

NEW HAVEN CITY PLAN COMMISSION SPECIAL PERMIT

RE: 367 ORANGE STREET. Special Permit for the construction of a two-sided monument sign on Orange Street by the entrance to the existing parking garage and a four-sided cube sign on the corner of Orange Street and Audubon Street in a BD zone.
(Owner/Applicant: Clayton H. Fowler of 367 Orange LLC & Spinaker Parse 367 LLC;
Agent: Frank Caico of Spinnaker Real Estate Partners, LLC)

REPORT: 1569-04

ACTION: Approval with Conditions

Submission: SPECIAL PERMIT Application Packet including DATA form. NARRATIVE attached.
Received April 15, 2020.

- The Audubon/Exterior Signage Monument 1. Received April 15, 2020.
- The Audubon/Exterior Signage Monument 1. Received April 15, 2020.
- *Special Permit – Monument Signs Site Plan.* Received April 15, 2020.

BACKGROUND

Per the City of New Haven zoning regulations of Section 60.3 and 64, the applicant is seeking a Special Permit to construct 2 monument signs to be located at the subject property known as The Audubon New Haven, which consists of 269 residential dwelling units, a 648 space garage, and approximately 6,000sf of retail space on the ground floor. The property is bounded on the North by Audubon Street, on the East by State Street, on the West by Orange Street, and on the South by the property known as 335 Orange Street (Phase II).

Proposed Activity: The proposed activity consists of the creation of two freestanding double-sided monument signs to be located at the corner of Audubon Street and Orange Street and the other at the Orange Street garage entrance, each with an approximate size of 12.5sf per face (60” x 30” x 30”). The signs are to be non-illuminated and directly embedded in the landscaped/plant areas currently provided.

PUBLIC HEARING

A public hearing was held on May 20, 2020. A recording of the hearing, CPC meeting 1569, is available from the City Plan Department.

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 application is in compliance with all pertinent sections of the NHZO. The proposed signage is far below the permitted 4sf of sign area per linear foot of building wall (157sf allowed between Orange Street and Audubon Street.</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 zone.</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 signs have been designed to be "compatible with the prevailing neighborhood character" (i.e the existing historic homes on Audubon Street as well as the new construction of the Audubon Square Project).</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 proposed signs will not impact any natural features on the site.</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>No hazardous materials are anticipated as a result of the signs.</i></p>
<p>f. <i>Historic preservation.</i></p>	<p><i>N/A No historic structures on site and the subject lot is not located within a local historic district.</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 signs have been designed to be architecturally compatible, including massing and styling, with the surrounding area as mentioned above.</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 signs are not anticipated to have a detrimental effect on surrounding property values. The applicant assumes that there will be an increase in property values due to the signs bringing in residents to the neighborhood and increasing the overall safety and walkability along Orange Street and Audubon Street.</i></p>

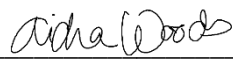
<p>i. <i>Traffic impact.</i> The applicant shall demonstrate how the proposed use will not adversely affect the safety and convenience of vehicular and pedestrian circulation on, adjacent or nearby the site. The Commission may require a traffic impact study be submitted to it by the applicant for any 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>There is no anticipated adverse effect on traffic. The proposed signs include wayfinding information that may improve visibility and access to the garage on site.</i></p>
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CONDITIONS OF APPROVAL:

The conditions of approval of the Special Permit under §64 and §60.3 of the New Haven Zoning Ordinance for signage 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 20, 2020
Edward Mattison
Chair

ATTEST: 
Aicha Woods
Executive Director, City Plan Department