

NEW HAVEN CITY PLAN COMMISSION SITE PLAN REVIEW

RE: 275 SOUTH ORANGE STREET. Site Plan Review for modifications to the site plan for the construction of a multi-story, multi-use structure in a BD-3 zone.
(Owner/Applicant: 275 Orange Phase 1A LLC; Agent: Carolyn Kone of Brenner, Saltzman & Wallman LLP)

REPORT: 1624-01

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 January 18, 2028. 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. Signoff on final plans by the Greater New Haven Water Pollution Control Authority; 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.
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 bond will be required in conformity with Connecticut General Statutes Section 8-3(g). Bond, or other such financial instrument, shall be provided to the City Plan Department, in an amount equal to the estimated cost of implementation of erosion and sediment controls, plus 10 percent, prior to City Plan final sign-off on plans for building permit.
6. Any proposed work within City right-of-way will require separate permits.
7. Prior to applying for Building Permit, street address(es) shall be assigned by the City Engineer.
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. Filing (with City Plan) and implementation of a Storm Drainage Maintenance Plan and Inspection Schedule is required.
11. 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.
12. 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 mylar and digital form (.pdf).
13. 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.

ADDITIONAL CONDITIONS OF APPROVAL

14. The Applicant will adjust the striping between Martin Luther King and George Street to the following: 6' bike lane, 3' buffer, 12' SB travel lane, 3 NB - 11' travel lanes. The City will monitor conditions along this cross section of the roadway, including the need for a southbound left turn restriction, as may be required and would be carried out by TTP in conjunction with the creation of the protected bike lane.

15. The traffic signal plan for the S. Orange St at George St intersection will be updated as requested by the City based on the revised lane widths on the S. Orange St approach. At that time, if any timing changes are requested by the City, these can be added to the signal plan update. Also, if the revised lane widths result in head alignments that are not MUTCD compliant, adjustments to the signal head locations will be shown on the signal plan. The revised signal plan will be submitted to OSTA by the Applicant. Any field work required by the traffic signal plan will be undertaken by the City.

Submission: SPR Application Packet including DATA form. NARRATIVE attached. Application fee: \$410. Received November 17, 2022.

- Request for modification of site plan approval letter, 6 sheets, dated November 17, 2022, revised December 16, 2022, December 23, 2022 and January 12, 2023
- Survey, 1 sheet, dated October 25, 2022
- Request for interpretation of definition of 'lot' letter, 6 sheets, dated February 22, 2022
- New Haven Coliseum Redevelopment Proposed Organizational Chart, 1 sheet, n.d.
- Civil plans, 17 sheets, dated November 17, 2022, revised December 1, 2022, December 16, 2022, and January 12, 2023

PROJECT SUMMARY:

Project: Coliseum Site Development Phase IA
Address: 275 South Orange Street
Site Size: 1.5 acres
Building size: 200,529 SF
Zone: BD-3 (Central Business/Mixed Use)
Owner: City of New Haven, CT
Phone: (203) 946-2867
Applicant: 275 Orange Phase 1-A LLC c/o Spinnaker Real Estate Partners, LLC
Phone: (203) 843-2274
Agent: Carolyn W. Kone of Brenner, Saltzman & Wallman LLP
Phone: (203) 772-2600
Site Engineer: Fuss & O'Neill
Phone: (860) 646-2469

BACKGROUND

Previous CPC Actions

11/4/2020 1573-02 275 SOUTH ORANGE Street. Site Plan Review for the construction of a multi-story, multi-use structure in a BD-3 zone. Applicant: Gregory Fieber for LWLP New Haven

8/29/2007 1407-09 275 SOUTH ORANGE Street. Site Plan Review for Construction of Temporary Parking Lots on former Coliseum Site. Applicant: City of New Haven

5/18/2005 1369-36 275 SOUTH ORANGE Street. Site Plan Review for Phase I of Gateway Downtown Development Project (Demolition of New Haven Coliseum) in a BD Zone. Applicant: City of New Haven.
Project: Gateway Downtown Development Project

Zoning: The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the BD-3 zone (Central Business/Mixed Use).

