

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **ZONING ORDINANCE MAP AND TEXT AMENDMENTS.** Application and General Plans for Planned Development District (PDD) Designation of ±4.99-acre site consisting of two parcels at 240 Winthrop Avenue and 790 George Street for the Connecticut Health Care Holdings, LLC Development in an area currently zoned as RM-1 and RM-2. (Connecticut Health Care Holdings, LLC)

REPORT: **1554-07**

ADVICE: **Approve with Conditions**

PROJECT: Connecticut Health Care Holdings, LLC Development (CHCH PDD)

ADDRESS(ES): 240 Winthrop Avenue and 790 George Street

SITE AREA: ± 4.99 acres

EXISTING ZONE: RM-1 (Low-Middle Density Residential) & RM-2 (High-Middle Density Residential)

PROPOSED ZONE: Planned Development District (residential development)

PROPOSED CONSTRUCTION: 128 residential dwelling units; new private street; surface and underground parking; new sidewalks; site landscaping and lighting; and new utility connections

APPLICANT/PROPERTY OWNER: Connecticut Health Care Holdings, LLC

ARCHITECT: DMS Design, LLC

ENGINEERS: Bohler Engineering

SUBMISSION

General Plan Application entitled "Petition/Application for Zoning Ordinance Map Amendment and Text Amendment for a Planned Development District of the Connecticut Health Care Holdings, LLC Development Zoning Grid #11" including Site Location Maps, Legal Description of the Site, General Plans, Proposed Ordinances, Table of Zoning Modifications, Map of Existing and Modified Zoning, and Map of Proposed Site. Received by the Board of Alders on December 4, 2018.

- Traffic Impact Statement. Dated September 12, 2018.
- Stormwater Drainage Summary Report. Dated September 7, 2018.
- Application drawings. 22 sheets received.
 - Boundary & Topographic Survey. Dated March 9, 2016.
 - A0.00: Cover Sheet. Dated November 5, 2018.
 - A1.00: Conceptual Floor Plans. Dated November 5, 2018.
 - A1.01: Conceptual Upper Floor Plans. Dated November 5, 2018.
 - A2.00: Conceptual Unit Floor Plans. Dated November 5, 2018.
 - A3.00: Conceptual Elevations. Dated November 5, 2018.
 - A3.01: Conceptual Elevations Townhouses. Dated November 5, 2018.
 - A3.02: Conceptual Perspective. Dated November 5, 2018.
 - Sheet No. 1: Cover Sheet. Dated September 7, 2018.
 - Sheet No. 2: General Notes Sheet. Dated September 7, 2018.
 - Sheet No. 3: Demolition Plan. Dated September 7, 2018.
 - Sheet No. 4: Site Plan. Dated September 7, 2018.
 - Sheet No. 5: Grading & Drainage Plan. Dated September 7, 2018.
 - Sheet No. 6: Utility Plan. Dated September 7, 2018.
 - Sheet No. 7: Soil Erosion & Sediment Control Plan. Dated September 7, 2018.
 - Sheet No. 8: Soil Erosion & Sediment Control Notes & Details Sheet. Dated September 7, 2018.
 - Sheet No. 9 Landscape Plan. Dated September 7, 2018.
 - Sheet No. 10: Landscape Notes & Details Sheet. Dated September 7, 2018.
 - Sheet No. 11: Lighting Plan. Dated September 7, 2018.
 - Sheet No. 12 – 14: Construction Detail Sheets. Dated September 7, 2018.

BACKGROUND/EXISTING CONDITIONS

The project site, located at 240 Winthrop Avenue and 790 George Street, encompasses an area of approximately 4.99 acres. The site consists of a 71,585 SF one-story former nursing home facility, an administration building, and several surface parking lots. The existing zoning districts for the project site are RM-1 (Low-Middle Density District) and RM-2 (High-Middle Density District). The site is bounded by Winthrop Avenue in the east and residential property in the north, south, and west.

Connecticut Health Care Holdings, LLC is seeking to rezone the site in order to develop a new market rate development with new housing units, resident amenities, recreational areas, underground parking, and improved traffic circulation with new private streets.

PROPOSED ACTIVITY

Connecticut Health Care Holdings, LLC proposes to demolish the existing building and construct 128 residential units in townhouse and apartment style buildings. The proposed development will consist of 20 townhouse units with individual entrances in a two-story structure along Winthrop Avenue and six (6) one-bedroom units, 78 two-bedroom units, and 24 three-bedroom units in two three-story buildings along a new private drive connecting Winthrop Avenue, at the intersection of Gilbert Avenue, to George Street, at the intersection of Norton Parkway. Additional site work includes improvements to site lighting and landscaping and the installation of new sidewalks, utility connections, and stormwater management infrastructure.

