

NEW HAVEN CITY PLAN COMMISSION SPECIAL PERMIT

RE: 1303 CHAPEL STREET. Special Permit for the conversion of existing office building into 13 residential dwelling units in a BA and RM-2 zone. (Owner/Applicant: 1303 Chapel, LLC; Agent: Miguel Almodóvar of Jacobs & Rozich, LLC)

REPORT: 1547-06

ACTION: Approval with Conditions

Note: Companion CPC Report 1547-03 for the same site.

Previous CPC Actions:

- **CPC 1540-06:** Site Plan Review for the construction of existing office building into 13 residential units. Withdrawn February 21, 2018.
- **CPC 1540-08:** Special Permit for the conversion of existing office building into 13 residential units. Withdrawn February 21, 2018.
- **CPC 1543-06:** Site Plan Review for the conversion of existing office building into 13 residential units in a BA and RM-2 zone. Withdrawn July 18, 2018.
- **CPC 1543-09:** Special Permit for the conversion of existing office building into 13 residential units in a BA and RM-2 zone. Withdrawn July 18, 2018.

Submission: SPECIAL PERMIT Application Packet. NARRATIVE attached. Application fee: \$250. Received July 19, 2018.

- Stormwater Drainage Report dated May 11, 2018. Received July 20, 2018.
- Application drawings. 16 sheets received on July 19, 2018. Revisions and 4 additional sheets received September 7, 2018.
 - Limited Property Survey/Boundary Survey Improvement Location Survey. Dated February 23, 2018. Received July 19, 2018.
 - Site Layout and Landscaping Plan. Drawing date March 15, 2018. Received July 19, 2018. Revised August 30, 2018. Received September 7, 2018.
 - Site Development. Drawing date March 15, 2018. Received July 19, 2018. Revised August 30, 2018. Received September 7, 2018.
 - Site Photometric Plan. Drawing date February 23, 2018. Received July 19, 2018. Revised August 30, 2018. Received September 7, 2018.
 - Site Details. Drawing date February 23, 2018. Received July 19, 2018. Revised September 1, 2018. Received September 7, 2018.
 - Site Details. Drawing date March 15, 2018. Received July 19, 2018.
 - Turning Radii. Drawing date April 2, 2018. Received July 19, 2018. Revised August 30, 2018. Received September 7, 2018.
 - A100: Basement Plan. Drawing date July 19, 2018. Received July 19, 2018. Revised September 4, 2018. Received September 7, 2018.
 - A101: First Floor Plan. Drawing date July 19, 2018. Received July 19, 2018. Revised September 4, 2018. Received September 7, 2018.
 - A102: Second Floor Plan. Drawing date July 19, 2018. Received July 19, 2018. Revised September 4, 2018. Received September 7, 2018.
 - A103: Third Floor Plan. Drawing date July 19, 2018. Received July 19, 2018. Revised September 4, 2018. Received September 7, 2018.
 - A104: Fourth Floor Plan. Drawing date July 19, 2018. Received July 19, 2018. Revised September 4, 2018. Received September 7, 2018.
 - A201: Proposed South Elevation. Drawing date July 19, 2018. Received July 19, 2018. Revised September 4, 2018. Received September 7, 2018.

- A202: Proposed West Elevation. Drawing date July 19, 2018. Received July 19, 2018. Revised September 4, 2018. Received September 7, 2018.
- A203: Proposed East Elevation. Drawing date July 19, 2018. Received July 19, 2018. Revised September 4, 2018. Received September 7, 2018.
- A204: Proposed South Elevation. Drawing date July 19, 2018. Received July 19, 2018. Revised September 4, 2018. Received September 7, 2018.
- S1.0: Foundation/Basement Plan. Drawing date July 23, 2018. Received September 7, 2018.
- S1.1: Second Floor Framing Plan. Drawing date July 23, 2018. Received September 7, 2018.
- S2.0: Sections. Drawing date July 23, 2018. Received September 7, 2018.
- S3.0: First Floor Framing Plan. Drawing date July 23, 2018. Received September 7, 2018.

BACKGROUND

Per the City of New Haven zoning regulations Sections 42(a)(2) and 64, Miguel Almodóvar of Jacobs and Rozich LLC has applied for a Special Permit (and Site Plan Review: CPC Report 1547-03) to convert the first floor of a building in a General Business (BA) zone into dwelling units as part of a proposed project to convert three floors of existing vacant office space into 13 residential units.

Current site conditions: The site is currently occupied by an 12,810 SF vacant office building that was formerly occupied by the Aids Interfaith Network. Surrounding uses are primarily retail, with a school and park located to the north and west of the property.

Proposed Activity: The proposed activity consists of the renovation of the existing 12,810 SF building into 13 residential units and the construction of a 5,000 SF four-story addition to the rear of the building. The proposed project will include stormwater management improvements, landscaping of the property, and the reconfiguration of the parking lot.

