

## NEW HAVEN CITY PLAN COMMISSION SPECIAL PERMIT

**RE:** 414 CHAPEL STREET. Special Permit to allow dwelling units in an existing structure that is greater than 50,000 sq. ft. gross floor area in an IL zone. (Owner: Morgan Reed Chapel LLC; Applicant: Carriage House; Agent: Benjamin Trachten of Trachten Law Firm, LLC)

**REPORT:** 1558-09

**ACTION:** Approval with Conditions

Note: Companion CPC Report 1558-05 for the same site.

### Previous CPC Actions:

No previous actions have been taken.

**Submission:** SPR Application Packet including DATA, WORKSHEET, SITE, and SESC forms.

**NARRATIVE attached. Application fee: \$360. Received May 16, 2019.**

- Stormwater Management Plan dated May 1, 2019. Received May 16, 2019.
- Application drawings. 20 sheets received May 16, 2019. Revisions received June 6, June 14, and June 19, 2019.

### BACKGROUND

Per the City of New Haven zoning regulations Sections 42(a)(3) and 64, Benjamin Trachten of Trachten Law Firm, LLC, representing Carriage House, LLC, has applied for a Special Permit (and Site Plan Review: CPC Report 1558-05) for dwelling units in an existing structure of at least 50,000 SF gross floor area and no less than two stories in height built prior to 1963, at a maximum density of 1 unit per 1,000 SF gross floor area in an IL zone at 414 Chapel Street.

### Site description/existing conditions:

The project site encompasses an area of approximately 68,065 SF (1.56 acres) and consists of a parking area and a four-story commercial building that is partially occupied by All Our Kin and Support Enforcement Agency offices. The site is bound by Chapel Street to the north, East Street to the east, Wooster Street to the south, and South Wallace Street to the west.

### Proposed activity:

The applicant proposes to convert the existing commercial building into 87 residential dwelling units.

### PUBLIC HEARING

A public hearing was held on June 19, 2019. A transcript of the hearing, CPC meeting 1558, 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.

<b>Special Permit Criteria</b>	<b>Comments</b>
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 Development Permit application, including the Site Plan and Special Permit application submittals, establish the applicant's eligibility because all Ordinance requirements are met.</i>
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.	<i>The site complies with all applicable regulations and will undergo a near total renovation as part of its conversion to residential use. All alterations and upgrades will comply with City and State building requirements.</i>
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.	<i>The City's Comprehensive Plan, New Haven Vision 2025, calls for industrial use in the area that includes the project site. The proposed project supports the city's interest in repurposing industrial buildings for various uses, including residential use, as indicated in New Haven Vision 2025 and the Mill River District Plan.</i>
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.	<i>There is currently a minimal amount of vegetation on the property. The proposed project includes the planting of several trees throughout the parking lot.</i>
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.	<i>There are no anticipated hazards from residential use of the property. No hazardous materials will be stored on-site. No vibrations, fumes, odor, dust, erosion, sedimentation, flooding, fire, or glare is expected. Limited noise will be generated during construction.</i>
f. <i>Historic preservation.</i>	<i>N/A No historic structures on site</i>
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.	<i>The exterior of the building will remain largely unchanged. The site will be improved by the addition of trees and shrubs.</i>


<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 residential use of the building is likely to have a positive impact on property values in the surrounding area.</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>The proposed residential use of the property is not expected to adversely affect traffic the safety and convenience of vehicular and pedestrian circulation on, adjacent to, or nearby 414 Chapel Street. The applicant proposes to provide 77 parking spaces on site that will reduce any potential need for on-street parking in the area as a result of the project.</i></p>

**CONDITIONS OF APPROVAL:**

The conditions of approval of the Special Permit under §64 and §42(a)(3) of the New Haven Zoning Ordinance for residential use in an IL zone 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:** June 19, 2019  
Edward Mattison  
Chair

**ATTEST:**   
Aicha Woods  
Executive Director, City Plan Department