

## NEW HAVEN CITY PLAN COMMISSION SPECIAL PERMIT

**RE:** 87 UNION STREET. Special Permit for new parking facility over 200 spaces. (Owner: The Hill-Commerce Realty Co; Applicant/Agent: James Segaloff of Sussman Duffy Segaloff).

**REPORT:** 1502-10

**ACTION:** Approval with Conditions (see p. 4)

**Note:** CPC Report 1502-03 for the Site Plan Review for same site, the Traffic Study submitted with that application is included as part of the submission for this Special Permit and the drawings submitted with that application are part of the record for this Special Permit application.

**Previous CPC Actions:** Zoning Map change to BD-1 per CPC 1496-01, Approved by BOA

**Submission:** Application and Narrative

### **BACKGROUND:**

Per the City of New Haven zoning regulations Sections 42, 45 and 64, The Hill-Commerce Realty Co. represented by Attorney James Segaloff of Sussman Duffy and Segaloff has applied for a Special Permit for a lot or garage of over 200 parking spaces (and separate Site Plan Review: CPC Report 1502-03). Hill-Commerce Realty is the owner of 87 Union Street, and 87 Union Street LLC is the contract purchaser of this 2.56 acre site. The site is bounded on the east by Olive Street, on the west by Union Street, and on the north by another parcel and on the east partially by Fair Street and by other parcels. The developer proposes a 334,108 GSF mixed use structure with 299 residential units and ground floor commercial and 206 garage spaces. All proposed uses, residential, certain retail uses and parking are permitted by right in the BD-1 zone. The garage spaces will satisfy the off-street parking requirement for the residential units, as well as 4 off-street loading spaces for the development. The development will essentially fill the 2.56 acre parcel, with the ground floor at 95,415 GSF.

**Current site conditions:** The site is currently occupied by a warehouse building and a paved lot. The site is located east of the railroad tracks and on the western edge of the Wooster Square neighborhood where it abuts the downtown area. There are metered parking spaces nearby on Chapel Street and Olive Street (?) and residential parking zones in portions of Wooster Square. Chapel Street is a minor urban arterial, Olive Street is a collector street, and Fair Street is small dead-end street.

1. **Proposed Activity:** The proposed activity consists of 206 parking spaces including handicap and rideshare spaces plus 4 loading spaces within a structured parking facility which is part of a mixed use complex. The facility will be entered and exited by vehicles from Union Street and by pedestrians at Union Ave., two entrances to residential lobbies, and direct entries to a proposed sports facility and to a proposed bike storage facility. To the extent spaces are available, the owner/applicant could make them available to neighborhood residents during declared snow emergencies. Details of changes to sidewalks, curbs, traffic and turning lanes, pedestrian crosswalks and signalization are indicated in the Site Review submission and CPC Report 1502-03.

