

NEW HAVEN CITY PLAN COMMISSION SPECIAL PERMIT

RE: DIXWELL PLAZA.

87 Webster Street (MBLU: 294/0345/00400); 156-158 Dixwell Avenue (MBLU: 294/0345/100500) 172 Dixwell Avenue (MBLU: 294/0345/00600) 176 Dixwell Avenue (MBLU: 294/0345/00700); 180-184 Dixwell Avenue (MBLU: 294/0345/00800); 190 Dixwell Avenue (MBLU: 294/0345/00900); 192 Dixwell Avenue (MBLU: 294/0345/01000); 206-208 Dixwell Avenue (MBLU: 294/0345/01200); 210-212 Dixwell Avenue (MBLU: 294/0345/01300); 220 Dixwell Avenue (MBLU: 294/0345/01400); 224-226 a/k/a 230 Dixwell Avenue (MBLU: 294/0345/01500 & 294/0345/01501); 200 Dixwell Avenue (MBLU: 294/0345/01100); 26 Charles Street (MBLU: 294/0345/01600); Dixwell Avenue (MBLU: 294/0345/01800)

Owners: 87 Webster Street LLC, 156-158 Dixwell Avenue LLC, 172 Dixwell Avenue LLC, 176 Dixwell Avenue LLC, 180-184 Dixwell Avenue LLC, 190 Dixwell Avenue LLC, 192 Dixwell Avenue LLC, 206-208 Dixwell Avenue LLC, 210 Dixwell Avenue LLC, 220 Dixwell Avenue LLC, 230 Dixwell Avenue LLC, City of New Haven; **Agent:** C. Kone; **Applicant:** ConnCorp LLC)

Special Permit

Parking facilities with 200 spaces or more in the BA zone.

REPORT: 1616-06

ACTION: Approval with Conditions

Note: Companion CPC Report 1616-04 DIXWELL PLAZA Site Plan Review for modifications to the previously approved site plan.

Submission: Special Permit Application form. NARRATIVE attached. Application fee: \$250. Received September 15, 2022.

BACKGROUND

Per the City of New Haven zoning regulations Sections 42 and 64, of the Zoning Ordinance, ConnCorp, LLC (the "Applicant") seeks a Special Permit (and Site Plan Review: CPC Report 1616-04) to (i) construct a 392-space parking lot (the "Parking Lot") during Phase 1 which will be temporary until Phase 2 is developed, (iii) to construct an above-ground 589-space parking space structure (the "Parking Structure") during Phase 2 of the Project (collectively the "Parking Facilities").

Current site conditions: The Dixwell Plaza Redevelopment site is approximately 7.7-acres and currently consists of a retail plaza, surface parking lots, driveways, and a pedestrian pathway. The site is bounded by Charles Street to the north, Dixwell Avenue to the east, Webster Street to the south and to the west is a section of Winter Street and a row of residential buildings facing Orchard Street with associated surface parking lots. The existing development has seven driveway connections to public roadways, four to Dixwell Avenue, two to Charles Street and one to Webster Street.

Proposed Activity: The proposed activity, known as ConnCAT Place on Dixwell will take place in two phases and will comprise multiple uses including office, retail, residential, daycare and entertainment.

Phase 1 of the Project includes the demolition of all structures on the site. Phase 1 will include (i) 60,000 sf building to serve as the headquarters for the Connecticut Center for the Arts and Technology (“ConnCAT”) (ii) a 5000 sf healthcare clinic (Hill Health Center) and (iii) a 10,000 sf day care facility with 6900 sf of associated outdoor space. During Phase 1 a second building (the “Mixed Use Building”) consisting of 219,1000 sf will be constructed. The Mixed Use Building will include a food hall, a grocery store and a retail area on the 1st floor. Above the first floor will be a six story residential tower containing 184 dwelling units. Phase 1 parking will be provided by the Parking Lot which will be fenced with a 6 ft high screen fence on the westerly border, landscaped islands and lighting that does not spill over on adjacent properties.

