

NEW HAVEN CITY PLAN COMMISSION SITE PLAN REVIEW

RE: 35 WHALLEY AVENUE, Site Plan Review for Addition of Drive-thru to Popeye's Restaurant and related Site Improvements in a BB Zone (Owner/Applicant: Delahaye Associates, LLC).

REPORT: 1471-02

ACTION: Approval with Conditions

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, to November 20, 2017. 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 on final plans.
3. Signoff on final plans by the City Engineer, Department of Transportation, Traffic and Parking and City Plan Department in that order shall be obtained prior to initiation of site work or issuance of building permit.
4. A Bond, or other financial instrument acceptable to the City's Corporation Counsel, in an amount of 2% of the certified overall estimated project cost, including grading, paving, fencing, storm drainage, soil erosion measures, landscaping and the like, shall be provided to the City Plan Department, with a copy to the City Engineer, prior to City Plan signoff on final plans for building permit.
5. Any proposed work within the City right-of-way will require separate permits.
6. 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.
7. Final determination of traffic markings, V-loc locations, signs and traffic controls on site and on the perimeter of the site will be subject to the approval of the Department of Transportation, Traffic and Parking.
8. As-built site plan shall be filed with City Plan Department, with a copy to the City Engineer, prior to issuance of final Certificate of Occupancy. Site Plan shall be submitted in both mylar and digital format [.DWG file based on the State Plane Coordinates (NAD1983)]. Provide version of AutoCAD with submission.

Submission: Development Permit application & Narrative, fee of \$270, construction schedule, Engine & speaker decibel levels, Proposed signage, City details, reduced site plan, colored building elevations, menu board & canopy design. BZA decision letter.

Plan set 10/17/12, revised 10/28/12 by Christopher G. Bell Consulting Engineers: Site Plan Drive-Thru Addition, Floor Plan, Roof Plan, Sections and Details, Foundation Plan & Sections, Survey by Bernard Godfrey 2/25/70

PROJECT SUMMARY:

Project: Addition to existing restaurant (drive-thru addition)
Address: 35 Whalley Avenue
Site Size: 16,771 SF
Building: 165 SF addition
Zone: BB

Financing: Private
Parking: 12 on site spaces incl. 1 HC van space, 4 employee spaces on adjacent property owned by UI
Owner: Delahaye Associates, LLC **Phone:** 203-640-8722 cell
Applicant: Keith Solomon **Phone:** 203-640-8722
Site Engineer: Christopher Bell **Phone:** 680-345-7337
City Lead: City Plan Dept. **Phone:** 203-946-6379

BACKGROUND

Previous CPC Actions: none

Zoning: The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the BB zone, with the zoning relief granted (BZA 12-48-S, 10/09/12).

Site Description/existing conditions: 35 Whalley Avenue is on north side of Whalley west of Broadway. Existing Popeye's restaurant (formerly Gino's) with parking lot adjacent accessed from both Whalley Avenue and Goffe Street.

Proposed Activity: Small addition to 48-seat restaurant and reconfiguration of rear half of parking lot to accommodate drive-thru service, relocation of walk-up window, including appropriate signage, canopy and modifications to site plan to accommodate circular traffic through rear yard area, addition of street trees. Activity to include installation of SESC measures, excavation and placement of footing and foundation walls, construction of addition, utility installation install parking lot loop detectors and cameras, remove trees and install new street trees, installation of 2 new curb cuts off Goffe Street, replacement of granite curb and any damaged sidewalk sections, add final paving and striping. The restaurant to be updated to reflect Popeye's new exterior southwestern motif and color scheme.

Stormwater Management Plan: There are 2 catch basins on site which will continue to function as they do now. Roof runoff is captured on site.

Soil Erosion and Sediment Control Review: The owner Keith Solomon is named as the individual responsible for monitoring the site to assure there is no soil or runoff entering City catch basins or the storm sewer system or is tracked off site. 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*.

Circulation/Parking/Traffic: Drive-thru customers will enter the site from Goffe Street, drive to the order board, proceed to the drive-thru window and exit back out onto Goffe Street turning east (median prevents a westbound turn). Customers coming to be seated in the restaurant or picking up at the walk up window will enter and exit the site from Whalley Avenue. There is no circulation from Whalley through to Goffe Street, due to bollards and a gate between the parking lot and the drive thru circulation area. The gate may be opened for snow plowing and removal only.

Employees will park in 4 adjacent parking spaces on property owned by United Illuminating, just to the west of the site on Goffe Street. Employees will enter and exit the parking area through 2 lockable gates.

Trash removal: Trash pickup will be private and will be accommodated prior to opening hour of 10:30 AM.

Lighting: There are building wall lights and 6 lightpoles on the site.

Signage: There is a 19'-8" tall pole sign on the eastern side of the front parking lot and an 18' pole sign at the northwestern corner of the site on the Goffe St side.

Project Timetable: Construction time is approximately 8 weeks once permits are issued.
Landscaping: 2 street trees on the Goffe Street frontage will be removed to make way for two new driveway curbcuts on Goffe Street, and one tree will be removed from the UI property frontage. Popeye's proposes two new street trees (hedge maples) in yet to be determined locations to be approved by the City's tree warden in the Parks Department. The street tree removal will also require a permit from the Parks Dept.

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 with the following comments:

- *Sidewalks on property frontage to be repaired where damaged (replace any broken panels)*
- *Parks Dept. approval for removal and planting of trees required.*
- *New tree pits to be 4' x 8' in accord with City detail.*
- *New curb cuts will require DPW obstruction permit.*

ACTION

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

ADOPTED: November 20, 2012
Edward Mattison
Chair

ATTEST:


Karyn M. Gilvarg, AIA
Executive Director