PARKING, LOADING AND TRAFFIC

The proposed project includes the development of a new private drive connecting Winthrop Avenue, at the intersection of Gilbert Road, to George Street, at the intersection of Norton Parkway. The new roadway will incorporate traffic calming design features such as reduced width and speed bumps. Underground on-site parking spaces will be constructed for the rental units and 28 ground level parking spaces will be provided to the rear of the 20 townhouse units. An additional 20 parking spaces will be provided curbside along the new private drive, achieving a total of 169 parking spaces on site (128 required under the existing RM-1 district).

A Traffic Impact Statement, produced by Tighe & Bond, has been submitted as part of the overall application and is under review by the Department of Transportation, Traffic and Parking. The findings of the study suggest that the proposed development will not have a significant impact on traffic operations in the area.

PROPOSED USES/ BULK/YARD STANDARDS – DEVIATIONS FROM UNDERLYING ZONING REQUIREMENTS

The project site is currently located in the RM-1 and RM-2 districts. The RM-1 District, in which the site is primarily located, permits single-family and multi-family dwellings. The proposed residential use of the site is permitted in the existing zones, however, given that the dimensional requirements of the RM-1 District does not permit the development of the various mix of building types, amenities, streets and open spaces planned for the CHCH development, a planned development district is sought. The applicant is requesting modifications to the dimensional requirement of the RM-1 District with respect to minimum lot area per dwelling unit, front yard setbacks, rear yard setbacks, maximum building coverage, side yard setback distance, fencing/screening requirements for parking areas, and building height.

Table of Proposed Zoning Modifications

The requirements of the RM-1 Zone in the Planned Development District shall be modified only as stated herein, otherwise to remain unchanged:

1. Minimum Lot Area 200,000 square feet where 6,000 square feet is permitted
2. Minimum Lot Area per Dwelling Unit 1,600 square feet where 3,500 square feet is permitted
3. Maximum Building height shall not exceed three stories of living space which shall not include subsurface parking structures in the total number of stories
4. Minimum Yards – Front Yard: 14 feet where 20 feet is permitted

Side Yard: 5 feet where 8 feet is permitted

Rear Yard: 20 feet where 25 feet is permitted

5. Maximum Number of dwelling units per acre: 28
6. No requirement for fences or screening around parking areas

NEW HAVEN ZONING ORDINANCE

ARTICLE VII. ADMINISTRATION

SEC. 65 PLANNED DEVELOPMENTS:

- (a) *Objectives.* The provisions of this section are to be applied in instances where tracts of land of considerable size are developed, redeveloped or renewed as integrated and harmonious units, and where the overall design of such units is so outstanding as to warrant modification of the standards contained elsewhere in this ordinance. A planned development, to be eligible under this section, must be:

STANDARDS

- ☒ (1) In accordance with the comprehensive plans of the city, including all plans for redevelopment and renewal;
- ☒ (2) Composed of such uses, and in such proportions, as are most appropriate and necessary for the integrated functioning of the planned development and for the city;
- ☒ (3) So designed in its space allocation, orientation, texture, materials, landscaping and other features as to produce an environment of stable and desirable character, complementing the design and values of the surrounding neighborhood, and showing such unusual merit as to reflect credit upon the developer and upon the city; and
- ☒ (4) So arranged as to provide a minimum of 250 square feet of usable open space per dwelling unit on the tract, except 125 square feet in the case of elderly housing units, subject to the specific minimum standards enumerated in section 15(a)(1)g. of this ordinance.

CHARTER OF THE CITY OF NEW HAVEN

ARTICLE XIII. HISTORIC AND SPECIAL ACT PROVISION OF THE CHARTER

SEC. 2 PLANNING AND ZONING:

- (B.) *Zoning authority of Board of Alders.* The Board of Alders is authorized, by Ordinance, to regulate the height and bulk of structures to be erected and to limit the use of lot areas; the minimum areas or dimensions of rear, side and front yards or outer and inner courts and other open spaces within and surrounding any structure; the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes; to classify, regulate and restrict the location of trades and industries and the location of structures designed for special uses; to divide the City of New Haven into districts of such number, shape and areas as may be best suited to carry out the provisions of this act.

STANDARDS

- ☒ (i) uniform for each class of buildings or structures;
- ☒ (ii) made in accordance with the comprehensive plan;
- ☒ (iii) designed to lessen congestion in the streets, secure safety from fire, panic and other dangers, promote health and the general welfare, provide adequate light and air, prevent the overcrowding of land, avoid undue concentration of population, facilitate the adequate provisions for transportation, water, sewerage, parks and other public requirements; and
- ☒ (iv) made with reasonable consideration as to the character of the proposed BA District and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City.

