

NEW HAVEN CITY PLAN COMMISSION SITE PLAN REVIEW
NEW HAVEN CITY PLAN COMMISSION DETAILED PLAN REVIEW

RE: **19 ELM STREET.** Site plan review for the construction of a seven-story mixed-use development consisting of ground level commercial space and amenity space, 96 residential dwelling units, and a rooftop deck in a BD zone. (Owner/Applicant: 19 Elm LLC; Agent: Gregory Muccilli, Esq. of Shipman & Goodwin LLP)

REPORT: **1568-02**

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 April 15, 2025. 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 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.
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. 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.
8. 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.
9. Any proposed work within City right-of-way will require separate permits.
10. 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.
11. Any proposed removals of street trees must be coordinated with the Department of Parks, Recreation, and Trees prior to sign-off for building permits.
12. Filing (with City Plan) and implementation of a Storm Drainage Maintenance Plan and Inspection Schedule is required.
13. 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.
14. 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).

ADDITIONAL CONDITIONS OF APPROVAL

15. Applicant shall confirm groundwater levels and the infiltration rate at/near the location of the proposed retention system with the Engineering Department prior to sign off on plans for building permit.
16. Applicant shall verify the details (invert elevation, pipe size, depth) of the existing storm sewer pipe to ensure that drainage system connection from the site is reasonably feasible prior to the Engineering Department's sign off on plans for building permit.
17. Applicant shall provide a copy of the final parking lease for not less than three (3) parking spaces in the 209-227 Orange Street lot prior to sign off on plans for building permit.

Submission: SPR Application Packet including DATA, WORKSHEET, SITE, and SESC forms. NARRATIVE attached. Received March 19, 2020.

- Sanitary Sewer Report dated March 19, 2020. Received March 19, 2020.
- Stormwater Management Report dated March 19, 2020. Received March 19, 2020. Revised April 6, 2020. Received April 6, 2020.
- Transmittal letter from Shipman & Goodwin LLP dated March 19, 2020. Received March 29, 2020.
- Letter from John's Refuse & Recycling, LLC dated March 17, 2020. Received April 6, 2020.
- Application drawings. 22 sheets received March 19, 2020. Revisions received April 6 and April 13, 2020.
- Parking Agreement dated January 2018. Received April 14, 2020.

PROJECT SUMMARY:

Project: Elm Street Apartments
Address: 19 Elm Street
Site Size: 23,847 SF (0.55 acres)
Building size: 127,701 SF (total gross)
Zone: BD (Central Business)
Parking: 41 on-site parking spaces (35 spaces underground & 6 spaces at-grade) including 4 leased spaces in parking lot located at 209-227 Orange Street
Owner: 19 Elm LLC **Phone:** (203) 624-0642
Applicant: Same as above
Agent: Gregory Muccilli, Esq. of Shipman & Goodwin LLP **Phone:** (203) 836-2806
Civil Engineer: Land Engineering and Surveying, LLC
Architect: Kenneth Boroson Architects, LLC

BACKGROUND

Previous CPC Actions:

- **CPC 1527-02.** Site Plan Review for conversion of retail space and building addition for 46 residential units in a BD zone. Approved February 15, 2017.
- **CPC 1516-09:** Special Exception to permit 19 on-site parking spaces where 25 are required. Recommended approval March 16, 2016.

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

Site description/existing conditions: The project site encompasses an area of approximately 23,847 SF (0.55 acres) and consists of a vacant one-story building, formerly occupied by Harold's Bridal Shop, and an asphalt parking lot. The site is bounded by surface parking lots in the north, mixed-use property in the east and west, and Elm Street in the south.

Proposed activity: The applicant proposes to demolish the existing one-story structure and construct a seven-story mixed-use development consisting of ground level commercial space and amenity space, five (5) floors of

residential dwelling units (96 total), and a rooftop deck. Additional site work includes stormwater management, exterior lighting, and landscape improvements.

Motor vehicle circulation/parking/traffic: The applicant proposes to provide 35 underground parking spaces and six (6) at-grade parking spaces on the site. The applicant proposes to lease four additional parking spaces from 205 Orange LLC in a nearby lot. Two loading spaces will be provided on site.

Bicycle parking: Secure indoor and outdoor storage for not less than 20 bicycles will be provided.

Trash removal: The proposed building will have trash rooms on each floor. A private trash hauler will retrieve waste from inside the building and bring out to the street for disposal.

Signage: No new signage proposed at this time. All signage must meet zoning ordinance 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: 5,643 CY

Start Date: Upon approvals Completion Date: Spring 2021

Responsible Party for Site Monitoring:

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 both the demolition and 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*.

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.*

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:

7,637 SF

50% of non-roof hardscape:

3,818.5 SF

Shaded (average)	4,210 SF
TOTAL PROPOSED SHADED/HIGH SRI AREA	4,210 SF
% SHADED/HIGH SRI PROPOSED	55%

Project Timetable: Construction is expected to begin upon receiving approvals and be completed by Spring 2021.

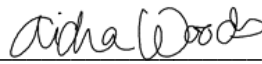
SITE PLAN REVIEW

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 and 2.

ADOPTED: April 15, 2020
Edward Mattison
Chair

ATTEST: 
Aicha Woods
Executive Director, City Plan Department