

NEW HAVEN CITY PLAN COMMISSION SITE PLAN REVIEW

RE: 243 LEGION AVENUE. Site Plan Review for modifications to previously approved site plan for the construction of a four-story parking garage and a surface parking lot.
(Owner/Applicant/Agent: LPRI MLK New Haven, LLC)

REPORT: 1492-06A3

ACTION: Approval with Conditions

STANDARD CONDITIONS OF APPROVAL

1. Pursuant to State Statute, this site plan and soil erosion and sediment control plan approval is valid for a period of five (5) years following the date of decision, until July 17, 2024. Upon petition of the applicant, the Commission may, at its discretion, grant extensions totaling no more than an additional five (5) years to complete all work connected to the original approval.
2. The applicant shall record on the City land records an original copy of this Site Plan Review report (to be provided by the City Plan Department) and shall furnish written evidence to the City Plan Department that the document has been so recorded (showing volume and page number), prior to City Plan signoff for building permits. A digital copy of the recorded report shall be provided to staff (.pdf).
3. Upon approval by the City Plan Commission, provide compiled digital copies of all application materials, including drawing sets and reports, to staff for filing (.pdf files) prior to City Plan signoff for building permits.
4. Comments under **ADDITIONAL CONDITIONS OF APPROVAL** shall be reviewed with the City Plan Department and resolution reflected on final plans, prior to their circulation for signoff.
5. Signoff on final plans by the Greater New Haven Water Pollution Control Authority; City Engineer; Department of Transportation, Traffic, and Parking; City Plan Department; and Fire Marshal in that order shall be obtained prior to initiation of site work or issuance of building permit.
6. Construction Operations Plan/Site Logistics Plan, including any traffic lane/sidewalk closures, temporary walkways, detours, signage, haul routes to & from site, and construction worker parking plan shall be submitted to the Department of Transportation, Traffic and Parking for review and approval to prior to City Plan signoff on final plans for building permit.
7. A site bond will be required in conformity with Connecticut General Statutes Section 8-3(g). Bond, or other such financial instrument, shall be provided to the City Plan Department, in an amount equal to the estimated cost of implementation of erosion and sediment controls, plus 10 percent, prior to City Plan final sign-off on plans for building permit.
8. The name of an individual responsible for monitoring the soil erosion and sediment control plan on a daily basis during the construction period shall be provided to the City Plan Department, prior to City Plan signoff on final Plans.
9. Any proposed work within City right-of-way will require separate permits.
10. Prior to issuance of Building Permit, street address(es) shall be assigned by the City Engineer.
11. Any sidewalks or curbs on the perimeter of the project deemed to be in damaged condition shall be replaced or repaired in accord with City of New Haven standard details.
12. Any proposed removals of street trees must be coordinated with the Department of Parks, Recreation, and Trees prior to sign-off for building permits.
13. Following completion of construction, any catch basins in the public right-of-way impacted by the project shall be cleaned, prior to issuance of Certificate of Occupancy.
14. As-built site plan shall be filed with City Plan Department, with a copy to the City Engineer, prior to issuance of Certificate of Occupancy. Site Plan shall be submitted in mylar and digital form (.pdf).

ADDITIONAL CONDITIONS OF APPROVAL

15. An additional crosswalk, with City Standard signage and pavement markings, must be added to the site plan at the shuttle bus pickup location to reduce the length of the Accessible Route from the surface lot to the parking garage prior to Department of Transportation, Traffic and Parking building permit sign-off.

Submission: SPR Application Packet including DATA, WORKSHEET, SITE, and SESC forms.

NARRATIVE attached. Application fee: \$360. Received July 12, 2019.

- Stormwater Management Report dated February 20, 2014. Received July 16, 2019.
- LPRI Parking Garage – Stormwater – 149-243 Legion Avenue dated July 16, 2019. Received July 16, 2019.
- LPRI Parking Garage – Exterior Lighting – 149-243 Legion Avenue dated July 16, 2019. Received July 16, 2019.
- LPRI Parking Garage – Reflective Heat Impact – 149-243 Legion Avenue dated July 16, 2019. Received July 16, 2019.
- Application drawings (10 sheets) received via email July 12, 2019. Hard copies and six (6) additional sheets received July 16, 2019.

