

**NEW HAVEN CITY PLAN COMMISSION COASTAL SITE PLAN REVIEW
NEW HAVEN CITY PLAN COMMISSION SITE PLAN REVIEW**

RE: **285 NICOLL STREET.** Site Plan Review and Coastal Site Plan Review for the creation of a 100 person seating area for on-site food consumption in an existing take-out facility. (Owner: Narang New Haven CO., LLC.; Applicant: East Rock Market LLC.; Agent: Marjorie Shansky of Marjorie Shansky Attorney at Law.)

REPORT: 1589-05

ACTION: Approval with Conditions

CONDITIONS OF APPROVAL

1. Pursuant to State Statute, this site plan approval is valid for a period of five (5) years following the date of decision, until July 21, 2026. 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 on final plans.
3. Comments under **Site Plan Review** shall be reviewed with the City Plan Department and resolution reflected on final plans, prior to their circulation for signoff.
4. Sign off on final plans by relevant Agencies which may include the Greater New Haven Water Pollution Control Authority, Fire Marshall, City Engineer, Department of Transportation, Traffic, and Parking and City Plan Department shall be obtained prior to initiation of site work or issuance of building permit.
5. 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.
6. Any proposed work within City right-of-way will require separate permits.
7. 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.
8. Final determination of traffic markings, V-loc locations, signs, and traffic controls on site and on the perimeter of the site will be subject to the approval of the Department of Transportation, Traffic, and Parking.
9. Following completion of construction, any City catch basins in the public right-of-way impacted by the project shall be cleaned, prior to issuance of Certificate of Occupancy.
10. 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 both mylar and digital format [.DWG file based on the State Plane Coordinates (NAD1983)]. Provide version of AutoCAD with submission.

SUBMISSION

SPR Application Packet including DATA, SITE, CSPR forms and NARRATIVE. Received June 17, 2021

Application fee: \$360. Received. July 2, 2021

Attachments, Received June 17, 2021

- Application Cover Letter from Agent
- Application drawings. 2 sheets
 - Site Development Plan, dated June 16, 2021
 - Proposed Seating Plan SK-1, April 28, 2020

PROJECT SUMMARY

Project: East Rock Market, LLC proposes to create a seating area for on-premises consumption of foods prepared by the currently take-out food prep areas at 285 Nicoll Street. Table seating and bar stools for a maximum of one hundred people will be available. Hours of operation are proposed to be 11:00 a.m. to 11:00 p.m. Monday – Sunday. Alcoholic beverages and accessory entertainment will also be available.

Address: 285 Nicoll Street
Site Size: 165,677 SF (3.80 acres)
Zone: Light Industrial (IL)
Financing: Private
Parking: 158 existing parking spaces, 4 ADA compliant, van accessible spaces. 27 rack spaces for bicycles

Owner: Narang New Haven CO., LLC **Phone:** 203-451-5554
Agent: Attorney Marjorie Shansky **Phone:** 203-469-3004
Architect: Javier Ferro **Phone:** 203-843-2274
Site Engineer: Bryan Nesteriak **Phone:** 203-881-8145
City Lead: City Plan Department **Phone:** 203-946-6379

BACKGROUND

Previous CPC Actions:

1503-02: Coastal Site Plan Review and Site Plan Review for conversion of warehouse space to gym. Approval with Conditions Valid March 18, 2015 – March 18, 2020

1504-01: Coastal Site Plan Review and Site Plan Review for conversion of warehouse space to office. Approval with Conditions Valid April 15, 2015 – April 15, 2020

1512-03: Coastal Site Plan Review and Site Plan Review for adaptive reuse of existing industrial building for use as office space and parking garage. Valid December 16, 2015 – December 16, 2020

1528-02: Coastal Site Plan Review and Site Plan Review for construction of a brewery within an existing building in an IL zone. Approval with Conditions Valid March 23, 2017 – March 23, 2022

Zoning:

The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the IL zone. Within the City of New Haven's Light Industry (IL) Zone, as detailed in the Zoning Ordinance Table 3. Use Table, Section E., Eating, Drinking Places & Entertainment, such establishments are permitted as of right. However, for purposes of the Zoning Ordinance, a change from one classification of Eating, Drinking & Entertainment establishment to another shall be considered a new use. The existing coffee shop/food prep operation at 285 Nicoll Street, under this application, will transition from an establishment selling food for immediate consumption on or off site to a restaurant selling or serving alcoholic

beverages and including accessory entertainment, a new use as per the Zoning Ordinance Table 3. Use Table, Section E., Eating, Drinking Places & Entertainment.

