

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **206 DAY STREET.** Special Exception to permit a 31-unit residential Planned Development Unit. Zone: RM-2, PDU-19. (18-63-S) (Owner: Antillean Manor Co-Op Inc.; Applicant: Antillean Estates LLC)

REPORT: **1550-06**

ADVICE: **Special Exception: Approve with conditions**

PRINCIPAL APPLICABLE REGULATIONS

Section 14- High Middle Density (RM-2) Residence Districts

Section 65 - Planned developments.

(a)Objectives. The provisions of this section are to be applied in instances where tracts of land of considerable size are developed, redeveloped or renewed as integrated and harmonious units, and where the overall design of such units is so outstanding as to warrant modification of the standards contained elsewhere in this ordinance. A planned development, to be eligible under this section, must be:

- (1)In accordance with the comprehensive plans of the city, including all plans for redevelopment and renewal;
- (2)Composed of such uses, and in such proportions, as are most appropriate and necessary for the integrated functioning of the planned development and for the city;
- (3)So designed in its space allocation, orientation, texture, materials, landscaping and other features as to produce an environment of stable and desirable character, complementing the design and values of the surrounding neighborhood, and showing such unusual merit as to reflect credit upon the developer and upon the city; and
- (4)So arranged as to provide a minimum of 250 square feet of usable open space per dwelling unit on the tract, except 125 square feet in the case of elderly housing units, subject to the specific minimum standards enumerated in section 15(a)(1)g. of this ordinance.

Section 65. (d)(1)

Where the proposed modifications of existing zoning concern only the bulk and placement of structures and the size and shape of lots (regulation of lot area, average lot width, distance between buildings, size of courts, yards, gross floor area, building height, and/or building coverage), or involve a reduction of lot area per dwelling unit of no more than 33%, such Application and General Plans shall be filed with the Board of Zoning Appeals and acted upon as a special exception under subsection 63(d) of this ordinance. If such Application and General Plans are approved by the Board of Zoning Appeals, upon specific findings that each of the objectives stated in subsection (a) above will be met, such approval shall be construed to modify provisions contained elsewhere in this ordinance insofar (and only insofar) as specific deletions, additions and changes are made which are related to land and structures in the tract, and the tract shall be designated a **Planned Development Unit** within the existing zoning district.

Section 63. (d) Special Exceptions

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 exceptions.

Section 63(d)(6)

In the following types of special exception cases, which involve more than conventional questions of *use* and may have a significant impact on surrounding areas and a substantial relationship to the comprehensive plan of the city, the Board of Zoning Appeals shall, following its hearing, refer the case including all exhibits to the City Plan Commission, which shall submit an advisory report, on such factors as it may deem relevant, to the board within 30 days after receiving all records and documents in the case. This report of the City Plan Commission shall be taken into account in the decision of the Board.

h. Planned development units: subsection 65(d)(1).

BACKGROUND

The approximately one acre subject lot known as Antillean Manor is a federally-subsidized low- and moderate-income housing development originally approved by the City in 1968 as PDU 19 and consists of 31 residential units. The existing structure is deteriorated and in order to bring the structure and its 31 dwelling units up to modern health and building codes, the applicant has proposed a complete demolition and re-build.

In order to carry out the project as designed, the applicant is requesting that the New Haven Board of Zoning Appeals grant a Special Exception for a new Planned Development Unit under Section 65 of the New Haven Zoning Ordinance for residential involving the demolition of the existing structure and construction of the same number of dwelling units (31). The proposed development will occupy property running along the west side of Day Street, a one-way street, with the Amistad Academy Middle School located across the street to the east. The immediate area is made up primarily of multifamily dwellings and larger apartment buildings along with a few mixed-use properties, Washington Street Playground, and the Amistad Academy as mentioned above.

PLANNING CONSIDERATIONS**Project Construction*****Existing Residential Structure***

As noted this proposal involves the demolition of the existing 41,103sf structure currently occupying the property at 206 Day Street. The existing development consists of a white stucco building that is 4-stories high with vehicular access to parking in the rear via two "tunnel" driveways running through the building bridged by the third and fourth stories. A sizable common balcony serves the third-floor units.

