

NEW HAVEN CITY PLAN COMMISSION SITE PLAN REVIEW

RE: 335 AND 367 ORANGE STREET. Site Plan Review for construction of 269 apartment units and associated amenities in a BD zone. (Owner/Applicant: Clay Fowler for 335 Orange Street, LLC; Agent: Carolyn Kone for Brenner, Saltzman, & Wallman, LLP)

REPORT: 1525-01

ACTION: Approval with Conditions

Note: Companion CPC Report 1525-03 for Special Permit at the same site.

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 February 15, 2022. 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 Greater New Haven Water Pollution Control Authority; Fire Marshal; City Engineer; Department of Transportation, Traffic, and Parking; and City Plan Department; and in that order shall be obtained prior to initiation of site work or issuance of building permit.
4. 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.
5. A site restoration bond in an amount of \$2,500 per dwelling unit (total of \$672,500) will be required as a provision of this permit. Bond, or other such financial instrument, shall be provided to the City Plan Department, with a copy to the City Engineer, prior to City Plan final sign-off on plans for building permit.
6. 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.
7. Any proposed work within City right-of-way will require separate permits.
8. Prior to issuance of Building Permit, street address(es) shall be assigned by the City Engineer.
9. 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.
10. 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.
11. Filing (with City Plan) and implementation of a Storm Drainage Maintenance Plan and Inspection Schedule is required.
12. Following completion of construction, any City catch basins in the public right-of-way impacted by the project shall be cleaned, prior to issuance of Certificate of Occupancy.
13. 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 paper, mylar, and digital PDF on CD or flash drive.

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

NARRATIVE attached. Application fee: \$270. Received November 17, 2016.

- Traffic Impact and Parking Study, dated November 18, 2016, received November 18, 2016. Revisions dated December 8, 2016, received December 8, 2016. Revisions dated December 16, 2016, received December 19, 2016. Revisions dated January 6, 2017, received January 9, 2017.
- Engineering Report, dated November 18, 2016, received November 18, 2016. Revisions dated December 6, 2016, received December 8, 2016. Revised December 16, 2016 and received December 19, 2016.
- Vehicle turning exhibit, dated December 5, 2016. Received December 8, 2016.
- Garage sightline exhibit, dated November 30, 2016. Received December 8, 2016.
- Civil plans (sheets UT and LA) for Site Plan Review signed by City of New Haven Fire Marshal on December 6, 2016. Received December 8, 2016.
- Water Quality Volume Computation dated December 6, 2016 and received Dec 13, 2016. (This memo was later subsumed into the updated SWM/Engineering Report.)
- Email from Ricardo Ceballos at Greater New Haven Water Pollution Control Authority (GNHWPCA) re: development's impact to the adjacent combined sewer system, dated December 6, 2016. Received December 8, 2016.
- Preliminary Geotechnical Report by GeoDesign Incorporated dated February 17, 2016 and received December 20, 2016.
- Letter from GeoDesign, Inc. re: soil infiltration, dated December 8, 2016. Received December 8, 2016.
- Letter from GeoDesign regarding Boring Hole Permeability Testing dated December 16, 2016 and received December 19, 2016.
- Memo (letter) from Cindy Baumann of CDM Smith. Engineering Peer Review. Dated and received December 2, 2016.
- Response to Traffic Impact and Parking Study comments of December 2, 2016 (CDM SMITH Memo), dated December 8, 2016. Received December 8, 2016.
- Response to Engineering Report comments of December 2, 2016 (CDM SMITH Memo), dated December 8, 2016. Received December 8, 2016.
- Response to City Comments. Dated and received December 20, 2016.
- Memo from CNH TTP Dated December 12, 2016 and disseminated December 13, 2016.
- Response to TTP Memo (dated Dec 12, 2016) with comments. Dated December 16, 2016 and received December 19, 2016.
- Memo (letter) from Cindy Baumann of CDM Smith. Engineering Peer Review. Dated December 23, 2016, received and disseminated January 3, 2017.
- Response to CDM Smith comments of December 23, 2016 dated January 6, 2017. Received January 9, 2017.
- Application drawings, Volume 1. 21 sheets received November 21, 2016. Revisions received December 8, 2016. Revised December 16, 2016. Received December 19, 2016. Revisions Dated and Received December 20, 2016. Revisions Dated and Received January 11, 2017.
 - Title sheet. Revision date December 6, 2016. Revised December 16, 2016. Received December 19, 2016.
 - SU: Property/Topographic Survey. Drawing date December 1, 2015.
 - EX: Existing Signage Plan. Drawing date November 17, 2016.
 - LA: Site Plan – Layout. Revision date December 6, 2016.
 - RH: Reflective Heat Impact Study. Revision date December 6, 2016.
 - GR: Site Plan – Grading. Revision date December 6, 2016.
 - UT: Site Plan – Utilities. Revision date December 6, 2016.
 - SE-1: Sediment and Erosion Control Plan. Revision date December 6, 2016.
 - SE-2: Sediment and Erosion Control Notes and Details. Revision date December 6, 2016.
 - SD-1 – SD-4: Site Details. Revision date December 6, 2016.

