes

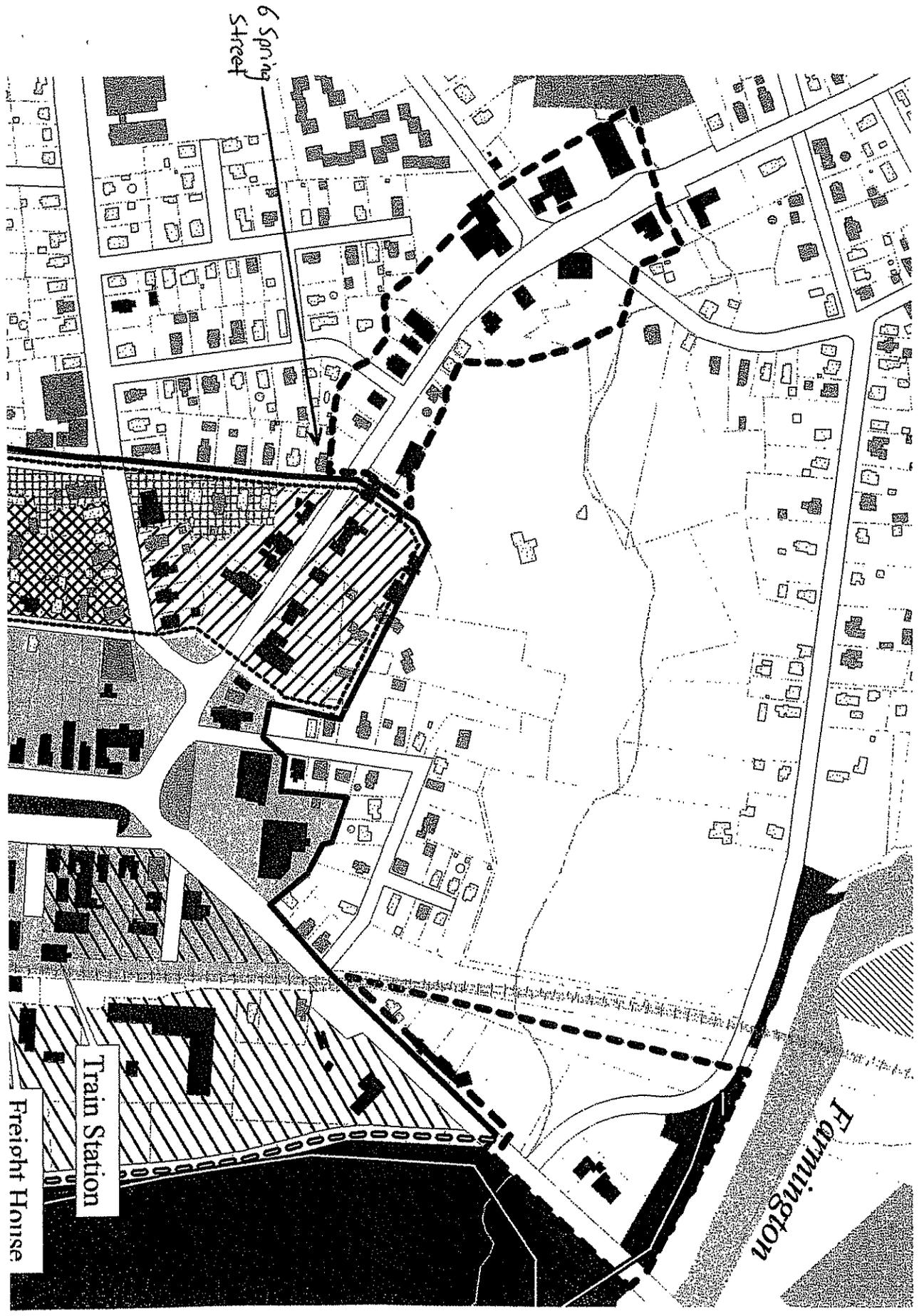
1991 WINDSOR CENTER PLAN

MAP VII-1



LEGEND	TRANSITIONAL DISTRICT	CONTROLLED BUSINESS
CENTER	BUSINESS / OFFICE	REDEVELOPMENT
CORE	OFFICE / RESIDENTIAL	FRINGE AREA

2004 Windsor Center Plan (currently adopted)



RECEIVED

MAR 02 2007

Amnd to POCD
6 Spring St.



