

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

RE: 470 JAMES STREET. Coastal and Site Plan Review for redevelopment of bus transit Site. (Owner/Applicant: David Salinas of District NHV LLC; Agent: Ron Bomengen of Fuss & O'Neill.)
REPORT: 1518-03
ACTION: Approve with conditions

Note: Companion CPC Reports 1518-05 and 1518-06 for the same site.

CONDITIONS OF APPROVAL

1. Pursuant to State Statute, this site plan and soil erosion and sediment control plan approval is valid for a period of five (5) years following the date of decision, until **June 15, 2021**. 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. Signoff on final plans by the Greater New Haven Water Pollution Control Authority, Fire Marshal, City Engineer, Department of Transportation, Traffic and Parking and City Plan Department in that order 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. A Bond, or other financial instrument acceptable to the City's Corporation Counsel, in an amount of 2% of the certified overall estimated project cost, including grading, paving, fencing, storm drainage, soil erosion measures, landscaping and the like, shall be provided to the City Plan Department, with a copy to the City Engineer, prior to City Plan signoff on final plans for building permit.
7. The name of an individual responsible for monitoring the soil erosion and sediment control plan on a daily basis during the construction period shall be provided to the City Plan Department, prior to City Plan signoff on final Plans.
8. Flood elevation certificate (Flood Development Permit certifying finished floor elevation) shall accompany application for building permits.
9. Any proposed work within City right-of-way will require separate permits.
10. 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.
11. 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.
12. Filing (with City Plan) and implementation of a Storm Drainage Maintenance Plan and Inspection Schedule is required.
13. 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.

14. 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 paper, mylar, and digital PDF on CD or flash drive.

Submission: SPR application packet including DATA, WORKSHEET, SITE, SESC, CSPR, and SPECIAL PERMIT forms. NARRATIVE attached. Application fee: \$570 (including Special Permit fees). Received April 18, 2016.

- NDDDB State Listed Special Review Request and Preliminary Assessment. Received April 18, 2016.
- Traffic Impact Study, dated April 2016. Received April 18, 2016.
- Stormwater Management Report dated April 15, 2016, received April 18, 2016. Revisions dated May 16, 2016, received May 16, 2016. Additional revisions dated June 3, 2016, received June 7, 2016.
- Project summary letter, dated April 15, 2016. Received April 18, 2016. Revised to address staff comments, May 16, 2016. Received May 16, 2016.
- Abutters mailing list client charge back report, dated May 9, 2016. Received May 19, 2016.
- Response to Transportation, Traffic, and Parking comments. Received June 8, 2016.
- Heat reduction narrative. Received June 10, 2016.
- Application drawings. 42 revised sheets received May 16, 2016. Revised sheets received June 7, 2016.
 - GI-001: Cover Sheet. Revision date May 16, 2016.
 - GI-002: General Notes. Revision date May 16, 2016.
 - VB-01: Property/Boundary & Topographic Survey. Revision date March 11, 2016.
 - GI-101: Snow Storage Plan. Revision date May 16, 2016.
 - CP-101-102: Site Preparation Plan. Revision date May 16, 2016.
 - CE-101-102: Erosion & Sediment Control Plan. Revision date June 3, 2016.
 - CS-100: Overall Site Layout Plan. Revision date June 3, 2016.
 - CS-101-102: Site Layout Plan. Revision date June 3, 2016.
 - CG-101-102: Grading & Drainage Plan. Revision date June 3, 2016.
 - CU-101-102: Site Utility Plan. Revision date May 16, 2016.
 - RC-101: Fire Truck Turning Plan. Revision date May 16, 2016.
 - SL-1.C: Exterior Lighting Photometric Calculation. Drawing date April 15, 2016.
 - LP-101-102: Site Landscape Plan. Revision date June 3, 2016.
 - CE-501: Erosion & Sediment Control Details. Revision date June 3, 2016.
 - CD-501-504: Site Details. Revision date May 16, 2016.
 - CD-505-507: Storm Drainage Details. Revision date May 16, 2016.
 - CD-508-509: Sanitary Sewer Details. Revision date May 16, 2016.
 - CD-510: Water Service Details. Revision date May 16, 2016.
 - CD-511-512: Utility Details. Revision date June 3, 2016.
 - LP-501-502: Landscape Details. Revision date June 3, 2016.
 - A2.01: Proposed Overall First Floor Plan. Drawing date April 1, 2016.
 - A2.02: Proposed Overall Second Floor Plans. Drawing date April 1, 2016.
 - A2.03: Proposed Overall Roof Plan. Drawing date April 1, 2016.
 - A2.50 Proposed Restaurant Plans. Drawing date June 15, 2016.
 - A5.01: Proposed Exterior Elevations. Drawing date April 1, 2016.
 - A5.10 Proposed Courtyard Elevations. Drawing date April 1, 2016.
 - A5.50 Proposed Restaurant Exterior Elevations. Drawing date June 15, 2016.

