

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 multifamily housing with residential use on the first stories (13 townhouses) 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: 1598-04

ACTION: Approval with Conditions

Note: Companion CPC Report 1598-03 DIXWELL PLAZA Special Permit Application for parking facilities in excess of 200 spaces 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 in the BA zone. 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 13 townhouse units with residential use on the first floor of each (the "Townhouses") during Phase 2 of the Project.

Current site conditions: The Dixwell Plaza Redevelopment site is approximately 7.7-acres and is located on the current site of Dixwell Plaza (156-230 Dixwell Avenue and 26 Charles Street) and on the former site of the Elks Club (87 Webster Street) (collectively the "Site"). Currently the Site 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 (Florence Virtue Homes) 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 such as office, retail, residential, daycare and entertainment uses.

Phase 2 of the Project includes the construction of (i) a 350 seat, 19855 sf Performing Arts Center with retail on the ground floor, (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. The maximum density of one unit per 1000 square feet of gross floor area of the building required by Section 42 will not be exceeded in the two buildings in which the townhomes will be located. The large building which will house 9 townhouse units is 21,933 sf and the smaller building, housing 4 units is 9,748 sf. Each Townhouse will be 44 feet high.

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
<p>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.</p>	<p><i>The Applicant has submitted an application and drawings that demonstrate compliance with Section 64 of the New Haven Zoning Ordinance.</i></p>
<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>As shown in the accompanying Site Plan Application, the proposed 13 Townhouse units comply with the Zoning Ordinance in terms of use, density and parking.</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 plan calls for medium density residential developments to be designed in a manner compatible with the prevailing neighborhood character (p.XXVII, III-12-13). The townhouses have been designed to be compatible with the adjacent Florence Virtue Homes as well as the existing residential buildings on Charles St and Orchard St which all have first floor residential.</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>Nine trees will be removed to construct the townhouses, a loss that would result if there was multi-family development and no residential on the first floor. The new townhomes will receive new landscaping.</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 will be stored on-site. Limited noise will be generated during construction. Once constructed they should not create any hazards for the nearby properties.</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>The proposed townhouses have been designed to be compatible with the Florence Virtue Homes and other surrounding residential structures. The townhomes will have individual front doors that front either Charles St or the North-South private drive along the westerly boundary of the site.</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 townhouses 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 supported by the surrounding roadways with minor signal pedestrian improvements. Parking for the townhouses will be located in the Parking Structure.</i></p>

CONDITIONS OF APPROVAL:

The conditions of approval of the Special Permit under §64 of the New Haven Zoning Ordinance for residential use on the first floor 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
Aicha Woods
Executive Director, City Plan Department