

NEW HAVEN CITY PLAN COMMISSION SPECIAL PERMIT

RE: DIXWELL PLAZA REDEVELOPMENT PROJECT. 87 Webster Street (MBLU: 294/0345/00400); 156-158 Dixwell Avenue (MBLU: 294/0345100500) 172 Dixwell Avenue (MBLU: 294/0345/00600) 176 Dixwell Avenue (MBLUE: 294/0345/00700); 180-184 Dixwell Avenue (MBLU: 294/0345/00800); 190 Dixwell Avenue (MBLU: 294/0345/00900); 192 Dixwell Avenue (MBLU: 294/0345/01000); 206-208 Dixwell Avenue (MBLU: 294/0345/01200); 210-212 Dixwell Avenue (MBLU: 294/0345/01300); 220 Dixwell Avenue (MBLU: 294/0345/01400); 224-226 a/k/a 230 Dixwell Avenue (MBLU: 294/0345/01500 & 294/0345/01501); 200 Dixwell Avenue (MBLU: 294/0345/01100); 26 Charles Street (MBLU: 294/0345/01600); and Dixwell Avenue (MBLU: 294/0345/01800).
Special Permit application for parking facilities with 200 spaces or more in the BA zone. (**Owners:** 87 Webster Street LLC, 156-158 Dixwell Avenue, LLC, 172 Dixwell Avenue LLC, 176 Dixwell Avenue LLC, 180-184 Dixwell Avenue LLC, 190 Dixwell Avenue LLC, 192 Dixwell Avenue LLC, 206-208 Dixwell Avenue LLC, 210 Dixwell Avenue LLC, 220 Dixwell Avenue LLC, 230 Dixwell Avenue LLC and the City of New Haven. **Applicant:** Paul McCraven of ConnCorp, LLC; **Agent:** Carolyn Kone of Brenner, Saltzman & Wallman, LLP)

REPORT: 1598-03

ACTION: Approval with Conditions

Note: Companion CPC Report 1598-04 DIXWELL PLAZA Special Permit Application for multifamily housing with residential use on the first stories (13 townhouses) in the BA zone and 1598-02 DIXWELL PLAZA REDEVELOPMENT Site Plan Review for construction of a multi-use site including commercial and retail space, residential units, parking, and a public plaza for the same site.

Submission: Special Permit Application form. NARRATIVE attached. Application fee: \$250. Received November 18, 2021.

BACKGROUND

Per the City of New Haven zoning regulations Sections 42 and 64, of the Zoning Ordinance, ConnCorp, LLC (the "Applicant") seeks a Special Permit (and Site Plan Review: CPC Report 1598-02) to (i) construct a 259 space underground parking structure (the "Underground Garage") during Phase 1 of the Project which will be utilized in phases 1 and 2, (ii) to construct a 237 space parking lot (the "Parking Lot") during Phase 1 which will be temporary until Phase 2 is developed, (iii) to construct an above-ground 340 parking space structure (the "Parking Structure") during Phase 2 of the Project (collectively the "Parking Facilities").

Current site conditions: The Dixwell Plaza Redevelopment site is approximately 7.7-acres and currently consists of a retail plaza, surface parking lots, driveways, and a pedestrian pathway. The site is bounded by Charles Street to the north, Dixwell Avenue to the east, Webster Street to the south and to the west is a section of Winter Street and a row of residential buildings facing Orchard Street with associated surface parking lots. The existing development has seven driveway connections to public roadways, four to Dixwell Avenue, two to Charles Street and one to Webster Street.

Proposed Activity: The proposed activity, known as ConnCAT Place on Dixwell will take place in two phases and will comprise multiple uses including office, retail, residential, daycare and entertainment.

Phase 1 of the Project includes the demolition of all structures on the site with the exception of (i) the Police Substation on the northwestern corner of the site and (ii) the building on the northeast corner of the site. Phase 1 will include (i) 72,355 sf building to serve as the headquarters for the Connecticut Center for the Arts and Technology (“ConnCAT”) (ii) a 5000 sf healthcare clinic (Hill Health Center) and (iii) a 9000 sf day care facility with 6700sf of associated outdoor space. During Phase 1 a second building (the “Mixed Use Building”) consisting of 214460 sf will be constructed. The Mixed Use Building will include a food hall, a grocery store and a retail area on the 1st floor. Above the first floor will be a six story residential tower containing 184 dwelling units. Lastly, Phase 1 will include a 41550 sf public plaza on the southern half of the site. Parking for these uses will be provided by the Underground Parking Garage which will be constructed under the ConnCAT Building. The remainder of Phase 1 parking will be provided by the Parking Lot which will be located 41 ft from the westerly property line of the Site and fenced with a 6 ft high screen fence on the westerly border, landscaped islands and lighting that does not spill over on adjacent properties.