Site Description/existing conditions: 285 Nicoll Street is an existing 273,158 SF mixed use building in the East Rock neighborhood. The parcel is entirely contained within the New Haven Coastal Area Management boundary. The site is bounded by Nicoll Street to the west, Mitchell Drive to the north and east, and an industrial/office property to the south. The Wilbur Cross High School campus and East Rock Park are across Mitchell Drive and a residential neighborhood lies to the west. A 45-space surface parking lot is also across the street to the west. The site includes two parking/loading dock areas (one concrete, one asphalt and concrete) on the back side of the building that are accessed from Mitchell Drive.

Since being granted zoning relief (March 10, 2015; 15-71-V) and submitting numerous, successful site plan applications in 2015 and 2017, the building currently contains a fitness gym, coffee shop, 36,500 sq.ft. of office space, a brewery and a 98-space parking garage in the basement.

Proposed Activity: Creation of a 2,700 sq.ft seating area for on-premises consumption of foods prepared by the currently take-out food prep areas at 285 Nicoll Street. Table seating and bar stools for a maximum of one hundred people will be available. Hours of operation are proposed to be 11:00 a.m. to 11:00 p.m. Monday – Sunday. Alcoholic beverages and accessory entertainment will also be available. The proposed activity constitutes a new use as per the Zoning Ordinance Table 3. Use Table, Section E., Eating, Drinking Places & Entertainment.

Circulation/Parking/Traffic: As shown in the submitted Site Plan, the applicant is adding one on-site parking space (Lot #4 via re-striping) in addition to those already approved for prior projects at 285 Nicoll Street. It is unclear from the submitted Site Plan and other application material if the number of proposed on-site spaces (159) meets the requirement for all uses at the site.

Customer parking is provided via a 45-space lot across the street at 268 Nicoll Street, a total of 14 spaces in two lots on Mitchell Drive, street parking in the surrounding neighborhood, and a 98-space parking garage below the building. These lots will be shared with other uses in the building.

As noted in past reviews, general shipping and receiving activity for the brewery takes place at an interior loading area off Nicoll Street that can accommodate a semi-trailer truck with a standard 48-53' trailer. Delivery vehicles will have to back over the sidewalk to either enter or leave the site. However, this condition has existed for many years, as the loading docks were constructed in 1956, prior to the 1962 Zoning Ordinance that prohibited backing over the sidewalk. Therefore, the condition is a pre-existing non-conformity and can continue without further zoning relief.

The owner has installed a striped crosswalk across Nicoll Street from the parking lot to the building.

Bicycle Parking: The submitted existing conditions Site Plan demonstrates 27 rack spaces; 14 in front of the Gym, 6 inside the Gym and 7 installed adjacent to the ADA platform.

Trash removal: Trash and recycling disposal and removal will occur inside the building next to the interior loading dock on Nicoll Street. The applicant anticipates that trash and recycling pickup will not occur more than once per day.

Signage: No signage was proposed in the application. Any wayfinding or site signage must be approved by the City Plan Department prior to sign-off for permits.

Sec. 58 Soil Erosion and Sediment Control:

Upon review of the proposed activity, interior building modifications, and the absence of any exterior work in the application, City Plan staff finds the application exempt from Section 58 review and requirements.

Sec. 60 Stormwater Management Plan: No changes to the existing stormwater system are contemplated.

Sec. 60.1 Exterior Lighting: No new exterior lighting proposed.

Sec. 60.2 Reflective Heat Impact: No proposed changes to exterior impervious surfaces.

Project Timetable: Interior construction only. Construction to commence immediately upon approval.

COASTAL SITE PLAN REVIEW

NOTE: The nature of the proposed activity, interior modification to a building, meets the criteria of City of New Haven Zoning Ordinance Section 55.(f)(7), for Coastal Site Plan Review exemption and as such is exempt from the requirements of Coastal Site Plan Review.

Project Timetable: Interior construction only. Construction to commence immediately upon approval.

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 with the following comments:

- Any wayfinding or site signage must be approved by the City Plan Department prior to sign-off for permits.

COASTAL FINDING:

Taking into consideration all of the above information, the City Plan Commission finds the proposed activity consistent with all applicable goals and policies in Section 22a-92 of the Connecticut Coastal Management Act and incorporates as conditions or modifications all reasonable measures which would mitigate the adverse effects on coastal resources. The Commission therefore makes a finding of no impact on coastal resources and approval for a coastal permit to be issued.

ACTION

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

DOPTED: July 21, 2021

Leslie Radcliffe
Chair

ATTEST: _____

Aicha Woods

Aicha Woods,
Executive Director

DATE ADOPTED: July 21, 2021

ATTEST: _____

[Signature]

James Turcio
Building Official