

NEW HAVEN CITY PLAN COMMISSION SPECIAL PERMIT

RE: 742, 754, 756 AND 760-768 CHAPEL STREET, AND 294, 300 AND 310 STATE STREET.
MBLUs: 240 0236 01500, 240 0236 01400, 240 0236 01300, 240 0236 01200, 240 0236 01700, 240 0236 01600, 240 0236 01201)
Owner: BC Chapel Street LLC & BC State Street LLC; Agent: G. Muccilli; Applicant: BC Chapel Street LLC

Special Permit for residential units on the ground floor in the BD-1 Zone.

REPORT: 1608-06
ACTION: Approval with Conditions

Previous CPC Actions:

11/17/2022 1596-02 742, 754, 756 AND 760-768 CHAPEL STREET, AND 294, 300 AND 310 STATE STREET. Site Plan Review for construction of a four-story, mixed-use development and conversion of the upper floors of four existing mixed-use historic buildings into residential use totaling 76 dwelling units in a BD-1 Zone. (Including MBLUs: 240 0236 01500, 240 0236 01400, 240 0236 01300, 240 0236 01200, 240 0236 01700, 240 0236 01600, 240 0236 01201) (Owner: BC Chapel Street LLC and BC State Street LLC; Agent: Gregory Muccilli of Shipman & Goodwin LLP; Applicant: BC Chapel Street LLC)

10/26/2021 1593-10 742, 754, 756, 760, CHAPEL Street and 294, 300, and 310 STATE Street
BZA Referral for a Special Exception to allow 3 on-site parking spaces where 36 spaces are required and 1 on-site loading space where 2 spaces are required for 79 dwelling units. BC Chapel Street, LLC. Approved.

7/21/2021 1589-12 300 STATE Street, 742-760 CHAPEL Street
ORDER OF THE BOARD OF ALDERS Approving a tax abatement agreement between the City of New Haven and Beacon Community Services LLC, for the State & Chapel Development (300 State Street and 742-760 Chapel Street) to be used as affordable housing. Dara Kovel, Beacon Communities LLC. No action.

11/04/2020 1574-04 300 STATE Street
ORDER OF THE BOARD OF ALDERS approving an application for Tax Abatement for New Production Affordable Housing - 300 State Street Development 1 New Haven, CT Chief Executive Officer of Beacon Communities LLC. Approved.

Submission: SP Application Packet including DATA AND SPECIAL PERMIT forms. Application fee: \$350. Received April 21, 2022.

- Transmittal Letter, 4 sheets, dated April 21, 2022.
- CPC Report #1596-01, 6 sheets, dated November 17, 2021
- Site photos, 3 sheets, n.d.
- Ground Floor Plan, 1 sheet, dated October 21, 2021
- Permit set (Civil and Architecture Plans), 39 sheets, dated November 1, 2021
- Letter to L. Brown Re DPH, Water Company Letters, 3 sheets, dated April 26, 2022
- Letter from the Architectural Team, 1 sheet, dated May 9, 2022
- Affidavit of Mailing of Abutters Notices, 13 sheets, received May 11, 2022

BACKGROUND

Per the City of New Haven zoning regulations Sections 42A2 and 64, Agent Gregory Muccilli of Shipman and Goodwin LLP has applied for a Special Permit on behalf of BC Chapel Street LLC to allow first floor residential

use on the ground floor of the proposed mixed-use development at 742, 754, 756 AND 760-768 CHAPEL STREET, AND 294, 300 AND 310 STATE STREET, in the BD-1 Zone.

Current site conditions: The Site is located at the corner of State and Chapel Streets, two blocks from the New Haven Green, and is adjacent to the New Haven State Street Station. Along Chapel Street are located several buildings that are contributing to the Ninth Square Historic District, including 742-750 Chapel Street, known as the “Street Building,” a four-story Greek Revival brick building built in 1832; 754 Chapel Street, known as the “Howard Shoe Building (J.E. Bassett and Co.),” a three-story Federal/Greek Revival building built in 1825; 756-758 Chapel Street, an Italianate building built circa 1870; and 760 Chapel Street, known as the “Horowitz Brothers (Charles Manson) Building,” a three-and-one-half story High Victorian Italianate building built in 1891. Because of the architectural, historic and cultural significances of these buildings, they will be preserved as part of the redevelopment and all plans will be done in accordance with the Secretary of Interior’s Standards for Rehabilitation.