Site description/existing conditions: The subject parcel for the development of the former New Haven Coliseum site encompasses an area of approximately 4.5 acres and consists of an asphalt pavement surface parking lot. The site is bounded by George Street to the north, State Street to the east, North Frontage Road to the south, and South Orange Street to the west. Proposed redevelopment of the entire site will be conducted in multiple phases. Proposed development associated with Phase 1A of the project, will occur within a 1.5-acre area along the northern portion of the parcel, labeled as 'Phase 1A Parcel' on the survey. Compliance with NHZO Section 60 and Section 60.2 will be met across the 1A and 1B parcels (2.63 acres total).

Proposed activity: Site Plan approval for Phase 1A was previously granted by the City Plan Commission on November 4, 2020 (CPC Report #1573-02). As the plans for 1B and 1C progressed, the applicant determined that a number of modifications to the 1A approval would be necessary.

The applicant proposes to construct a 200,529 SF seven-story mixed-use building consisting of 200 residential dwelling units and 11,813 SF of retail and restaurant space. The building will contain 65 studio apartments, 83 one-bedroom apartments and 52 two-bedroom apartments. Approximately 25,000 SF of public space (including a 16,350 SF public plaza and a retail laneway extending from South Orange Street to State Street through the middle of the parcel) is proposed. Additional site work includes the installation of new landscaped islands, outdoor light fixtures, patios/plazas, and utility and stormwater management infrastructure.

Modifications to the initial approval (CPC #1573-02) include:

- Elimination of the Southwestern Parking Lot—this will be replaced by the 1B parking garage which will contain 65 of the required parking spaces for the 1A building (CPC Report #1624-02)
- Changes to the Floor Area Ratio—changes in the 'lot' definition and minor changes in the building gross floor area resulted in a change from a FAR of 1.6 to 2.9. This is below the permitted FAR of 6.0 in the BD-3 Zone.
- Changes to Reflective Heat Impact—reflective heat impact calculations have been redone and continue to exceed requirements for reflective surfaces.
- Changes to Laneway
 - As a result of the subdivision of the Phase 1 land, approximately 3200 sf of Laneway located on the southwestern portion of Laneway as shown in Drawing CS-101 Site Layout Plan, including the sidewalk on the southwestern sides of Laneway have been removed from the Phase 1A Parcel and are now part of the Phase Parcel 1C Parcel
 - One tree pit has been eliminated on the 1C portion
 - The nine parking spaces originally planned to be located on Laneway have been eliminated and have been replaced with three short-term drop-off/pick-up spaces and the 1A loading space has been shifted slightly to the west.
- Within the Phase 1A building:
 - Minor changes to the mix of units (revised breakdown is 65 studios, 83 one-bedrooms, and 52 two-bedrooms).
 - The amount of retail/restaurant space (a decrease from 16,550 sf to 11,813 sf) and the amount of amenity space (an increase from 10,130 sf to 13,113 sf).
 - There has also been a substantial increase in the amount of outdoor usable space from 7,770 sf to 11,328 sf, so that both the amenity space and the usable open space remain in compliance with the requirements of the Zoning Ordinance.
- In the 1A building, there will be 5 accessible spaces instead of 6, and the locations have changed.
- Minor changes to utilities (sewer and drainage system).
- The public improvements along South Orange Street to the south of the entrance to Laneway (sidewalks, bioswales, bike lanes) will now be the responsibility of the Phase 1C Parcel owner, and the bike lane in this section of South Orange Street will be relocated east of its original location in order to accommodate a drop off/pick up space in front of the entrance to the new Phase 1C building.

Motor vehicle circulation/parking/traffic: The proposed project includes the construction of a 35-car parking garage on the ground floor of the building, including five accessible spaces. The garage will be accessed via the proposed retail laneway and from George Street. An additional 65 parking spaces will be provided in the parking garage on the Phase 1B parcel to the south. The proposed retail laneway (two-way private road) will extend west to east along the site between South Orange Street and State Street. Three pick-up/drop-off spaces and one loading space will be provided along the laneway.

