

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **ORDER OF THE BOARD OF ALDERS** Approving the amendment to the Land Disposition Agreement for 1198 Chapel Street/Chapel Lofts II, LLC originally approved by the Board of Alders April 18, 2005 by amending the Land Disposition Agreement by inserting the attached first (1st) amendment to the Land Disposition Agreement as attached hereto. (Livable City Initiative)

REPORT: 1543-22

ADVICE: Approval

BACKGROUND:

The Land Disposition Agreement (LDA) for 1198 Chapel Street was originally submitted by the Livable City Initiative on April 18, 2005, and was adopted by the Board of Alders. On September 19, 2017, an amendment was made to permit 24 rental units and two retail spaces instead of nine condominiums and two retail spaces which was approved by the CPC with the conditions that zoning relief, including variances and/or special exceptions, and city plan commission approval may be required before construction can begin. This proposed amendment is to permit four affordable residential units which would remain affordable for a period of not less than 20 years from the date of issuance of certificates of occupancy.

PLANNING CONSIDERATIONS:

The affordable units shall bear a maximum rent that does not exceed 30% of the gross income of any income eligible tenant (a tenant whose household income does not exceed 80% of Area Median Income, as defined by HUD) occupying such unit, provided further that in no event shall the monthly rent for an affordable unit exceed the sum obtained by taking the monthly Urban Development Fair Market Rent for the New Haven area and deducting a dollar figure of \$250. The developer shall deliver an annual report to the City concerning the tenancies at the Affordable Units in such form and detail as LCI shall reasonably require and containing, at a minimum, the identity of the tenants occupying each affordable unit, the respective incomes of each such tenant and the amount of the monthly rent collected from each such tenant. The developer will comply, and will require its contractors and sub-contractors to comply, with the provisions of article II of Chapter 12 ½ of the Code of Ordinances of the City of New Haven (Hiring practices in the construction trade) and Section 12 ¼ of the City's Code of General Ordinances (Small contractor development program). Construction shall commence within 180 days from the effective date and shall be completed not later than 12 months from the commencement of the construction work or 18 months from the effective date, whichever occurs first. In the event the developer shall fail to commence the construction work within the time limit, the developer shall pay the city a penalty in the sum of \$10,000 and, for each day thereafter up to the commencement of the construction work a further penalty of \$100. In the event the developer fails to complete the construction work within the time limit, the developer shall pay to the city a penalty of \$100 for each day following the date upon which the construction work should have been completed up to and including the actual date of completion.

ADVICE:

The Commission finds the Order in the best interest of the City and recommends approval.

ADOPTED: April 18, 2018
Leslie Radcliffe
Vice Chair

ATTEST: MPL
Michael Piscitelli, AICP
Deputy Economic Development Administrator