**PUBLIC HEARING:** February 18, 2015. The Hearing will be recorded by POST reporting.

**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.

<b>Special Permit Criteria</b>	<b>Comments</b>
<p>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.</p>	<p><i>The applicant demonstrates the limited nature of the site and desire to shelter, secure and remove from public view the vehicle parking that will be associated with the residential and retail uses. Locating the parking beneath the main structure enables more efficient use of the land. Providing the new spaces serves the needs of the new building and allows existing on-street parking generally available for public use.</i></p>
<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 parking use is permitted in the BD-1 zone, the number and dimensions of the parking spaces, the handicap accessible spaces, the rideshare spaces, the secure sheltered bicycle storage, the loading spaces and the dimensions of the circulation aisles comply with NHZO requirements. The parking is interior to the site and will be screened.</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 City's plan calls for more intense and mixed use development of this area, as well as areas adjacent to New Haven's rail stations and the Commission recently approved a zone map change to make this parcel and several adjacent parcels a BD-1 zone. The development and the parking area supply ride-share spaces and secure bicycle storage, furthering other Plan objectives. .</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>The site is generally level and currently houses warehouse type single story building(s) and paved surface lots. The area has long been developed as it is within in central New Haven in an area that was known as the "New Township" and was formerly closer to the waterfront. There are no existing trees or landscaping on site. New street trees and landscaping will be added to the perimeter of the garage/building.</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 unusual vibrations, fumes, odor, dust, erosion, sedimentation, flooding, fire, or glare is expected. Limited noise will be generated during construction of the lot. Once in service automobiles and delivery vehicles will generate noise and air emissions consistent with a developed urban area. The site is <u>not</u> located within a Special Flood Hazard Area. The site and garage will be lit at night for security.</i></p>
<p>f. <i>Historic preservation.</i></p>	<p><i>N/A No historic structures on site. Wooster Square National Register and Local Historic Districts across Olive Street. No significant impacts anticipated.</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 a mixed use development of residential and certain retail uses. The parking use is accessory to those uses and will generally be screened from public view as it is located beneath the main structure. The design and architectural compatibility rest with the "wrapped" building elements along Olive Street, Fair Street and Union Street. These areas will be developed as retail storefronts and residential building lobbies along Olive Street. The southern façades facing Fair Street and a walkway thru to Olive Street will have individual unit entrances with stoops, and the Union Street façade that faces the railroad will have a screen wall. The northern façade will be a screen wall facing a private alley-way between 630 Chapel Street and this development. The Building envelope material and appearance are generally contemporary but compatible in texture and scale with the historic fabric of Wooster Square. It is noted that Wooster Square itself contains several more contemporary buildings due to Urban Renewal infill developments. The building will be as tall or slightly taller than some of the larger Wooster Square buildings that line Olive Street, such as Celentano apartments, the tower of St. Paul and St. James Episcopal Church, the 629 Chapel Street building, the former Strouse Adler building at 78 Olive Street, and further away, the Fire headquarters building tower at Grand Avenue.</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 proposed for more intense mixed use including residential and certain retail uses that require parking; this is not anticipated to have a detrimental effect on surrounding property values. Due to the site's location between Wooster Square and Downtown it will provide more active use of the pedestrian environment than the previous destination showroom that was accessed mostly by vehicles. This can affect perception and reality of increased safety.</i></p>

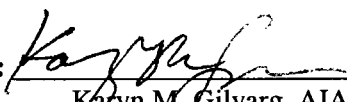
<p>i. <i>Traffic impact.</i> The applicant shall demonstrate how the proposed use will not adversely affect the safety and convenience of vehicular and pedestrian circulation on, adjacent or nearby the site. The Commission may require a traffic impact study be submitted to it by the applicant for any 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>Applicant has submitted a Traffic Impact Study. Traffic will enter and leave the site via Union Street. Trucks will enter as needed by customers; deliveries will use the 4 loading spaces. Traffic will not significantly differ from current usage of roads at this time, although newly intense uses will slightly increase volumes. This increase is not anticipated to be significant given current volumes.</i></p> <p><i>The site is served by local transit, and the site is one block from the State Street Rail Station and less than ½ mile from the Union Avenue station. There are existing on-street spaces on Chapel Street, Union Street, and Olive Street. The Farmington Canal Heritage Greenway will be routed down Olive Street, past the site. It is likely that many residents and their visitors and retail customers will be able to walk or bike from the many nearby places of employment as well the public transportation stops.</i></p>
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**CONDITIONS OF APPROVAL:**

The Special Permit for 87 Union Street for a parking facility of over 200 spaces is hereby approved pursuant to §64, 42 and 45 of the New Haven Zoning Ordinance, as the criteria have been met as detailed above and at the public hearing. The conditions of approval of the Special Permit are as follows:

- 1. The applicant shall record on the City land records an original copy of this 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 on final plans for building permit.**
- 2. The parking facility, site fences, lighting and landscaping shall be maintained in good repair and appearance.**
- 3. Hours of operation shall be 24 hours.**
- 4. Owner/operator of the parking facility will install a flashing warning beacon for pedestrians at the Union Street entry/exit.**

**ADOPTED:** February 18, 2015  
Edward Mattison  
Chair

**ATTEST:**   
Karyn M. Gilvarg, AIA  
Executive Director