Proposed Residential Structure

The property at 206 Day Street is proposed as the location of a new 46,686sf, 4-story residential structure located in the Dwight Street Historic District. The existing "tunnel" drives providing access to the rear parking will be replaced with a simpler access loop wrapping around the building. Open space is provided in the form of a fourth-floor, commonly-accessible balcony at the center of the building, along with a new at-grade patio and lawn with landscaping upgrades. The addition of a fence and security gate enclosing the parking area and rear of the building will enhance security measures as well. The number of dwelling units in the proposed structure (31) is identical to the number of dwelling units in the existing building. The new structure will contain 5 one-bedroom, 11 two-bedroom, 14 three-bedroom, and 1 four-bedroom dwellings units, 3 fully handicap accessible.

Traffic and Parking

The submitted plan indicates a total of 35 onsite parking spaces, including 2 handicap accessible spaces for 31 dwelling units located on the sides and rear of the property. All these spaces are accessed by a one-way entrance on Day Street.

The proposed parking arrangement allows simpler access around the building, simplifying traffic circulation on the site and improving sightlines for both drivers on Day Street and those exiting the development. A traffic study has not been submitted at this time.

Zoning Ordinance Modifications Requested

The properties are located in a Middle High Density (RM-2) Residence District. RM-2 Districts permit, among other uses, residential dwelling units at a density of 1 dwelling unit per 2000sf of lot area, although Section 65 of the New Haven Zoning Ordinance does permit a Planned Development Unit with as little as 1500sf of lot area per dwelling unit.

The existing development was approved as PDU 19 in 1968, which allowed certain changes to the underlying RM-2 zoning as follows:

- Reduced the required lot area per dwelling unit from 2,000sf per unit to 1,380sf per unit
- Reduced the required rear yard from 25 feet to 16 feet
- Reduced the required side yard from 22 feet to 7 feet

a. Lot Area per Dwelling Unit

Section 14(a)(1)c. Lot area per dwelling unit: 2,000sf, except 1,400sf in the case of an efficiency unit and 1,000sf in the case of an elderly housing unit.

The applicant is seeking a reduction of the required lot area per dwelling unit from 2,000sf per unit to 1,380sf per unit. **Section 65(d)(1) of the Zoning Ordinance allows for a maximum reduction of lot area per dwelling unit of 33%. In an Rm-2 District this would result in a minimum of 1340sf of lot area per dwelling unit.**

b. Front Yards

Section 14(a)(1)f. requires a minimum front yard of 17ft, except that where 75% or more of the entire street frontage (in feet) on the same side of the street, between the two nearest intersecting streets has been developed with buildings with front yards smaller than seventeen feet, the required front yard may be the same as the yard presently followed by existing buildings.

The Applicant requests front yard modification for a 5ft front yard along Day Street.

c. Maximum Building Height

Section 14 (a)(1)e. Such height shall not exceed either four stories or an average height of 45 feet.

The Applicant requests a modification of building height to 50ft.

PUBLIC HEARING

At the October 9, 2018 meeting of the Board of Zoning Appeals, Attorney Segaloff and Architect Dave Wagner presented the application. They explained that the current structure is going to be demolished and a new structure built with-in the existing footprint. The applicant stated that the number of units will remain the same as well as the number of stories. The parking area will be reconfigured.

No members of the public spoke in favor or in opposition of the application.

PDU STANDARDS

Section 65 sets forth the standards for a Planned Development Unit. The application for the Project relates to required standards in the following manner: Staff comments concerning the applicant, information is in italics

- a. The Planned Development must be in accordance with the comprehensive plans of the City, including all plans for redevelopment and renewal

The PDU is in accordance with the New Haven Vision 2025 effective December 1, 2015 (the "Comprehensive Plan"). The plan recognized that "distressed and deteriorated housing continue to be core issues related to neighborhood planning," Comprehensive Plan Chapter IV-3, and called for the revitalization of distressed properties through, in part, the enforcement of existing regulations. This redevelopment is the result of such efforts- the developer's involvement in this property began when HUD and city officials determined the existing building was critically unsafe. Approval of this PDU will enable redevelopment of a critically distressed affordable housing complex into a modern development in compliance with current health, accessibility, and safety standards.

The New Haven Vision 2025 comprehensive plan refers to the fact that there are few opportunities for new development in the city stating that redevelopment is a central strategy in housing and neighborhood development. The plan further recommends the enhancement to the quality of the housing stock and encourages sustainable housing developments along with the provision of high-density, multi-family developments at appropriate locations throughout the city. In regard to housing quality the plan offers the following; "Ensure that all housing within the city meets or exceeds the quality standards established within the City's Housing and Building Code."

