

Oak Hills Park Authority
AGENDA
FOR SPECIAL MEETING ON
Thursday, October 7, 2021 at 7:15 p.m.

Virtual meeting via City of Norwalk's Zoom Platform and live on YouTube. Attendees will receive an invite directly from City of Norwalk.

1. Call to Order
2. Vote to approve repairs to damage on cart path at hole 6.
3. Vote to approve the application for a text change to zoning regarding the restaurant.
4. Adjournment

NEXT AUTHORITY MEETING – Thursday, 21 October 2021

NORWALK ZONING COMMISSION
125 East Avenue
Norwalk, Connecticut



MEMORANDUM

September 28, 2021

TO: Zoning Commission - Louis Schulman, Chairman
FROM: Bryan Baker, Principal Planner
RE: #2021-37 R – Oak Hills Park Authority – 165 Fillow Street – Text amendment to remove “full-service” from the restaurant use for Oak Hills Golf Course

APPLICANT/OWNERS NAME/ADDRESS: Oak Hills Park Authority

PROPERTY ADDRESS/DBL: 165 Fillow Street/1 Charles Marshall Drive

ZONING: AAA Residence

LOT AREA: 142 acres

EXISTING CONDITIONS: Oak Hills Golf Course is a public eighteen-hole golf course which includes what is now a “full-service, all-season restaurant” use. The restaurant use is permitted by special permit in the AAA Residence Zone under the following use: “A full-service, all-season restaurant shall be permitted in a public park having one hundred twenty-five (125) acres or more and which has a standard eighteen-hole golf course by Special Permit.” The current tenant of the restaurant is “Dry Dock’s Smokin’ Aces” who have recently done some interior renovations to the restaurant, including some work without permits such as the construction of an approximately 26’ long bar. As currently defined in the Zoning Regulations, a “full-service restaurant” may have one bar, but the length of the bar cannot exceed 15’ in length.

Therefore, in order to resolve the issue of the bar being too long, the applicant was presented with three solutions which were to 1) shorten the length of the bar, 2) apply for a variance to exceed the maximum bar length or 3) apply for a text amendment to remove the phrase “full-service” from the allowed use thus removing the applicability of the maximum 15’ bar length to this property, enabling the applicant to obtain a zoning and building permit and open the restaurant.

#2021-37 R – Oak Hills Park Authority – 165 Fillow Street/1 Charles Marshall Drive – Text amendment to remove “full-service” from the restaurant use for Oak Hills Golf Course

The proposed text amendment request to modify ARTICLE 30, Use Regulations Controlling Residence Zones, Section 118-310. AAA Residence Zone removes the phrase “full-service” for the restaurant use permitted in association with Oak Hills Golf Course. The amended text is provided below with deletions represented in red text with a strike through.

118-310 B.(2)(h)

- (h) An ~~full-service~~, all-season restaurant shall be permitted in a public park having one hundred twenty-five (125) acres or more and which has a standard eighteen-hole golf course by Special Permit.
[Added effective 12-28-1984]

STAFF COMMENTS: The special permit use of a “full-service, all-season restaurant” was added effective 12-28-1984, but the term “full-service restaurant” was not defined in the regulations until 5-29-2009. Furthermore, the “full-service restaurant” use is only permitted in three zones throughout Norwalk, which are the AAA Residence Zone, East Avenue Village District and Washington Street Design District. In all other business zones, “restaurant” uses are permitted which do not have a limitation on maximum bar length. It is Staff’s understanding that the purpose of the maximum bar length was to limit noise complaints particularly on Washington Street, but because this particular use for Oak Hills Golf Course is only permissible by special permit, hours of operation can be limited by the Zoning Commission which was done under the original special permit approval in 2003. Per #19-03 SP, the restaurant at Oak Hills Golf Course is limited to serving alcohol until 10:00pm Sunday-Thursday and until 11:00pm on Friday and Saturday.

The next steps for the Zoning Commission are to refer the application to the Planning Commission and Harbor Management Commission for their findings of consistency with their respective plans, and to set a public hearing date for the proposed text amendment.