

## NEW HAVEN CITY PLAN COMMISSION SITE PLAN REVIEW

**RE:** 8 WHALLEY AVENUE. MBLU: 296 0285 00300. Site Plan Review for construction of three stories on an existing building to create six residential units, in the Commercial Gateway District. (Owner 8-12 Whalley LLC; Applicant: Andrew Rizzo)

**REPORT:** 1623-01

**ACTION:** Approval with Conditions

### 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 December 15, 2027. 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 for building permits. A digital copy of the recorded report shall be provided to staff (.pdf).
3. Upon approval by the City Plan Commission, provide compiled digital copies of all application materials, including drawing sets and reports, to staff for filing (.pdf files) prior to City Plan signoff for building permits.
4. Comments under **ADDITIONAL CONDITIONS OF APPROVAL** shall be reviewed with the City Plan Department and resolution reflected on final plans, prior to their circulation for signoff.
5. Signoff on final plans by the City Engineer; Department of Transportation, Traffic, and Parking; City Plan Department; and Fire Marshal in that order shall be obtained prior to initiation of site work or issuance of building permit.
6. 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.
7. Any proposed work within City right-of-way will require separate permits.
8. 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.
9. Any proposed removals of street trees must be coordinated with the Department of Parks, Recreation, and Trees prior to sign-off for building permits.
10. Following completion of construction, any catch basins in the public right-of-way impacted by the project shall be cleaned, prior to issuance of Certificate of Occupancy.
11. Within 10 business days of City Plan Commission approval, the applicant shall submit a digital (.pdf) and hard copy of the final approved plan set (including all revisions) to the City Plan Department.
12. As-built Survey 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 mylar and digital form (.pdf).

### ADDITIONAL CONDITIONS OF APPROVAL

13. Connection to storm sewer and roof leader connections will be detailed, prior to sign-off for building permits.

**Submission:** SPR Application Packet including DATA, WORKSHEET, SITE. NARRATIVE attached.

**Application fee:** \$410. Received November 17, 2022.

Received November 17, 2022:

- Civil and Architectural plans, 23 sheets, dated July 19, 2022, revised November 30, 2022

- Stormwater Management Plan, 3 sheets, dated July 19, 2022

**PROJECT SUMMARY:**

**Project:** Construction of three full stories for six new dwellings

**Address:** 8 Whalley Avenue

**Site Size:** 2,100 Sq. Ft.

**Building size:** 7,272 Sq. Ft.

**Zone:** CGD

**Parking:** No parking on site

**Owner:** 8-12 Whalley LLC

**Applicant:** Andrew Rizzo

**Phone:** (203) 606-4013

**Phone:** (203) 668-4943

**BACKGROUND**

**Previous CPC Actions:**

No previous CPC actions.

**Zoning:**

The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the CGD zone, with the zoning relief granted, as described below.

22-69-V, 22-70-S. 8 Whalley Avenue

A Variance to permit a rear yard of 5ft where 10ft is required and a Special Exception to permit 0 off-street parking spaces where 3 are required for the creation of 6 dwelling units in the CGD Zoning District were granted by the Board of Zoning Appeals on November 15, 2022.

**Site description/existing conditions:**

This site is at the corner of Whalley Avenue and Howe Street, adjacent to the Shops at Yale and is in the Commercial gateway District. The site is bordered by commercial to the north, south, east, and west, and abuts the Whalley Avenue, Goffe Street, Dixwell Avenue, Broadway, Tower Parkway, and Howe Street intersection. There is an existing building on site which has a first floor with a footprint that is zero-lot-line except for a small concrete patio on Howe Street, and above the first floor there is a partial second floor. The first floor has been used as a restaurant for many years.

**Proposed activity:**

The proposed development plan for the site is to add three full stories to an existing one-story commercial building for six new dwelling units. The existing partial second floor will be demolished. The six dwelling units will be located on the second through fourth floors, with commercial use remaining on the ground floor.

**Motor vehicle circulation/parking/traffic:**

There will be no parking or vehicle circulation on site.

**Bicycle parking:**

There will be a 2-bicycle storage shed to the north of the building as well as a bike rack for 3 bikes on Howe Street, in the "patio" area.

**Trash removal:**

The alleyway in the rear yard of the site will be shared by the first-floor restaurant and an adjacent restaurant on Howe Street, where trash will be collected in small dumpsters and rolled out to the street for collection.