PROJECT SUMMARY:

Project: LPRI New Haven Parking Garage

Address: 149-243 Legion Avenue

Site Size: 76,390 SF (1.75 acres)

Garage Size: 49,850 SF

Zone: BA (General Business) & BD-2 (Central Business/Residential)

Parking: 763-car parking garage and 25-car surface parking lot (788 total spaces)

Owner: LPRI MLK New Haven, LLC

Phone: (617) 777-9788

Applicant: LPRI MLK New Haven, LLC

Agent: LPRI MLK New Haven, LLC

Site Engineer: Freeman Companies, LLC

Phone: (860) 251-9550

BACKGROUND**Previous CPC Actions:**

- **CPC 1492-05:** Site Plan Review for Continuum of Care development. Approved May 2014.
- **CPC 1492-06:** Special Permit for parking facility over 200 spaces for Continuum of Care development. Approved May 2014.
- **CPC 1492-05A1:** Administrative Site Plan Review for changes and additions to Continuum of Care site. Approved February 2015.
- **CPC 1492-05A2:** Site Plan Review Addendum for construction of pharmacy, retail, and associated surface parking lot. Approved March 2015.
- **CPC 1492-05A2:** Administrative Site Plan Review for changes to entry of Rite Aid. Approved February 2016.
- **CPC 1529-20:** Site Plan Review for changes to approved site plan from restaurant to child day care facility in a BA/BD-2 zones. Approved April 2017.
- **CPC 1492-05/06R:** Request for extension of time for Site Plan and Special Permit. Approved December 2018.

Zoning:

The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the BA and BD-2 zones.

Site description/existing conditions:

On May 21, 2014, the City Plan Commission approved a Site Plan (CPC 1492-05) for the phased construction of a mixed-use development on the 243 Legion Avenue superblock that includes retail space, a new building for Continuum of Care, a hotel, a restaurant, a medical office building, and a 763-car parking garage. Since the original approval in 2014, Continuum of Care, The Learning Experience, Rite Aid, and associated surface parking lots have been constructed and are occupied.

The applicant is currently seeking to construct the previously approved four-story 763-car parking garage and surface parking lot, where a three-story medical office building was originally proposed and approved. The project site currently consists of a paved surface parking lot and is bounded by North Frontage Road in the north, Continuum of Care in the east, Legion Avenue in the south, and a parking lot, Rite Aid, and a daycare (The Learning Experience) in the west.

Proposed activity: The minor changes to the previously approved site plan (CPC 1492-05) include the installation of a 25-car surface parking lot in the location where a 3-story medical office building was proposed and a one-way entry drive for shuttle buses at the existing curb cut location off Legion Avenue. The medical office is not being considered for development at this time, and the proposed changes to the site are to bring the interim parking use into surface lot compliance and enhance the curb appeal of the site. The proposed site plan modification for the installation of the surface parking lot meets the requirements for Stormwater Management, Site Lighting, Reflective Heat Index, and Soil Erosion and Sediment Control.

Bicycle parking: Bike racks will be provided on site to accommodate approximately 14 bicycles.

Sec. 58 Soil Erosion and Sedimentation Control:

Class A (minimal impact)

Class B (significant impact)

Class C (significant public effect, hearing required)

Cubic Yards (cy) of soil to be moved, removed or added: 13,973 CY

Start Date: August 2019

Completion Date: June 2020

Responsible Party for Site Monitoring:

Once a contractor is chosen, an individual will be named as the individual responsible for monitoring soil erosion and sediment control measures on a daily basis, and that name provided to the City Plan Department prior to signoff of final plans for permits.

This individual is responsible for monitoring the site to assure there is no soil or runoff entering City catch basins or the storm sewer system. Other responsibilities include:

- monitoring soil erosion and sediment control measures on a daily basis;
- assuring there is no dust gravitation off site by controlling dust generated by vehicles and equipment and by soil stockpiles during the construction phases;
- determining the appropriate response, should unforeseen erosion or sedimentation problems arise; and
- ensuring that SESC measures are properly installed, maintained and inspected according to the SESC Plan.

Should soil erosion problems develop (either by wind or water) following issuance of permits for site work, the named party is responsible for notifying the City Engineer within twenty-four hours of any such situation with a plan for immediate corrective action.

All SESC measures are required to be designed and constructed in accordance with the latest Standards and Specifications of the *Connecticut Guidelines for Soil Erosion and Sediment Control*.

Note: Because the project is between 1 and 5 acres (“small construction”), the applicant is not required to obtain a General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction from CT DEEP as long as the applicant has adhered to the erosion and sediment control regulations of the municipality in which the construction activity, in this case, the City of New Haven.