Other relevant information:

- Letter from Deputy Economic Development Administrator to applicant summarizing City's design review comments. Dated May 23, 2016.
- Response to design review comments dated May 23, 2016. Dated June 10, 2016.

PROJECT SUMMARY:

Project: District NHV

Address: 470 James Street

Site Size: 397,545 SF (9.13 acres)

Zone: IL (Light Industry)

Financing: Private

Parking: 287 spaces (including 33 compact, 6 HC, 3 HC van-accessible)

Owner/Applicant: David Salinas, District NHV, LLC

Phone: 203-672-6201

Agent: Ronald Bomengen, Fuss & O'Neill, Inc.

Phone: 860-646-2469 x5253

Site Engineer: Fuss & O'Neill, Inc.

Phone: 860-646-2469

City Lead: City Plan Department

Phone: 203-946-6379

BACKGROUND

Previous CPC Actions:

CPC 1513-10, December 16, 2015: Order of the Board of Alders approving the acquisition by the City of New Haven of 470 James Street from the State of Connecticut and disposition of the same to District NHV, LLC pursuant to the terms and conditions of a Development and Land Disposition Agreement to be entered into between the City of New Haven and District NHV, LLC.

CPC 1515-02, February 17, 2016: Site Plan Review and Coastal Site Plan Review for partial demolition of existing building and removal of polluted soils.

Zoning:

The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the IL zone.

Site Description/existing conditions:

The site is bounded by the Mill River to the west, the I-91 North Exit 5 ramp to the north, James Street to the east, and Humphrey Street and railroad tracks to the south. The site is currently vacant, however it was used by the Connecticut Department of Transportation as a bus maintenance facility until 2010. The site is nearly 100 percent impervious with little to no stormwater management quality controls. There are three stormwater direct discharges into the Mill River currently coming from the site. The site currently includes a vacant 195,000 SF building, but approval for partial razing of this building and site remediation was granted in February 2016 via CPC report 1515-02.

Proposed Activity:

The proposed redevelopment includes the renovation of the remaining 100,000+ SF building. It will be a multi-use building that includes leasable office space of many sizes as well as a fitness gym. A 6,600 SF new construction restaurant is also proposed on site to be located adjacent to the existing smoke stack. Additional planned amenities on the property include an outdoor riverfront amphitheater and a trail running along the Mill River that will eventually be a part of a Mill River trail system.

Circulation/Parking/Traffic:

The site will be accessed by two driveways located in the same approximate location as the existing curb cuts on James Street. Vehicular circulation in the north/south direction on the east side of the building will be eliminated to increase the landscaped area along the building frontage of James Street and to improve the safety of traffic circulation around the site. A total of 287 parking spaces will be provided, including 33 compact spaces and 9 handicapped-accessible spaces, which will be spread throughout the site to provide access to the various commercial spaces throughout the property.

The redeveloped site doesn't contain a loading dock so areas on site will be reserved for periodic parcel deliveries. Restaurant supply deliveries will be scheduled and will typically occur during off-peak hours. At this time, parking spaces near the restaurant will be coned off to prevent vehicles from parking.

50 total exterior bicycle parking spaces will be provided in three separate locations throughout the site. Pedestrian access is provided both via a sidewalk along James Street and encircles the entire building and through a paved trail along the Mill River, although there are not yet any approved plans to construct the portions of the trail connecting to this property.

Trash removal: Trash and recycling will be brought to dumpsters provided at the south end of the parking lot. Trash will be picked up on as-needed basis or at a minimum of once per week.