Bicycle parking: The applicant proposes to construct a bicycle storage room on the ground floor of the building that will store at least 50 bicycles. Three additional outdoor bike racks, each accommodating two bicycles will be located at southeast corner of the building.

Trash removal: Two trash rooms (one for residential tenants and the other for the retail/restaurant tenants) will be located on the first floor of the building. Trash will be picked up by a private trash hauler.

Signage: None proposed. All signage must meet zoning requirements.

Sec. 58 Soil Erosion and Sedimentation 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: 7, 320 CY

Start Date: First quarter of 2023

Completion Date: Second quarter of 2024

Responsible Party for Site Monitoring: Barry White of Spinnaker Real Estate Partners, LLC

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 the construction phases;
- 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: SUBMISSION MEETS REQUIREMENTS

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: 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.

Light levels over 0.2 footcandles shown on the photometric plan are due to lighting on South Orange Street and in the laneway, required for visibility/safety.

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:

37,344 SF

50% of non-roof hardscape:

18,672 SF

Non-Roof Hardscape Areas with SRI >29	
Concrete Paving	7,251 SF
Architectural Concrete	13,964 SF
Plaza Concrete Pavers	8,929 SF
TOTAL PROPOSED SHADED/HIGH SRI AREA	30,144 SF
% SHADED/HIGH SRI PROPOSED	89.7%

Note: Reflective Heat calculations done across the 1A and 1B parcels per the zoning letter from the Zoning Enforcement Officer and Deputy Director of Zoning.

Project Timetable: Construction is expected to begin in the first quarter of 2023 and be completed by the second quarter of 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.

PLANNING CONSIDERATIONS

This application represents modification to the original site plan CPC #1573-02 in 2020 for the development of the former New Haven Coliseum site. Staff note that the original proposal has not substantially changed but this new report reflects the realities of the current division of the lot and anticipated developments on Phase 1B and 1C that were not fully developed when the original approval was received. Staff believe this application upholds the original vision of the development as articulated in the Development and Land Disposition Agreement (DLDA) to “create a vibrant, pedestrian, and transit-oriented setting that grows New Haven’s jobs and tax base”

and supports many of the City's goals for Downtown. This development will result in activation of currently underutilized land, support local economic growth and create hundreds of units of much needed housing.

While the three parcels in Phase 1 have been submitted as separate applications, throughout the process staff encouraged the development teams to consider the integration of the three parcels, as well as the broader architectural and economic context in downtown, to create a welcoming, pedestrian friendly environment. Of particular interest on this parcel is the integrated pedestrian laneway and greenspace amenities adjacent to the 1B and 1C parcels. This laneway was conceived as part of the DLDA process as a "woonerf" which views the multi-use street as an activated social space. The safe movement of pedestrians, bicycles, and loading vehicles through the laneway, as well as along South Orange Street, was of concern to staff given the high density of anticipated activity within this development as well as the proposed future development along State Street. Development teams participated in three formal technical reviews with staff regarding the proposed modifications. The complexity of this project as a multi- parcel and multi-phased development also raises the importance of ongoing coordination with the city regarding soil and site control, staging, and maintenance and protection of traffic.

The public and community leadership have had opportunities for input and discussion of proposed development on this parcel site through multiple community meetings, discussions with Community Management Teams, and briefings facilitated by the Economic Development Division staff. These include: Project Community Meeting (9/24/2019 & 9/25/2019); General Community Outreach Meeting (6/8/2020); CMT: Hill South & Downtown Wooster Square (8/13/2020); a Community Workshop (9/10/2020) and a Community Meeting (Phase 1B/1C, 11/17/23). The parcel was also subject to a design review as specified in the DLDA in 2020.

SITE PLAN ACTION

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

ADOPTED: January 18, 2023
Leslie Radcliffe
Chair

ATTEST: 

Laura E Brown
Executive Director, City Plan Department

