

## NEW HAVEN CITY PLAN COMMISSION SITE PLAN REVIEW

**RE:** 351 MCKINLEY AVENUE.  
MBLU: 386 1135 00400  
**Owner:** KLUGKATZ, LLC; **Applicant/Agent:** Fernando Pastor

### Site Plan Review

Convert an existing building into 10 residential units in the RM-1 Zone.

**REPORT:** 1629-01

**ACTION:** Approval with Conditions

### STANDARD 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 March 15, 2028. 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 for building permits. A digital copy of the recorded report shall be provided to staff (.pdf).
3. Upon approval by the City Plan Commission, provide compiled digital copies of all application materials, including drawing sets and reports, to staff for filing (.pdf files) prior to City Plan signoff for building permits.
4. Signoff on final plans by the Greater New Haven Water Pollution Control Authority; City Engineer; Department of Transportation, Traffic, and Parking; City Plan Department; and Fire Marshal 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 site bond will be required in conformity with Connecticut General Statutes Section 8-3(g). Bond, or other such financial instrument, shall be provided to the City Plan Department, in an amount equal to the estimated cost of implementation of erosion and sediment controls, plus 10 percent, prior to City Plan final sign-off on 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. Any proposed work within City right-of-way will require separate permits.
9. 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.
10. Any proposed removals of street trees must be coordinated with the Department of Parks, Recreation, and Trees prior to sign-off for building permits.
11. Following completion of construction, any catch basins in the public right-of-way impacted by the project shall be cleaned, prior to issuance of Certificate of Occupancy.
12. Within 10 business days of City Plan Commission approval, the applicant shall submit a digital (.pdf) and hard copy of the final approved plan set (including all revisions) to the City Plan Department.
13. As-built Survey 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 mylar and digital form (.pdf).

**Submission: SPR Application Packet including DATA, WORKSHEET, SITE, SESC, and CSPR forms. NARRATIVE attached. Application fee: \$410. Received January 20, 2023.**

- Floor plans, 5 sheets, dated January 19, 2023
- Code sheet, 1 sheet, dated January 19, 2023
- Civil plans, 9 sheets, dated February 9, 2023, revised February 22, 2023
- Renderings and elevations, 6 sheets, dated January 19, 2023
- Stormwater report, 76 sheets, dated May 26, 2022, revised February 9, 2023

**PROJECT SUMMARY:**

**Project:** Convent adaptive reuse

**Address:** 351 McKinley Avenue

**Site Size:** 17,182 SF

**Building size:** 13,694 SF GFA

**Zone:** RM-1

**Parking:** 8 spaces

**Owner:** KLUGKATZ, LLC

**Applicant/Agent:** Fernando Pastor

**Site Engineer:** James Sakonchick

**Phone:** 203-668-5905

**Phone:** 203-640-7327

**Phone:** 860-621-3638, 860-919-1779

**BACKGROUND**

**Previous CPC Actions:**

18-Jan-23 1623-10 351 MCKINLEY Avenue. Special Exception to permit 8 off-street parking spaces where 9 are required. Zone: RM-1. Applicant: Fernando Pastor. Approved.

**Zoning:**

The Site Plan as submitted meets the requirements of the New Haven Zoning Ordinance for the RM-1 zone, with a Variance granted to allow for a projection to be located 1ft 3in from the side property line where a minimum of 5.6ft is required, a Special Exception granted to permit the conversion of an existing structure into 10 dwelling units, and a Special Exception granted to permit 8 off-street parking spaces where 9 are required.

**Site description/existing conditions:**

The parcel was subdivided which created the subject 17,182sf parcel. The parcel contains a 11,822sf structure which was previously used as a convent home for the neighboring church at 112 Fountain Street. The structure takes up the majority of the site, with a grassy lawn in the front yard, and a paved area to the rear, with a driveway connecting to Alden Avenue. The structure is listed in the New Haven Historic Resource Inventory (listings 3389 and 3390) and is described as, "an excellent example of the English Gothic style as interpreted in twentieth century America."

**Proposed activity:**

The applicant proposes an interior conversion of the former convent building and attached chapel into ten dwelling units. A paved parking area will be created behind the building and drainage infrastructure will be installed. An accessible ramp and porches are proposed additions to the rear of the building. The historic exterior of the building will be preserved.

**Motor vehicle circulation/parking/traffic:**

Eight parking spaces will be provided in a paved surface lot behind the building. Vehicles will enter and exit from Alden Avenue.

**Bicycle parking:**

A bicycle rack with space for five bicycles will be installed adjacent to the north corner of the parking area.

**Trash removal:**

A dumpster will be located to the south of the building. Tenants will be responsible for taking their trash out to the dumpster. The dumpster will be rolled out to Alden Avenue for trash pickup.