Signage: There will be free-standing signs provided at each of the two entrance driveways to the site. Design and description of the signs is to be determined, although the word "DISTRICT" will be provided on the south elevation wall that will be visible from I-91. The word "DISTRICT" will also be provided on the north elevation wall to be visible from James Street.

Sec. 58 Soil Erosion and Sediment Control:

- Class A (minimal impact)
- Class B (significant impact)
- Class C (significant public effect, hearing required)

Cubic Yards (cy) of soil to be moved, removed or added: 22,500

Start Date: Spring 2016

Completion Date: Spring 2017

Once a contractor is chosen, an individual will be named as the individual responsible for monitoring soil erosion and sediment control measures on a daily basis, and that name provided to the City Plan Department prior to signoff of final plans for permits.

This individual is responsible for monitoring the site to assure there is no soil or runoff entering City catch basins or the storm sewer system. Other responsibilities include:

- monitoring soil erosion and sediment control measures on a daily basis;
- assuring there is no dust gravitation off site by controlling dust generated by vehicles and equipment and by soil stockpiles both during the demolition and construction phases;
- determining the appropriate response, should unforeseen erosion or sedimentation problems arise; and
- ensuring that SESC measures are properly installed, maintained, and inspected according to SESC Plan.

Should soil erosion problems develop (either by wind or water) following issuance of permits for site work, the named party is responsible for notifying the City Engineer within twenty-four hours of any such situation with a plan for immediate corrective action.

All SESC measures are required to be designed and constructed in accordance with the latest Standards and Specifications of the *Connecticut Guidelines for Soil Erosion and Sediment Control*.

Note: Because the project is larger than 5 acres, the applicant is required to obtain a General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction from CT DEEP in addition to adhering to the erosion and sediment control regulations of the City of New Haven.

Sec. 60 Stormwater Management Plan:

STANDARDS:

- Direct channeling of untreated surface water runoff into adjacent ground and surface waters shall be prohibited;
- No net increase in the peak rate or total volume of stormwater runoff from the site, to the maximum extent possible, shall result from the proposed activity;
- Design and planning for the site development shall provide for minimal disturbance of pre-development natural hydrologic conditions, and shall reproduce such conditions after completion of the proposed activity, to the maximum extent feasible;
- Pollutants shall be controlled at their source to the maximum extent feasible in order to contain and minimize contamination;
- Stormwater management systems shall be designed and maintained to manage site runoff in order to reduce surface and groundwater pollution, prevent flooding, and control peak discharges and provide pollution treatment;
- Stormwater management systems shall be designed to collect, retain, and treat the first inch of rain on-site, so as to trap floating material, oil and litter;
- On-site infiltration and on-site storage of stormwater shall be employed to the maximum extent feasible;
- Post-development runoff rates and volumes shall not exceed pre-development rates and volumes for various storm events. Stormwater runoff rates and volumes shall be controlled by infiltration and on-site detention systems designed by a professional engineer licensed in the state of Connecticut except where detaining such flow will affect upstream flow rates under various storm conditions;
- Stormwater treatment systems shall be employed where necessary to ensure that the average annual loadings of total suspended solids (TSS) following the completion of the proposed activity at the site are no greater than such loadings prior to the proposed activity. Alternately, stormwater treatment systems shall remove 80 percent TSS from the site on an average annual basis; and
- Use of available BMPs to minimize or mitigate the volume, rate, and impact of stormwater to ground or surface waters.

Rain gardens capture and retain the first inch of rainfall in the southwestern portion of the parking lot. Rain gardens and other natural stormwater quality measures were evaluated in the locations to the north, east, and south of the building. Due to existing urban fill type soils that are poorly draining and a high groundwater table that seasonally fluctuates, additional rain gardens, stormwater basins, and subsurface infiltration weren't feasible to implement in the design to retain the first inch of rainfall. Due to these site constraints, the design cannot meet the New Haven Zoning ordinance, Section 60 for full retention of the first inch of runoff for the entire site. In areas where retention cannot be achieved, stormwater quality has been addressed using hydrodynamic separators prior to discharge into the Mill River.

**Sec. 60.1 Exterior Lighting: SUBMISSION MEETS REQUIREMENTS
REQUIRED SUBMISSION**

- Lighting Plan with location of all fixtures, type of fixture and elevation of lights;
- Manufacturer specifications or cut-sheet for each fixture;
- Photometrics.