Phase 2 of the Project includes the construction of (i) a 350 seat, 19855 sf Performing Arts Center, (ii) a five story, 48000 sf Office Building with retail on the ground floor and (iii) 13 Townhouse Units. Nine of the Townhomes will be built along the northwestern side of the site facing the Florence Virtue Homes and four will be along the northern border of the site facing Charles Street. The Townhomes will each be three stories high. To accommodate the parking requirements of the full build out, during Phase 2 the “Parking Lot” will be eliminated and the 340 space, 2 story “Parking Structure”. The roof of this structure is to be a green roof with greenhouses and without parking.

Phase 1 uses require 455 spaces according to the City’s Zoning Ordinance parking requirements for the BA district. Phase 2, 620 spaces are required for the full build out, without reduction for 62 bicycle parking spaces provided in addition to required bicycle parking, which reduces the required parking to 558 spaces. The applicant has provided 172 bicycle parking spaces and 599 vehicle parking spaces.

PUBLIC HEARING

A public hearing was held on December 15, 2021. A transcript of the hearing, CPC meeting 1598, 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 applicant has submitted an application that demonstrates compliance with section 45 and 64 of the Zoning Ordinance.</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>On site parking structures and lots are allowable uses in the BA District. The application complies with all requirements for accessibility, parking space size and quantity. Sufficient parking to meet the regulated needs of proposed developments scale require more than 200 spaces.</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 City's Comprehensive Plan of Conservation & Development identifies the revitalization of Dixwell Plaza as a priority (p. IV-19, VI-17) and a top candidate for additional retail activity within the City (p.VI-12). Regarding associated parking for the redevelopment, the City's Plan emphasizes the need for parking in advance of and in support of redevelopment and calls for appropriately sized mixed-use parking facilities (p.IV-22).</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 site as it currently exists is fully developed. The propose redevelopment and associated parking facilities pose no significant adverse impact on wildlife habitat. Trees will need to be removed to facilitate the full build out of the project, however, the proposed parking facility will provide new green space in the form of a green roof and green houses.</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>There are no hazards anticipated as a result of the parking facilities. The "Parking Lot" will be 41 ft from the Florence Virtue Homes and will include a 6 ft high fence as well as no light spill over onto adjacent properties. The "Parking Structure" will be separated from the Florence Virtue Homes by the townhomes. There is no anticipated detrimental impact of the Parking Facilities to nearby residencies.</i></p>
<p>f. <i>Historic preservation.</i></p>	<p><i>N/A No historic structures on site</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>Of the Parking Facilities, only the Parking Lot and the Parking Structure will be visible. The Lot will be temporary and while in use it will include a 6 ft high fence as well as no spill lighting and landscaped islands. The Structure will be located behind the proposed performing arts center (75 ft tall) and the Mixed Use Building (84 ft tall) and should not be fully visible from Dixwell Ave, Charles Street or the Florence Virtue Homes.</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 Parking Facilities are not anticipated to have a detrimental effect on surrounding property values.</i></p>

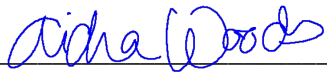
<p>i. <i>Traffic impact.</i> The applicant shall demonstrate how the proposed use will not adversely affect the safety and convenience of vehicular and pedestrian circulation on, adjacent or nearby the site. The Commission may require a traffic impact study be submitted to it by the applicant for any 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>A Traffic Impact Study, submitted with the application, determines that the project can be supported by the surrounding roadways with minor signal pedestrian improvements. Entrances and exits to the Parking Facilities have been reviewed by the Department of Transportation, Traffic and Parking.</i></p>
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CONDITIONS OF APPROVAL:

The conditions of approval of the Special Permit under §64 and §45 of the New Haven Zoning Ordinance for parking facilities in excess of 200 spaces 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: December 15, 2021
Leslie Radcliffe
Chair

ATTEST: 
Aicha Woods
Executive Director, City Plan Department