

NEW HAVEN CITY PLAN COMMISSION SPECIAL PERMIT

RE: 90 RIVER STREET. Special Permit for wholesale wine distribution in an IM (Light Industry/Marine) zone. (Applicant/Owner/Agent: John Flaskamper of Patriot Marine, LLC)

REPORT: 1560-08

ACTION: Approval with Conditions

Previous CPC Actions:

- **CPC 1453-03:** Site Plan Review inc CSPR for Shoreline Stabilization and Roadway Extension inc Drainage Improvements in an IM Zone. Approved June 15, 2011.
- **CPC: 1370-10:** Site Plan Review inc. CSPR for Conversion of Existing Building to Manufacturing Use in an IM Zone. Approved July 20, 2005.
- **CPC 1369-28:** Coastal Site Plan Review and Special Exception to permit 0 parking where 30 parking spaces are required and also permit vehicles backing over sidewalks for proposed metal finishing company in an IM zone. Approved May 18, 2005.
- **CPC 1369-01:** Special Permit inc. CSPR for Manufacturing in an IM Zone. Approved June 15, 2005.

Submission: Special Permit Application Packet including SPECIAL PERMIT, DATA, WORKSHEET, and SITE forms. NARRATIVE attached. Application fee: \$250. Received May 22, 2019.

- Complete SPECIAL PERMIT application form received May 22, 2019.
- Application drawings. 2 sheets received March 21, 2019.
 - Sheet No. 1: Property Topographic Survey. Drawing date May 8, 2017. Received March 21, 2019.
 - S-1: Site Development Plan. Drawing date March 19, 2019. Received March 21, 2019.

PROJECT SUMMARY:

Project: Wholesale wine distribution

Address: 90 River Street

Zone: IM (Light Industry/Marine District)

Owner: John Flaskamper of Patriot Marine CT, LLC **Phone:** (941) 276-5810

Applicant: Same as above

Agent: David Provencher of Coastline Consulting & Development, LCC **Phone:** (203) 433-4486

BACKGROUND

Per the City of New Haven zoning regulations Sections 42 and 64, John Flaskamper of Patriot Marine, LLC has applied for a Special Permit to allow wholesaling or distribution, including the handling of stock and incidental retailing in the Light Industry/Marine District.

Current site conditions: The site is currently occupied by three one-story structures, consisting of an office and manufacturing/storage space, and a paved lot.

Proposed Activity: The owner of the subject parcel proposes to rent existing, unoccupied space on site to a wholesale wine distributor. The proposed activity consists of the reuse of the interior of an existing building on site and the use of the existing paved area for parking, access drives, and storage by a marine contracting company and related commercial businesses. There are no proposed changes to existing site conditions other than the addition of painted pavement striping.

PUBLIC HEARING

A public hearing was held on August 21, 2019. A transcript of the hearing, CPC meeting 1560, 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 Special Permit application establishes the applicant's eligibility because all Ordinance requirements are met.</i>
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.	<i>The proposed use is consistent with the uses in the IM zone.</i>
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.	<i>The proposed use is consistent with the City's development plans as New Haven Vision 2025 proposes industrial mixed use in the area.</i>
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.	N/A
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.	<i>No hazardous materials will be stored on-site. No vibrations, fumes, odor, dust, erosion, sedimentation, flooding, fire, or glare are expected.</i>
f. <i>Historic preservation.</i>	N/A No historic structures on site


<p>g. Design and architectural compatibility. 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>The proposed use is compatible with the neighborhood in which it is proposed. Minimal changes will be made to the existing site.</i></p>
<p>h. Property values. The use and site design shall not have a detrimental effect on the property values in the surrounding area.</p>	<p><i>The proposed project is not anticipated to have a detrimental effect on surrounding property values.</i></p>
<p>i. Traffic impact. 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 and leave the site via existing curb cuts along River Street and Poplar Street. Traffic will not significantly differ from current usage of roads.</i></p>

CONDITIONS OF APPROVAL:

The conditions of approval of the Special Permit under §64 of the New Haven Zoning Ordinance for wholesaling or distribution, including the handling of stock and incidental retailing in an IM 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. A digital copy of the recorded site plan shall be provided to staff (.pdf).**

ADOPTED: August 21, 2019
Leslie Radcliffe
Vice Chair

ATTEST: 
Aicha Woods
Executive Director, City Plan Department