STANDARDS

- Prevent or minimize direct glare and light trespass;
- All parking area lighting shall be full cut-off type fixtures and shall not exceed twenty (20) feet in height from the ground to the highest point of the fixture;
- Up lighting and high pressure sodium light sources are prohibited. Externally lit signs, display building, and aesthetic lighting must be lit from the top and shine downward and not sideward or upward. The lighting must be shielded to prevent direct glare and/or light trespass. The lighting must also be, as much as physically possible, contained within the target area;
- All building lighting for security or aesthetics shall be full cut-off or shielded type, not allowing any upward distribution of light. Floodlighting is discouraged, and if used, must be shielded to prevent: (a) disability glare for drivers or pedestrians, (b) light trespass beyond the property line, and (c) light above the horizontal plane;
- Where non-residential development is adjacent to residential property, no direct light source shall be visible at the property line at ground level or above; and
- High pressure sodium and flickering or flashing lights are prohibited.

Sec. 60.2 Reflective Heat Impact: Applicant has asked for a waiver of standards.

The applicant's argument is as follows: "Section 60.2(c)(3) of the ordinance allows for the applicant to request a waiver to this ordinance if in fact they have showed that they have made a reasonable effort to comply with the code using shade and alternative surface treatments other than bituminous asphalt and provided that they cannot comply with the ordinance by using high SRI value material on flat roof surfaces. For this application, the applicant can in fact meet the requirements of the ordinance by using a high SRI value material on flat roof surfaces. When including the roof area in the calculation for Reflective Heat Impact, 68% of the site's hardscape, paved, surfaces, and flat roof areas comply with the ordinance. Calculations are provided."

Staff concurs with the applicant's calculations that 68% of the total hardscape, paved, and roof area will be shaded or highly reflective (including the building roof). While the applicant likely has come close to maximizing the shaded area of the site, it would be possible to achieve the additional 6.7% (9,556 SF) highly reflective hardscape surface by painting portions of the parking lot with a reflective coating or by extending the planned concrete portion of the driveway further into the parking lot.

STANDARDS

- 50% of all on-site non-roof hardscape or paved areas will be either:
 - shaded AND/OR
 - constructed of a material with a solar reflectance index of at least 29.

TOTAL SF of non-roof hardscape:	143,327 SF
50% of non-roof hardscape:	71,664 SF
Shaded (based on average values per code):	19,834 SF
Areas with SRI > or = 29	42,274 SF
TOTAL PROPOSED SHADED/HIGH SRI AREA	62,108 SF
% SHADE/HIGH SRI PROPOSED	43.3%

Project Timetable:

Construction is anticipated to start in the spring of 2016 and be completed by the spring of 2017.

COASTAL SITE PLAN REVIEW

The Commission's Coastal Site Plan Review, in accordance with Section 55.C of the New Haven Zoning Ordinance shall consider the characteristics of the site, including location and condition of any coastal resources; shall consider the potential effects, both beneficial and adverse, of the proposed activity on coastal resources and future water-dependent development opportunities; follow the goals and policies of the Connecticut Coastal Management Act, as amended, and identify conflicts between the proposed use and any goal or policy of the Act.

Applications for development on waterfront parcels shall additionally consider protection of the shoreline where there is erosion or the development is likely to cause erosion; degree of water dependency; preservation of significant natural vistas and points or avenues of views of the waterfront; provision of meaningful public access; and insurance of outstanding quality of design and construction to produce an environment that enhances its waterfront location.

The Commission will also consider whether the proposed application is consistent with the City's Municipal Coastal Program.

Characteristics and Condition of Coastal Resources at or Adjacent to the site:

Coastal Flood Hazard Area (Flood Zone): Approximately a 10-foot wide strip of the site that runs adjacent to the Mill River lies within the Special Flood Hazard Area of the 100-year flood zone.

Nearshore Waters: The parcel is directly adjacent to the Mill River.

Navigable Waters: The Mill River is navigable and accessible from New Haven Harbor and Long Island Sound.