Phase 2 of the Project includes the construction of (i) a 350 seat, 29,335 sf Performing Arts Center, including a shared lobby with the office building and one retail space (ii) a five story, 84,613sf Office Building with two retail spaces on the ground floor and (iii) 13 Townhouse Units. Nine of the Townhomes will be built along the northwestern side of the site facing the Florence Virtue Homes and four will be along the northern border of the site facing Charles Street. The Townhomes will each be three stories high. To accommodate the parking requirements of the full build out, during Phase 2 the “Parking Lot” will be eliminated and the 589 space, 3 story “Parking Structure” will be constructed. The roof of this structure is to be a green roof with greenhouses and without parking.

Phase 1 uses require 392 spaces according to the City’s Zoning Ordinance parking requirements for the BA district. Phase 2, 630 spaces are required for the full build out, without reduction for 62 bicycle parking spaces provided in addition to required bicycle parking, which reduces the required parking to 568 spaces. The applicant has provided 270 bicycle parking spaces and 589 vehicle parking spaces.

PUBLIC HEARING

A public hearing was held on September 21, 2022.

Topics discussed in Public Testimony include:

- The need for affordable housing
- Public access to the development
- Support for the Special Permit and parking modifications
- Concern about neighborhood parking demand and shortages
- Traffic impact
- The Traffic Impact Study provided
- The importance of revitalizing Dixwell Plaza
- The importance of continued community engagement
- Fees for using parking facilities
- Environmental impact of the parking
- Preservation of the Elks Club
- Visual impact of parking garage and other buildings
- Electric vehicle charging
- Timing of demolitions

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
<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 has submitted an application that demonstrates compliance with section 45 and 64 of the Zoning Ordinance.</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>On site parking structures and lots are allowable uses in the BA District. The application complies with all requirements for accessibility, parking space size and quantity. Sufficient parking to meet the regulated needs of proposed developments scale require more than 200 spaces.</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 Comprehensive Plan of Conservation & Development identifies the revitalization of Dixwell Plaza as a priority (p. IV-19, VI-17) and a top candidate for additional retail activity within the City (p.VI-12). Regarding associated parking for the redevelopment, the City's Plan emphasizes the need for parking in advance of and in support of redevelopment and calls for appropriately sized mixed-use parking facilities (p.IV-22).</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 as it currently exists is fully developed. The propose redevelopment and associated parking facilities pose no significant adverse impact on wildlife habitat. Trees will need to be removed to facilitate the full build out of the project, however, the proposed parking facility will provide new green space in the form of a green roof and green houses.</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>There are no hazards anticipated as a result of the parking facilities. The "Parking Lot" include a 6 ft high fence as well as no light spill over onto adjacent properties. The "Parking Structure" will be separated from the Florence Virtue Homes by the townhomes. There is no anticipated detrimental impact of the Parking Facilities to nearby residencies.</i></p>
<p>f. <i>Historic preservation.</i></p>	<p><i>Several buildings on the site are listed in the New Haven HRI, "New Haven Modern" and are proposed to be demolished. The 90-day demolition delay ordinance applies to these structures and the applicant is currently engaged in initiating the demolition delay process.</i></p>

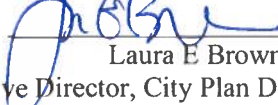
<p>g. <i>Design and architectural compatibility.</i> The operational and physical characteristics of the special permit shall be compatible with the surrounding area and the neighborhood in which it is proposed. Site design and architectural features which contribute to compatibility include, but are 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>The Parking Lot and the Parking Structure will be visible from the right of way. The Lot will be temporary and while in use it will include a 6 ft high fence as well as no-spill lighting and landscaped islands. The Structure will be located behind the proposed performing arts center (75 ft tall) and the Mixed Use Building (84 ft tall) and should not be fully visible from Dixwell Ave, Charles Street or the Florence Virtue Homes. Visible features will primarily include the rooftop greenhouses.</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 Parking Facilities are not anticipated to have a detrimental effect on surrounding property values.</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>A Traffic Impact Study, submitted with the application, determines that the project can be supported by the surrounding roadways with minor signal pedestrian improvements. Entrances and exits to the Parking Facilities have been reviewed by the Department of Transportation, Traffic and Parking.</i></p>

CONDITIONS OF APPROVAL:

The conditions of approval of the Special Permit under §64 and §45 of the New Haven Zoning Ordinance for parking facilities in excess of 200 spaces 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: September 21, 2021
Leslie Radcliffe
Chair

ATTEST: 
Laura E Brown
Executive Director, City Plan Department