**Signage:** No new signage proposed at this time. All signage must meet zoning ordinance requirements.

**Sec. 58 Soil Erosion and Sedimentation 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: 52 CY

Start Date: April 2023

Completion Date: June 2023

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 during the 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 the 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 between 1 and 5 acres (“small construction”), the applicant is not required to obtain a General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction from CT DEEP as long as the applicant has adhered to the erosion and sediment control regulations of the municipality in which the construction activity, in this case, the City of New Haven.**

**Sec. 60 Stormwater Management Plan Sec. 60 Stormwater Management Plan: SUBMISSION MEETS REQUIREMENTS**

**REQUIRED DOCUMENTATION**

- Soil characteristics of site;
- Location of closest surface water bodies and depth to groundwater;
- DEEP ground and surface water classification of water bodies;
- Identification of water bodies that do not meet DEEP water quality standards;
- Proposed operations and maintenance manual and schedule;
- Location and description of all proposed BMPs;
- Calculations for stormwater runoff rates, suspended solids removal rates, and soil infiltration rates;
- Hydrologic study of pre-development conditions commensurate with conditions.

## 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.

## Sec. 60.1 Exterior Lighting: SUBMISSION MEETS REQUIREMENTS

### REQUIRED SUBMISSION

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

## STANDARDS

- In general, all exterior light sources must be directed downward. The lighting must also be, as much as physically possible, contained within the target area;
- Parking Lot and Security Lighting.* All outdoor light fixtures within a parking lot, vehicular circulation area, or pedestrian area must be of a Full Cutoff or Fully-Shielded type;
- Architectural Lighting.* Lighting for building facades and Indirectly Illuminated Signs is permitted subject to the following: (a) Uplighting does not exceed 900 lumens & (b) Upward aimed light is Fully-Shielded and fully-confined from projecting into the sky, eaves, roofs, or overhangs. The light must be fully confined within the vertical surface of the wall being illuminated;
- Unshielded Lighting.* Floodlighting is discouraged, and if used, must be shown that the type of fixture proposed is not objectionable because it (a) prevents Glare for drivers and pedestrians and light above a horizontal plane, and (b) mitigates light trespass beyond the property line. Unshielded, motion activated lighting will not be triggered off the property on which the fixture is located and must go off within five minutes of activation. Unshielded lighting creating Glare or Light Trespass is required to be re-aimed and/or fitted with a shield device to block the Glare;
- Lighting Curfew.* On all parking fields, including surface lots, parking decks and top levels of parking garages which contain a minimum of four light poles, the lighting must be reduced by at least 50 percent of full operational levels within 30 minutes after the close of business. Because certain minimum lighting levels are recommended for safety and security, parking field lighting does not need to be reduced to less than an average .2 footcandles as measured horizontally at the surface on which the light pole is mounted in accordance with Illuminating Engineer Society (IES) Standards; and
- Height.* Exterior Lighting must not exceed 20 feet in height from the point on the ground directly below the fixture to the highest point on the fixture. Lighting mounted higher than 20 feet may be permitted through the site plan review process, either by Staff or the Commission, as applicable, depending on the site conditions;
- Maximum Light Levels at the Property Line.*
  - a. *The maximum light level at any point on the property line cannot exceed: .1 footcandles within or adjacent to a property with a residential use or .2 footcandles when adjacent to properties with other uses. Where the adjacent*

property is a residential use or mixed-use and the first floor is not residential, the maximum light levels at the property line cannot exceed .2 footcandles;  
b. Color. Because blue light brightens the night sky more than any other color of light, lighting must have a color temperature of no more than 3000 Kelvins. Exterior Lighting that has warmer light spectrums are preferred;  
c. The Staff or the Commission, as applicable, may determine that certain light fixtures are exempt from these requirements of this Section because they do not adversely affect an adjacent property owner or the night sky or because they are necessary for the functioning of the use.  
Note: There is existing building-mounted lighting on the structure on the adjacent parcel to the north east.

**Sec. 60.2 Reflective Heat Impact: SUBMISSION MEETS REQUIREMENTS 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: 7,631 SF  
50% of non-roof hardscape: 3,815.5 SF

<b>Shaded (average)</b>	<b>5,477 SF</b>
<b>TOTAL PROPOSED SHADED/HIGH SRI AREA</b>	<b>5,477 SF</b>
<b>% SHADED/HIGH SRI PROPOSED</b>	<b>71.8%</b>

**Sec. 50. Inclusionary Zoning:** Does not apply (under 75 units and outside of IZ Market Areas).

**Project Timetable:** April 2023 to June 2024

**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.


**PLANNING CONSIDERATIONS**

This project preserves a unique historic structure and creates much needed housing through a creative site design and interior renovation. The site will remain compatible with the surrounding area and provides appropriate resident amenities (parking, bicycle parking, open space). The applicant worked with the Technical Review team on the layout of the tight parking area behind the building as well as other technical aspects of the application and there are no outstanding concerns. Planning Staff are supportive of the proposal and recommend approval.

**SITE PLAN ACTION**

The City Plan Commission approves the submitted Site Plans subject to conditions on Page 1.

**ADOPTED:** March 15, 2023  
Leslie Radcliffe  
Chair

**ATTEST:**   
Laura E Brown  
Executive Director, City Plan Department