- b. The Planned Development Must be Composed of Such Uses and in Such Proportions as are Appropriate and Necessary for the Integrated Functioning of the Planned Development and for the City

The proposed PDU is composed exclusively of residential uses permitted in the underlying zone and are therefore appropriate and necessary to the integrated functioning of the city as determined by the city. The sole modifications proposed through the PDU are a change of the underlying density requirement that will match the previous approval, a modification of the front yard requirement to permit a smaller front yard than currently allowed by right or approved under the previous PDU, and a change to the maximum height to incorporate gable-end facades requested by the State Historic Preservation Office (SHPO).

Given previous board approval for a residential PDU on this site with the same number of dwelling units, and that the underlying zoning district is residential, this is an appropriate use for the location. The parcel is just under an acre in size which is above the required minimum lot area for a residential PDU as well. The underlying zone requires 2,000sf of lot area per dwelling unit and given the scale of the property 21 dwelling units would be allowed by right, however, when taking the reduced minimum as mentioned above into account the proposal is proportionally sound.

- c. The Planned Development Must be so Designed in its Space Allocation, Orientation, Texture, Materials, Landscaping and Other Features as to Produce an Environment of Stable and Desirable Character, Complementing the Design of the Surrounding Neighborhood, and Showing Such Unusual Merit as to Reflect

Credit Upon the Developer and Upon the City

The PDU is designed to produce a residential development of desirable character which complements the historical style of buildings in the neighborhood. The height of the new construction is in accordance with the four-story nature of the existing construction. Furthermore, the developer is seeking state and federal subsidies, bringing the development within the purview of SHPO under the Connecticut Environmental Protection Act and Section 106 of the National Historic Preservation Act. SHPO's review will ensure that the development's massing, materials, and other features complement the Dwight Street District. Finally, the redesign of the site's parking layout will increase the amount of available green space while reducing potential traffic issues.

The proposed building will remain within the footprint of the existing structure which maintains the current building frontage along Day Street. The layout of the site shows the structure located relatively central in respect to street frontage with means of access and exit along both sides of the structure (one-way) to parking in the rear and along the side allowing for minimal vehicle visibility from the street. The landscape improvements and additional outdoor areas has decreased the amount of impervious surface resulting in a more desirable, inviting overall character. The façade of the building is aesthetically similar to the surrounding neighborhood in terms of the materials: vinyl siding and brick with a concrete base while abstaining from a "flat" façade giving depth to the structure.

- d. So arranged as to provide a minimum of 250 square feet of usable open space per dwelling unit on the tract, except 125 square feet in the case of elderly housing units, subject to the specific minimum standards enumerated in Section 15(a)(1)g. of this ordinance

The proposed development would have 31 residential dwelling units mandating 7,750sf of usable open space. Over 9,000sf of open space is provided in the form of a large fourth-floor, commonly accessible balcony at the center of the building, along with a new at-grade patio and increases in the amount of available lawn and landscaped area. This increase in open space also reduces the impervious coverage of the site by over 10%, eliminating nearly 5,000sf of impervious surface.

The proposed site plan, in particular the new parking arrangement, allows for an increase in lawn area giving tenants the benefit of a yard area as well as the patio on the exterior of the structure which can be utilized for outdoor recreation. The 4th floor balcony is accessible to all tenants allocating another form of common open space on the property. All of this not only provides more than the required minimum open space for the number of dwelling units proposed but is an increase from what currently exists there now.

Size of the Tract

Per Section 65(b)(1) of the Zoning Ordinance a residential-only Planned Development Unit tract area must be between ½ and two acres. In this instance, the Tract is .98 acres and thus satisfies this criterion for a PDU.

Sec. 60 Stormwater Management Plan:

The applicant submitted a Stormwater Management Plan as part of this application. This plan indicates that the proposal will result in 31,940sf (74.7%) of impervious surface compared to the existing 36,875sf (86.3%), a decrease of approximately 4,935sf. Applicant is proposing a new stormwater infiltration system which is deemed sufficient to "capture and treat" the "first flush" of run-off and also reduce run-off so as to not overburden the existing small combined sewer in Day Street.

PDU FINDINGS AND RECOMMENDATIONS

The above findings indicate that the proposed application is a substantial improvement from the dilapidating structure that currently exists there today which is beneficial to both the residents of the property and those of the surrounding area. The applicants have proposed a concept that keeps the same number of dwelling units while managing to improve access and parking for the structure as well as aesthetics in respect to the building and property itself. It is upon this basis that staff recommends approval of the new Planned Development Unit.

ADOPTED: October 23, 2018
Edward Mattison
Chair

ATTEST: MPL
Michael Piscitelli, AICP
Deputy Economic Development Administrator