Sec. 60 Stormwater Management Plan: SUBMISSION MEETS REQUIREMENTS

REQUIRED DOCUMENTATION

- Soil characteristics of site;
- Location of closest surface water bodies and depth to groundwater;
- DEEP ground and surface water classification of water bodies;
- Identification of water bodies that do not meet DEEP water quality standards;
- Proposed operations and maintenance manual and schedule;
- Location and description of all proposed BMPs;
- Calculations for stormwater runoff rates, suspended solids removal rates, and soil infiltration rates;
- Hydrologic study of pre-development conditions commensurate with conditions.

STANDARDS

- Direct channeling of untreated surface water runoff into adjacent ground and surface waters shall be prohibited;
- No net increase in the peak rate or total volume of stormwater runoff from the site, to the maximum extent possible, shall result from the proposed activity;
- Design and planning for the site development shall provide for minimal disturbance of pre-development natural hydrologic conditions, and shall reproduce such conditions after completion of the proposed activity, to the maximum extent feasible;
- Pollutants shall be controlled at their source to the maximum extent feasible in order to contain and minimize contamination;
- Stormwater management systems shall be designed and maintained to manage site runoff in order to reduce surface and groundwater pollution, prevent flooding, and control peak discharges and provide pollution treatment;
- Stormwater management systems shall be designed to collect, retain, and treat the first inch of rain on-site, so as to trap floating material, oil and litter;
- On-site infiltration and on-site storage of stormwater shall be employed to the maximum extent feasible;
- Post-development runoff rates and volumes shall not exceed pre-development rates and volumes for various storm events. Stormwater runoff rates and volumes shall be controlled by infiltration and on-site detention systems designed by a professional engineer licensed in the state of Connecticut except where detaining such flow will affect upstream flow rates under various storm conditions;
- Stormwater treatment systems shall be employed where necessary to ensure that the average annual loadings of total suspended solids (TSS) following the completion of the proposed activity at the site are no greater than such loadings prior to the proposed activity. Alternately, stormwater treatment systems shall remove 80 percent TSS from the site on an average annual basis; and
- Use of available BMPs to minimize or mitigate the volume, rate, and impact of stormwater to ground or surface waters.

Sec. 60.1 Exterior Lighting: SUBMISSION MEETS REQUIREMENTS

REQUIRED DOCUMENTATION

- Lighting Plan with location of all fixtures, type of fixture and mounting height of lights;
- Manufacturer specifications or cut-sheet for each fixture;
- Photometrics.

STANDARDS

- Prevent or minimize direct glare and light trespass;
- All parking area lighting shall be full cut-off type fixtures and shall not exceed twenty (20) feet in height from the ground to the highest point of the fixture;
- Up lighting and high pressure sodium light sources are prohibited. Externally lit signs, display building, and aesthetic lighting must be lit from the top and shine downward and not sideward or upward. The lighting must be shielded to prevent direct glare and/or light trespass. The lighting must also be, as much as physically possible, contained within the target area;

- All building lighting for security or aesthetics shall be full cut-off or shielded type, not allowing any upward distribution of light. Floodlighting is discouraged, and if used, must be shielded to prevent: (a) disability glare for drivers or pedestrians, (b) light trespass beyond the property line, and (c) light above the horizontal plane;
- Where non-residential development is adjacent to residential property, no direct light source shall be visible at the property line at ground level or above; and
- High pressure sodium and flickering or flashing lights are prohibited.

Sec. 60.2 Reflective Heat Impact: SUBMISSION MEETS REQUIREMENTS STANDARDS

- 50% of all on-site non-roof hardscape or paved areas will be either:
 - shaded AND/OR
 - constructed of a material with a solar reflectance index of at least 29.

TOTAL SF of non-roof hardscape: 21,536 SF
50% of non-roof hardscape: 10,768 SF

Shaded (average)	8,571 SF
SRI > 29	
Concrete Pavement	3,194 SF
TOTAL PROPOSED SHADED/HIGH SRI AREA	11,765 SF
% SHADED/HIGH SRI PROPOSED	54.6%

Project Timetable: Construction is expected to begin in August 2019 and be completed by June 2020.


SITE PLAN REVIEW

Plans have been reviewed by the Site Plan Review team with representatives from the Departments of City Plan, City Engineer, Building, Disabilities Services and Transportation, Traffic and Parking and have been found to meet the requirements of City ordinances, regulations, and standard details.

SITE PLAN ACTION

The City Plan Commission approves the submitted Site Plans subject to conditions on Page 1.

ADOPTED: July 17, 2019
Edward Mattison
Chair

ATTEST: 
Aicha Woods
Executive Director, City Plan Department