First in Connecticut. First for its citizens.

TOWN OF WINDSOR
PLANNING DEPT.

Application for an
Amendment to the Town Plan
of Development

Town Planning and Zoning Commission

Your Name (If more than one applicant, list on a separate sheet) Your Phone #
JAMES G. WALSH 860-922-8222

Your Address
9 Taylor Ct. Windsor

Are You the..... Owner Optionee Buyer Agent Other
If Other please explain

Owner's Name (If other than applicant) Owner's Phone #

Owner's Address

Address of Parcel(s) involved(if any)
6 Spring St. Windsor

Describe proposed change
To re-instate property - parcel into the Fringe area of Windsor Center, shown in the Windsor Center plan - previously app. SEE MINUTES ATTACHED TPZC 6-13-95 Pages 5 & 6

Applicable chapters or section of Town Plan of Development: Chapter 9 Windsor Center Plan 9-7

How will this amendment affect the existing Plan of Development?
IT will expand to include one more property into the Fringe & add for future service & bring more people to visit center of town.

Feel free to attach any additional comments or pertinent information to describe this change.

See Attached
[Signature] 3-2-7
Your Signature Date

Owner Signature Date

Town Planning and Zoning Commission.

Subject: correct the Windsor Center Plan of Development Map to reflect the approval dated 6-13-1995 for 6 Spring Street to be added to the fringe area.

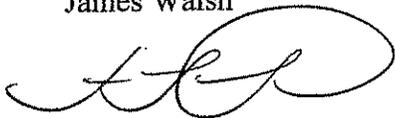
The 1993 map of the plan of development for the Windsor center area was not corrected when reproduced in 2004 to reflect the approval dated 6-13-1995 to include 6 Spring Street into the fringe area and I request the correction be made as of now to reflect that approval.

Attached are maps of the Windsor Center Plan of Development for 1993 and most recent map in 2004. When the map was reproduced and the plan was revisited for changes in 2004 the TPZ approval of 6 Spring Street in June of 1995 to be added to the fringe area clearly was over looked when reproducing the map in 2004. The other documents supporting this approval in June of 1995 attached include staff comments at the time, approval letter and the applicants request for the change. Notes of significance are from the former town planner and states "depth of fringe area to the north of Spring Street is inadequate at that corner to provide any meaningful development. Therefore, the relocation of the line to include the next property would seem to be a logical move to accommodate any potential future development." In addition are comments from members of the commission at the time that voted to approve the change.

6 Spring Street is an 1890's Victorian and is one of five multi-families out of 6 houses on the west side of Spring Street and is approximately 20 feet from the corner of Poquonock Avenue. The Victorian is a very attractive home and would be well suited for professional use. We have seen older homes in the center transformed and maintain and brought back to life when used as office space and retail shops and 6 spring street suits this same opportunity and was recognized for that back in 1995 when it was approved for the change. Please do not hesitate to correct the maps to reflect this property to be included in the fringe.