Coastal Program Criteria	Comments
1. Potential adverse impacts on coastal resources and mitigation of such impacts	<p>Erosion of temporarily stored raw materials and sedimentation from excavation activities may be observed during construction. Areas of cut within the floodplain will be stabilized as soon as possible with erosion control matting and a slope stabilization seed mix. Since the project does not propose any filling of soils within the floodplain, it is unlikely that there will be downstream properties adversely impacted by the proposed work.</p> <p>Proposed work will be designed in conformance with the <i>CTDEEP's 2002 Erosion and Sediment Control Guidelines</i> and will use BMPs outlined in the <i>CTDEEP General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities</i> to limit the potential for erosion and sedimentation to leave the site. Temporary sediment traps, silt fences, and haybale barriers will be provided to reduce the transport of sediment from the site via overland flow. Catchbasins located on the parcel will be equipped with inlet protection to reduce the transport of sediment off-site. This includes haybale protection and/or the placement of filter fabric between the grate and frame of the inlet. Dust controls are provided as needed. Also, a street sweeper will be used to sweep James Street and Humphrey Street as needed.</p>
2. Potential beneficial impacts	<p>A portion of the area along the banks of the Mill River will be cut to provide a walking trail for future access to a kayak launch. Invasive species will be removed from the banks of the Mill River and the area will be stabilized with erosion control matting and a slope stabilization seed mixture. Three existing stormwater discharges will be removed and replaced with two stormwater discharges that will include a rip-rap apron at each of the outlets.</p>
3. Identify any conflicts between the proposed activity and any goal or policy in the §22a-92, C.G.S. (CCMA)	<p>The project is consistent with the goals and policies stated in §22a-92, C.G.S. since the project site is already fully developed. There will be no filling or other construction activities in the nearshore waters other than the improvements mentioned above. Temporary stockpiling of materials will be located outside the floodplain and use BMPs. The project will have no effect on the current navigation and will improve access to the Mill River once completed.</p>
4. Will the project preclude development of water dependent uses on or adjacent to this site in the future?	No
5. Have efforts been made to preserve opportunities for future water-dependent development?	No
6. Is public access provided to the adjacent waterbody or watercourse?	<p>The project includes a public trail running the length of the property's Mill River shoreline along with a canoe/kayak launch.</p>
7. Does this project include a shoreline flood and erosion control structure (i.e. breakwater, bulkhead, groin, jetty, revetment, riprap, seawall, placement of barriers to the flow of flood waters or movement of sediment along the shoreline)?	No

<p>8. Does this project include work below the Coastal Jurisdiction Line (i.e. location of topographical elevation of the highest predictable tide from 1983 to 2001)? New Haven CJL elevation is 4.6'.</p>	<p>The work being proposed below the CJL includes the creation of two new stormwater discharges to the Mill River along with the riprap apron. The river bank area along the property line will be cleaned up. Invasive species, garbage, and debris will be removed and disposed of. The river bank will then be stabilized using erosion control matting and slope stabilization seed mix.</p>
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Project Timetable:

Construction is anticipated to being in the summer of 2016 and be completed by the summer of 2017.

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:

- Modify Mill River Trail to have a minimum width of 10 feet and comply with shared use path standards;
- Update all crosswalks and handicapped ramps to latest ADA standards;
- Modify plans to ensure that pedestrian pathway on north side of site cannot be impeded by parked cars;
- Coordinate with Transportation, Traffic and Parking any additional requirements for off-site improvements;
- Applicant to provide City Plan with copy of CT DEEP General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction;
- Revise drawings to comply with Reflective Heat Ordinance;
- Complete details for the amphitheater to be provided for review. These details may reviewed by the site plan team under an administrative action. Compliance with the City's flood ordinance will be required;
- Three to five parking spaces should be signed and reserved for users of the proposed kayak launch from dawn til dusk; and
- One set of fully conformed, signed and sealed, bound drawings to be provided to City Plan for its records

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 grants the waiver to Section 60.2 standards and approves the submitted Site Plans subject to standard conditions on Page 1.

ADOPTED: June 15, 2016
Adam Marchand
Acting Chair

ATTEST: 
Karyn M. Gilvarg, AIA
Executive Director

Coastal Site Plan Review, based upon the application and materials submitted by the applicant, was conducted administratively without hearing by the City Plan Commission of the City of New Haven in accordance with the Connecticut Coastal Management Act (CGS, Sections 22a-90 to 22a-112). The Building Official hereby receives the above written findings and any conditions thereof are made conditions of the Building Permit.

ADOPTED: June 15, 2016

ATTEST: 
James Turcio
Building Official