(C.) *Zoning regulations to conform to comprehensive plan; purposes; factors considered.* Such regulations shall be made:

STANDARDS

- ☒ (i) in accordance with a comprehensive plan and shall be designed to lessen congestion in streets;
- ☒ (ii) to secure safety from fire, panic and other dangers;
- ☒ (iii) to promote health and the general welfare;
- ☒ (iv) to provide adequate light and air;
- ☒ (v) to prevent the overcrowding of land;
- ☒ (vi) to avoid undue concentration of population;
- ☒ (vii) to facilitate the adequate provisions for transportation, water, sewerage, schools, parks and other public requirements
- ☒ (viii) with reasonable consideration, as to the character of the district and its peculiar suitability for particular uses and;
- ☒ (ix) with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such municipality

CONNECTICUT GENERAL STATUTES

CHAPTER 24. ZONING

SEC. 8-2M FLOATING AND OVERLAY ZONES AND FLEXIBLE ZONING DISTRICTS:

The zoning authority of any municipality that (1) was incorporated in 1784, (2) has a mayor and board of alderman form of government, and (3) exercises zoning power pursuant to a special act, may provide for floating and overlay zones and flexible zoning districts, including, but not limited to, planned development districts, planned development units, special design districts and planned area developments. The regulations shall establish standards for such zones and districts. Flexible zoning districts established under such regulations:

STANDARDS

- ☒ (i) shall be designed for the betterment of the municipality and the floating and overlay zones and neighborhood in which they are located;
- ☒ (ii) shall not establish a residential zone a zone that is less restrictive with respect to uses than the "underlying zone" of the flexible zoning district;
- ☒ (iii) shall not authorize a use or expansion of a pre-existing, nonconforming use where the underlying zone is a residential zone

RECOMMENDATIONS

Based on the preceding considerations and specific findings, the proposed Connecticut Health Care Holdings, LLC Planned Development District is found to be in accord with the comprehensive plans of the City of New Haven as the New Haven Vision 2025 designates the property for residential use.

The General Plans for the PDD demonstrate appropriate use of the property in terms of its treatment of form, design, and open space to the extent that the Commission has determined that the proposal is in accordance with the objectives of Section(s) 65(a) and 64(d)(2)a. Submission of detailed plans for review and approval, in

accordance with text recommendations and conditions of approval and Section 65(e) requirements will assure the project continues to meet requisite design standards.

It is the opinion of the City Plan Commission that the Connecticut Health Care Holdings, LLC Development fully complies with the standards of Section 65(a) of the Zoning Ordinance, and Conn. Gen. Stat. § 8-2m., and that the resulting development would have a positive effect on the economic health and quality of life within the neighborhood and the City. The Commission therefore approves the Application and General Plans for Planned Development designation with the following conditions:

CONDITIONS OF APPROVAL

1. This report and the Application and General Plan text shall be recorded on the Land Records of the City of New Haven within 60 days of publication of Board of Alder approval for the PDD designation to be considered in effect. A certified copy of the recording on the Land Records and verification of a full contractual arrangement by the submitting professional design team (architect, engineer and landscape architect) shall be furnished to the Commission prior to Detailed Plan submission for each project component.
4. The Commission shall be given prior notice of any change in development principals, and any change in the approved submitting professional design team shall be for cause and require prior Commission approval.
5. Any required Federal or State permits for traffic improvements or storm water discharge shall be secured prior to issuance of any permit for new construction.
6. All necessary on or off-site utility improvements are required to be completed at developer cost from its funds or by City Agreement, and to the satisfaction of the City Engineer.
7. Detailed plans shall be submitted within 36 months of the effective date of PDD designation, unless the Commission grants an extension upon written request of the Developer, who shall state a basis for the delay. If no Detailed Plans are submitted and no extension requested, the City Plan Commission and the Board of Aldermen shall act to return the zoning of the tract to the RM-1 (Low-Middle Density Residential) and RM-2 (High-Middle Density Residential) designations that currently exist.
8. Detailed Plans for the demolition of the existing structures and site features including site stabilization and dust and sound control measures, demolition vehicle access and egress points, haul routes and any plans for the securing of the site between completion of demolition and commencement of construction shall be submitted as a Site Plan Review Application.

FINDINGS AND ADVICE

Based the information above, it is the recommendation of the Commission that the proposed map and text amendments are in full compliance with the standards and requirements of Article XIII Sec. 2 of the Charter of the City of New Haven, Sec. 65 of the New Haven Zoning Ordinance, and Chapter 24 Sec 8-2m of the Connecticut General Statutes and should be approved.

ADOPTED: March 20, 2019
Edward Mattison
Chair

ATTEST:  **FOR MP**
Michael Piscitelli, AICP
Interim Economic Development Administrator