Proposed Activity: The Applicant, BC Chapel Street, LLC., an affiliate of Beacon Communities Corporation seeks to develop a mixed-use, transit-oriented development on approximately 0.96 acres located at the real properties commonly known as 742, 754, 756 and 760-768 Chapel Street, and 294, 300 and 310 State Street. Beacon proposes to preserve and incorporate the existing, but partially vacant, historic buildings located along Chapel Street by converting the upper floors into residential use, and further proposes to construct a new, four-story residential building on the remainder of the Site along State Street which is currently in use as a surface parking lot for the storage of motor vehicles, totaling seventy-six (76) residential dwelling units, including two units on the ground floor, while mostly retaining commercial use at street level along Chapel Street in the form of retail or other similar commercial uses.

PUBLIC HEARING

A public hearing was held on May 18, 2022. No members of the public gave testimony.

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 applicant has demonstrated that all ordinance requirements are met.</i>

<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 use is consistent with the uses in the BD-1 zone and the surrounding area which has a mixture of residential and other uses.</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 mixed-use, transit-oriented development of the area.</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>No impact on natural features and no changes in exterior aspects of the Site that could impact scenic vistas are proposed. Street trees and planters are proposed for the development to further enhance natural site features.</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>As residential use is proposed, no detrimental impacts are anticipated.</i></p>
<p>f. <i>Historic preservation.</i></p>	<p><i>The project site is located within the Ninth Square National Register Historic District.</i></p> <p><i>The Applicant proposes to develop the unique cluster of historic buildings present on the subject parcels by creating a structure to be located on the adjacent parking lot site which extends and complements the aesthetics of the existing historic buildings and the area in which the Site is located. It is within this new structure that the two (2) contemplated rear-facing, non-streetside first-floor dwelling units are to be located.</i></p>

<p><i>g. 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>The Historic Buildings described in the Site Conditions will be preserved.</i></p> <p><i>The proposed new building where the two contemplated rear-facing first-floor dwelling units are proposed will be designed to complement the aesthetics of the existing historic buildings on the project site and in the surrounding district.</i></p> <p><i>The May 9, 2022 letter from the Architectural Team states, "While the Chapel Street buildings will be carefully renovated to restore their historic character, the State Street building has been designed to complement but not mimic the fabric found within the District. The façade of the new building is broken into four elements to reduce the scale of the street wall and give the appearance that the block is composed of multiple buildings. The individual segments are in slightly different planes and include varied roof lines and a variety of materials and fenestration opening details. At the pedestrian level, large, glazed openings and the residential lobby entrance are included to mimic commercial storefronts that traditionally line the District. Common areas providing support to the residential units are located along the ground floor street front. These uses provide activity that generally provides an improved, safe, pedestrian experience. Residential units are located on upper floors and on internal building facades to provide privacy for the residents."</i></p>
<p><i>h. 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 proposed changes of use are not anticipated to have a detrimental effect on surrounding property values--the mixed-use building is replacing what has most recently been a surface parking lot.</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>The Board of Zoning Appeals granted Special Exceptions to allow 3 on-site parking spaces where 36 spaces are required and 1 on-site loading space where 2 spaces are required. (21-77-S) Therefore, only 3 on-site parking spaces and 1 loading space are proposed. The Project is designed as a Transit-Oriented Developed with nearby access to Public Transportation and ample bicycle storage. Minimal traffic impact is anticipated as a result of the project.</i></p>

CONDITIONS OF APPROVAL:

The conditions of approval of the Special Permit under §64 and §42A2 of the New Haven Zoning Ordinance for residential units on the first floor in a BA 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: May 18, 2022
Leslie Radcliffe
Chair

ATTEST: 

Laura Brown
Executive Director, City Plan Department