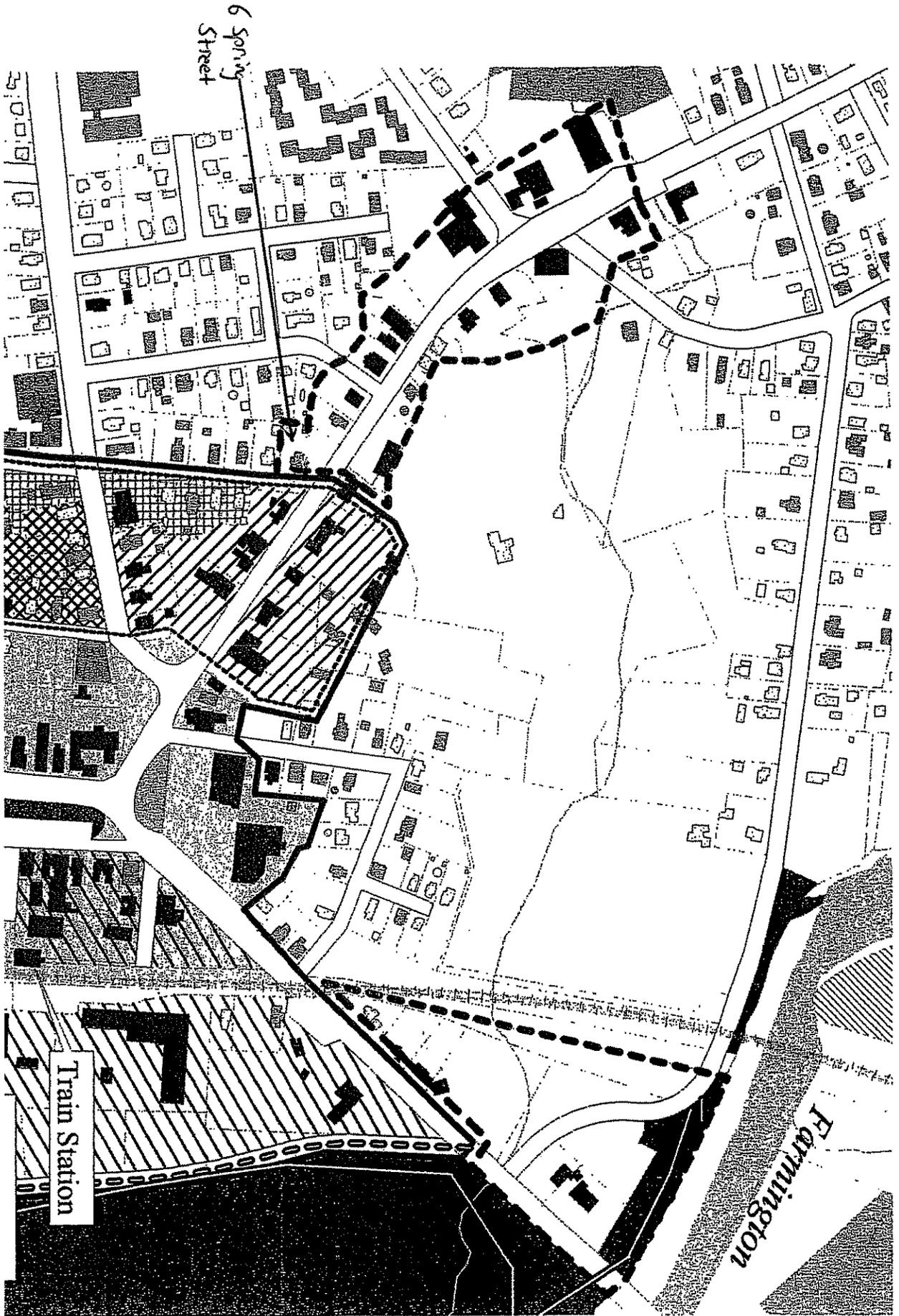
Regards,

James Walsh



3-2-7

2004 Windsor Center Plan (proposed)



- (1) Adaptive re-use and preservation of historic structures, such as those located on Broad Street.
- (2) Buffering of residential from higher intensity uses and transportation routes utilizing the following techniques: landscaping; maximizing distances; and the orientation of exterior openings (windows, doors) away from major streets and the railroad tracks and/or the use of sound insulating construction.
- (3) Provision for adequate parking facilities.
- (4) Separation of vehicular and pedestrian circulation.
- (5) Provision for open space and amenities such as benches, landscaping and civic sculptures.
- (6) Aesthetic unification through the use of such elements as brick paving, decorative street lighting, landscaping, tasteful signage and wrought iron fencing.

d. Fringe Areas - There are two commercial Fringe areas located adjacent to the Center (see Map VII-1). One is along Palisado Avenue, northeast of the Center between the railroad and the Farmington River. The other is located along Poquonock Avenue from Spring Street to Mill Brook. These two areas are gateways to the Center. Therefore, it is important to initiate and maintain good development standards in these locations and to avoid strip commercial development. These areas are different from the Transitional District in that their existing land uses and zoning are primarily commercial.