PUBLIC HEARING

A public hearing was held on September 20, 2018. The meeting minutes and a recording of the hearing, CPC meeting 1548, is available from the City Plan Department.

SPECIAL PERMIT

Section 64 of the New Haven Zoning Ordinance states:

Statement of purpose. The development and execution of a comprehensive zoning ordinance is based upon the division of the city into districts, within which the *use* of land and *structures* and the bulk and location of *structures* in relation to the land are substantially uniform. It is recognized, however, that there are certain *uses* and features which, because of their unique characteristics, cannot be distinctly classified or regulated in a particular district or districts, without consideration, in each case, of the impact of such *uses* and features upon neighboring *uses* and the surrounding area, compared with the public need for them at particular locations. Such *uses* and features are therefore treated as special permits.

Special Permit Criteria	Comments
a. <i>Burden of proof.</i> A special permit shall not be considered an entitlement, and shall be granted by the Commission only after the applicant has demonstrated to the satisfaction of the Commission that all ordinance requirements are met.	<i>The Development Permit application, including the Site Plan and Special Permit submittals, establish the applicant's eligibility because all Ordinance requirements are met.</i>

<p>b. <i>Ordinance compliance.</i> The proposed use shall comply with all applicable regulations, including any specific standards for the proposed use as set forth in this ordinance. Any accessory use to a special permit must receive express authorization from the commission.</p>	<p><i>The proposed use is consistent with the uses in the BA zone.</i></p>
<p>c. <i>Comprehensive Plan of Conservation and Development.</i> The Commission shall determine if the proposed special permit's use and improvements comply with the City's development plans.</p>	<p><i>The proposed special permit's use complies with the City's Comprehensive Plan.</i></p>
<p>d. <i>Natural features.</i> Special permits must preserve trees and other natural site features to the greatest extent possible so as to minimize their impact upon surrounding properties and the district, and must not have an adverse impact on significant scenic vistas or on significant wildlife or vegetation habitat.</p>	<p><i>Most of the existing vegetation on site will not be altered. The applicant has proposed to plant several trees along the northern property line and Cofield Way and convert a portion of currently paved area into grass.</i></p>
<p>e. <i>Hazard protection.</i> The proposed use shall not have a detrimental impact upon the use or peaceable enjoyment of abutting or nearby properties as a result of vibrations, fumes, odor, dust, erosion, sedimentation, flooding, fire, noise, glare, hazardous material use, storage, transportation or disposal, or similar conditions.</p>	<p><i>No hazardous materials will be stored on-site. No vibrations, fumes, odor, dust, erosion, sedimentation, flooding, fire, or glare is expected. It is important to note that the applicant has not provided information regarding materials to be moved, removed, or added. Therefore, it is difficult to assess potential adverse impacts from materials associated with the proposed activity.</i></p>
<p>f. <i>Historic preservation.</i></p>	<p><i>The existing structure is listed in both the National Register of Historic Places and the Dwight National Register District. The applicant must ensure that the Chapel Street façade is preserved and that the proposed addition is designed and constructed in character with the existing structure.</i></p>
<p>g. <i>Design and architectural compatibility.</i> The operational and physical characteristics of the special permit shall be compatible with the surrounding area and the neighborhood in which it is proposed. Site design and architectural features which contribute to compatibility include, but are not limited to, landscaping, drainage, access, and circulation, building style and height, bulk scale, setbacks, open areas, roof slopes, building orientation, overhangs, porches, ornamental features, exterior materials and colors.</p>	<p><i>Proposed site development is compatible with the surrounding area and the neighborhood. The Chapel Street façade of the existing building will remain mostly unchanged and the site will be improved with the addition of trees and grass.</i></p>
<p>h. <i>Property values.</i> The use and site design shall not have a detrimental effect on the property values in the surrounding area.</p>	<p><i>The site is in both BA and RM-2 zones is not anticipated to have a detrimental effect on surrounding property values.</i></p>

<p>i. <i>Traffic impact.</i> The applicant shall demonstrate how the proposed use will not adversely affect the safety and convenience of vehicular and pedestrian circulation on, adjacent or nearby the site. The Commission may require a traffic impact study be submitted to it by the applicant for any special permit use of land. The study shall consider traffic patterns and adequacy of proposed off-street parking and loading resulting from the proposed development.</p>	<p><i>Traffic will enter the site via Cofield Way and exit the site via Chapel Street. Traffic will not significantly differ from current usage.</i></p>
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CONDITIONS OF APPROVAL:

The conditions of approval of the Special Permit under §64 and §42(a)(2) of the New Haven Zoning Ordinance for residential use on the first floor of an existing building in a BA zone are as follows:

- 1. Special Permit must be filed on the land records of the City of New Haven before issuance of building permits.**

ADOPTED: September 20, 2018
Edward Mattison
Chair

ATTEST: MDL:
Michael Piscitelli, AICP
Deputy Economic Development Administrator