- SPL-1.0: Landscape Site Plan. Revision date December 6, 2016.
- SPL-2.0 – SPL-2.2: Area Enlargements. Revision date December 6, 2016.
- SPL-3.0: Landscape Lighting Plan. Revision date December 6, 2016.
- SPL-4.0 – SPL-4.2: Landscape Details. Revision date December 6, 2016.
- Application drawings, Volume 2. 19 sheets dated November 17, 2016 and received November 21, 2016. Revisions Received December 20, 2016. Revisions Dated and Received December 20, 2016. Revisions Dated and Received January 11, 2017.
 - A0.00 Title Sheet. Drawing date November 17, 2016.
 - A0.30 Zoning/Building Analysis. Drawing date November 17, 2016.
 - A0.40 Setback Diagram. Drawing date November 17, 2016.
 - A0.50 Construction Staging Plan. Drawing date November 17, 2016.
 - A1.00 Basement Floor Plan. Drawing date November 17, 2016.
 - A1.01 – A1.07: Levels 1 through 7 Floor Plans. Drawing date November 17, 2016.
 - A1.08: Roof Plan. Drawing date November 17, 2016.
 - A2.01 – A2.03 Building Elevations. Drawing date November 17, 2016.
 - A3.01: Building Sections. Drawing date November 17, 2016.
 - A9.03 – A9.05. Renderings. Drawing date November 17, 2016.

PROJECT SUMMARY:

Project: Audubon Square

Address: 335 and 367 Orange Street

Site Size: 142,285 SF (3.27 acres)

Zone: Central Business (BD)

Financing: Private

Parking: 716 spaces (648 in garage, 68 surface)

Owner/Agent: Clay Fowler for 335 Orange Street, LLC

Agent: Carolyn Kone for Brenner, Saltzman, & Wallman, LLP

Architect: Bruce Beinfield for Beinfield Architecture, PC

Site Engineer: Tom Daly for Milone and MacBroom

City Lead: City Plan Department

Phone: 203-354-1555

Phone: 203-772-2600

Phone: 203-838-5789

Phone: 203-271-1773

Phone: 203-946-6379

BACKGROUND

Previous CPC Actions:

CPC 888-03 (September 16, 1981): Land Disposition Agreement for office addition and parking.

CPC 1209-12 (July 17, 1996): SESC application for demolition of structure and expansion of existing 236-space parking lot to 400 spaces.

Zoning:

The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the BD zone.

Site Description/existing conditions:

The proposed project site utilizes an existing parcel, 335 Orange Street and 367 Orange Street, that occupies the majority of the city block bounded by Audubon Street to the north, Orange Street to the west, Grove Street to the south and State Street to the east. Another 0.45-acre parcel in this block that is not part of this project, 630 State Street, is occupied by Trinity Baptist Church and is surrounded by the project site on three sides. The entirety of the site is currently used as a 378-space surface parking lot for Frontier Communications employees and visitors. Frontier is located at 310 Orange Street, across the street from the site.

The site was acquired by the applicant in early 2016. As part of the purchase agreement, the applicant agreed to provide up to 525 replacement parking spaces for Frontier employees and visitors. For this phase of the project,

all 202 required residential parking spaces will be provided on-site; the Frontier parking will be provided on this site and on another parking lot across the street.