Because these two Fringe areas lie along State arterials carrying relatively high traffic volumes, large trip generators should be discouraged here. Low traffic impact uses, such as personal services, professional offices and small retail shops should be encouraged. Attempts should be made to improve overall aesthetics in these areas through landscaping and building design. Where appropriate, existing structures should be renovated and reused. When additional off-street parking is provided in these areas, it should be well screened and located to the side and rear of the building which it serves.

In the Palisado Avenue Fringe area, the Farmington River and the potential for enhanced recreational opportunities afforded as a result of the relocation of Pleasant Street, should be a consideration for any development. (See Chapter IX, Recreation and Open Space.)

Area	Description	Recommendations
Core Area	<ul style="list-style-type: none"> • Most intensely used B-2 and NZ zoned area • Contains diverse and historic architecture • Contains unifying elements such as brick pavers lighting and shared parking to the rear of buildings 	<ul style="list-style-type: none"> • Continue to encourage office, retail and second floor residential use • Areas adjacent to the multi-modal transportation center warrant more intensive redevelopment • Consider replacing Center Design District regulations with Village District regulations to exercise the greatest control over development in this area
Transitional Area	<ul style="list-style-type: none"> • Serves as a transition between intensive uses of the Core and strictly residential areas south of Elm Street and west of Spring Street • The Transition Area is divided into three distinct areas 	<ul style="list-style-type: none"> • See recommendations for sub-areas below
Business/Office Transition Area	<ul style="list-style-type: none"> • Zoned predominantly R-8 and R-11 • Many single and two family homes already converted to offices and multi-family dwellings 	<ul style="list-style-type: none"> • Consider allowing conversion of residential structures to office, low intensity retail and personal service uses while retaining at least one residential unit, especially where off-street parking is critical
Office/Residential Transition Area	<ul style="list-style-type: none"> • Similar in character to Business/Office Transition Area but directly interfaces with strictly residential areas, warranting tighter control. 	<ul style="list-style-type: none"> • Conversions limited strictly to professional offices • Retention of at least one residential unit more critical
Controlled Business Transition Area	<ul style="list-style-type: none"> • Zoned predominantly B-2 • Contains retail, office and limited residential uses • Less interface with single-family residences 	<ul style="list-style-type: none"> • Consider Village District regulations to exercise the greatest control over development in this area • Encourage small office and retail uses • Avoid strip commercial development • Employ unifying elements to tie area to the Core
Redevelopment Areas	<ul style="list-style-type: none"> • Areas that are underutilized or contain buildings and/or uses that are not compatible with high-quality development standards for the Core • Redevelopment in these areas will allow expansion of the core away from stable residential areas 	<ul style="list-style-type: none"> • Consider Village District regulations to protect the historic integrity of buildings in this area • Buffer residential uses from higher intensity uses and transportation facilities • Provide adequate parking and safe pedestrian access • Employ unifying elements to the area to the Core • Provide alternative pedestrian access across RR tracks • Connect Mechanic Street with Palisado Avenue via Rowland Lane
Fringe Areas	<ul style="list-style-type: none"> • Considered gateways to Windsor Center • Primarily commercial uses • Located on State arterial roads 	<ul style="list-style-type: none"> • Discourage high-traffic generators • Encourage low-intensity office, retail and personal service uses • Improve aesthetics through landscape and building design • Existing structures should be reused • Parking should be located to building side or rear