**Signage:**

No new signage proposed at this time. All signage must meet zoning ordinance requirements.

**Sec. 58 Soil Erosion and Sedimentation Control:**

Does not apply.

**Sec. 60 Stormwater Management Plan:**

Does not apply. Zero-lot line site.

**Sec. 60.1 Exterior Lighting: SUBMISSION MEETS REQUIREMENTS**

**REQUIRED SUBMISSION**

- Lighting Plan with location of all fixtures, type of fixture and mounting height of lights;
- Manufacturer specifications or cut-sheet for each fixture;
- Photometrics.

**STANDARDS**

- In general, all exterior light sources must be directed downward. The lighting must also be, as much as physically possible, contained within the target area;
- Parking Lot and Security Lighting.* All outdoor light fixtures within a parking lot, vehicular circulation area, or pedestrian area must be of a Full Cutoff or Fully-Shielded type;
- Architectural Lighting.* Lighting for building facades and Indirectly Illuminated Signs is permitted subject to the following: (a) Uplighting does not exceed 900 lumens & (b) Upward aimed light is Fully-Shielded and fully-confined from projecting into the sky, eaves, roofs, or overhangs. The light must be fully confined within the vertical surface of the wall being illuminated;
- Unshielded Lighting.* Floodlighting is discouraged, and if used, must be shown that the type of fixture proposed is not objectionable because it (a) prevents Glare for drivers and pedestrians and light above a horizontal plane, and (b) mitigates light trespass beyond the property line. Unshielded, motion activated lighting will not be triggered off the property on which the fixture is located and must go off within five minutes of activation. Unshielded lighting creating Glare or Light Trespass is required to be re-aimed and/or fitted with a shield device to block the Glare;
- Lighting Curfew.* On all parking fields, including surface lots, parking decks and top levels of parking garages which contain a minimum of four light poles, the lighting must be reduced by at least 50 percent of full operational levels within 30 minutes after the close of business. Because certain minimum lighting levels are recommended for safety and security, parking field lighting does not need to be reduced to less than an average .2 footcandles as measured horizontally at the surface on which the light pole is mounted in accordance with Illuminating Engineer Society (IES) Standards; and
- Height.* Exterior Lighting must not exceed 20 feet in height from the point on the ground directly below the fixture to the highest point on the fixture. Lighting mounted higher than 20 feet may be permitted through the site plan review process, either by Staff or the Commission, as applicable, depending on the site conditions;
- Maximum Light Levels at the Property Line.*
  - a. *The maximum light level at any point on the property line cannot exceed: .1 footcandles within or adjacent to a property with a residential use or .2 footcandles when adjacent to properties with other uses. Where the adjacent property is a residential use or mixed-use and the first floor is not residential, the maximum light levels at the property line cannot exceed .2 footcandles;*
  - b. *Color. Because blue light brightens the night sky more than any other color of light, lighting must have a color temperature of no more than 3000 Kelvins. Exterior Lighting that has warmer light spectrums are preferred;*
  - c. *The Staff or the Commission, as applicable, may determine that certain light fixtures are exempt from these requirements of this Section because they do not adversely affect an adjacent property owner or the night sky or because they are necessary for the functioning of the use.*

**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:

282 SF

50% of non-roof hardscape:

141 SF

|  |               |
|--|---------------|
| <b>Shaded (average)</b>                    | -             |
| <b>SRI &gt; 29</b>                         | 282 SF        |
| Cement                                     | 282 SF        |
| Parking striping                           | -             |
| StreetBond coating                         | -             |
| <b>TOTAL PROPOSED SHADED/HIGH SRI AREA</b> | <b>282 SF</b> |
| <b>% SHADED/HIGH SRI PROPOSED</b>          | <b>100%</b>   |

**Sec. 50. Inclusionary Zoning:**

Does not apply, under 10 units.

**Project Timetable:** Construction is expected to commence on April 1, 2023 and be completed by June 30, 2024.

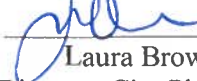
**SITE PLAN REVIEW**

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.

**SITE PLAN ACTION**

The City Plan Commission approves the submitted Site Plans subject to conditions on Pages 1 and 2.

**ADOPTED:** December 15, 2022  
Leslie Radcliffe  
Chair

**ATTEST:**   
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Laura Brown  
Executive Director, City Plan Department