Proposed Activity:

The proposed project, to be called Audubon Square, will be constructed in phases. This application is for the first phase only. In this phase, the applicant proposes to construct 269 units of market-rate rental apartments along with related amenities. The building will span the length of Audubon Street, as well as the northern portions of Orange Street and State Street. The portion of the building located along Orange Street will be 83' tall and seven stories high. In addition to apartment units, there will be an approximately 4,000 SF ground-floor retail area on the corner of Orange and Audubon Streets, including a space designated for an outdoor retail/restaurant space.

On the Audubon Street side of the building, the structures will be four-stories high (50') and will resemble townhouses. The structure steps back five feet (above the initial 50' height) to a structure that is an additional three stories tall. The townhouse-type structures are intended to create a sense of a residential neighborhood in line with the character of other buildings on Audubon Street.

On the State Street side of the site, there will be a setback from the lower portion of the building to the upper portion, and the height of the building will drop to four stories to be consistent with the height and massing of the neighboring church. The roof of the four-story portion that overlooks State Street will include a rooftop terrace.

The project will have a mix of studios, one-bedroom, two-bedroom, and three-bedroom apartments. Indoor amenities will be located on the western side of the portion of the building that faces Orange Street, as well as in two two-story structures which will be connected to the building. These smaller structures will include apartments on the upper floors, while the lower-level amenity spaces may include a library fitness facility, media room, art/craft/maker studio space, meeting rooms, and a resident co-worker space. Outdoor amenities will include a swimming pool, terraces, plazas, lawns, and possibly a sports court.

A private drive will bisect the site, running from an existing curb cut on Audubon Street, under the second floor of a portion of the main building, to an existing curb cut on Grove Street. The portion of the building to the west of the private road will wrap a 648-space, 165,000 SF garage, which will contain one level of below-ground parking and eight levels of above-ground parking.

Sixty-two existing parking spaces along Grove Street will be maintained, and six new spaces and a loading area created along the private drive.

Subsequent phases, which are not a part of this application, will include additional apartments and amenity space.

Circulation/Parking/Traffic:

The private drive on the site will be a 20' wide, two-way street, and will provide the only means of entrance and exit to the 68 spaces in the surface parking lot. There will be stop signs and stop bars at the entrances/exits from the private drive. The public will be able to drive, bicycle, and walk along the private drive. Cars will enter and exit the on-site garage from Orange Street (which will be stop-controlled) and from an entrance on the private drive proximate to Audubon Street.

Seventy-two bicycle parking spaces are proposed located in two separate bike rooms on the first floor of the main building and in bike racks north of the new parking area. All streets on the perimeter of the site have existing sidewalks, access to which will be maintained throughout construction. Additional interior sidewalks and pedestrian paths will be constructed as part of the project.

Milone & MacBroom conducted a traffic study as part of the application package, and expected impacts to the traffic are minimal. The report states that "the surrounding roadway system would be able to accommodate traffic

that would be generated by the Audubon Square development with some minor traffic signal timing adjustments at two of the seven signalized study intersections” (Orange and Trumbull and Orange and Grove). The report concludes that the proposed 716 parking spaces are adequate for the needs of the Phase I development and that that there will not be any significant safety concerns at the site driveways or existing roadway system.

Trash removal:

There will be trash rooms on each floor of the building with chutes connecting to a trash compactor room. Compacted trash will then be placed in totes and picked up by a trash hauler once or twice each week.

Signage:

None included at this time.

Sec. 58 Soil Erosion and Sediment 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: 10,650

Start Date: Summer/fall 2017

Completion Date: 18 months after construction begins

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 construction;
- 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: COMPLIES

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: COMPLIES

REQUIRED DOCUMENTATION:

- Lighting Plan with location of all fixtures, type of fixture and elevation 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:	46,180 SF
50% of non-roof hardscape:	23,090 SF
Shaded (based on average values per code):	1,696 SF
Areas with SRI > or = 29	21,751 SF
TOTAL PROPOSED SHADED/HIGH SRI AREA	23,447 SF
% SHADE/HIGH SRI PROPOSED	50.8%

Project Timetable:

Construction is started to begin in the summer/fall of 2017 and last approximately 18 months.

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.

ACTION

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

ADOPTED: February 15, 2017
Edward Mattison
Chair

ATTEST: 
Karyn M. Gilvarg, AIA
Executive Director