

BERSHTEIN, VOLPE & McKEON P.C.
ATTORNEYS AT LAW
900 CHAPEL STREET, 11th FLOOR
NEW HAVEN, CONNECTICUT 06510
203-777-5800
Fax: 203-777-5806

Christopher M. McKeon
203-777-5805 Direct Dial
cmm@bvmlaw.com

August 1, 2022

**VIA HAND DELIVERY
AND EMAIL TO ALUCAS@NEWHAVENCT.GOV**

Board of Alders
City of New Haven
165 Church Street
New Haven, Connecticut 06510

RE: PETITION TO AMEND PLANNED DEVELOPMENT DISTRICT #65 ("PDD #65")

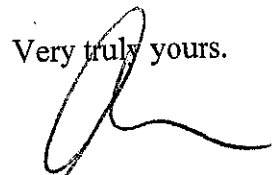
Dear Mr. Lucas:

This office represents Village Suites LLC ("Petitioner"). On its behalf, we are submitting for the Board's consideration an amendment to PDD #65 in order to allow multi-family dwelling unit use of an existing 112-room all-suite hotel. PDD #65 is the current site of the New Haven Village Suites – an extended stay hotel. The proposed amendment would allow the conversion of the hotel into 112 residential dwelling units. The conversion of use can occur without any site or building construction. The provisions of New Haven's Inclusionary Zoning Ordinance will apply upon such a conversion providing for six units of affordable housing for persons of low income. The proposed use of the existing hotel site and structures for residential dwelling units is consistent with the recommendations contained in *New Haven Vision 2025* in that it will, *inter alia*, provide work force housing opportunities in Long Wharf. Moreover, such a conversion will help transform the under-utilized industrial waterfront to a pedestrian friendly, walkable, bikeable, environmentally sustainable mixed-use neighborhood as envisioned by the Long Wharf Responsible Growth Management Plan adopted by the Board of Alders in 2019.

Enclosed please find the original and a copy of a Petition to Amend Planned Development District #65, together with the exhibits noted therein. Also enclosed is a Prior Notification Form and our check for the filing fee in the amount of Fifteen Hundred (\$1,500.00) Dollars.

Please do not hesitate to contact the undersigned with any questions.

Very truly yours.

A handwritten signature in black ink, appearing to be 'Chris McKeon', written over the closing 'yours.' and the printed name.

Christopher M. McKeon

Attachments

cc: City Plan Department
Town Clerk

PETITION TO AMEND PLANNED DEVELOPMENT DISTRICT 65

3 LONG WHARF DRIVE & 175 HALLOCK AVENUE

August 1, 2022

Village Suites LLC, the owner of the parcel known as 3 Long Wharf Drive & 175 Hallock Avenue, submits this Petition and supporting materials to modify and amend Planned Development District ("PDD") 65 originally adopted by the then Board of Aldermen on June 3, 1986, pursuant to Section 65 of the New Haven Zoning Ordinance. Specifically, this Petition seeks to amend PDD 65 to allow multi-family dwelling unit use of the completed 112-room all-suite hotel development.

INTRODUCTION: PDD 65 is comprised of 3.1 acres on a site previously known as 177 Hallock Avenue and now known as 3 Long Wharf Drive & 175 Hallock Avenue. In 1986, the then Board of Aldermen adopted PDD 65 to facilitate the construction and development of a 112-room extended stay hotel and supportive uses at the site. Thereafter, the said hotel was constructed and operated as an all-suites, extended stay hotel ever since. Currently, there are 14 structures containing eight (8) hotel suites each. Each hotel suite contains a kitchen and bathroom as well as one or two bedrooms and can be converted to residential apartment use without any construction or modification to the buildings or site.

PROPOSED AMENDMENT TO PDD 65: Village Suites LLC petitions to amend PDD 65 simply to allow multi-family dwelling unit use of the completed 112-room all-suite hotel development, in addition to the currently permitted use as a hotel with supported uses.

PROPOSED CONSTRUCTION: Importantly, no construction or alteration of the site or buildings thereon are necessary or proposed in connection with this Petition.

APPLICABILITY OF NEW HAVEN'S INCLUSIONARY ZONING ORDINANCE: The New Haven Board of Alders passed an inclusionary zoning ordinance on January 18, 2022. The current version of the said inclusionary zoning ordinance is attached hereto as Exhibit A (said current version of the inclusionary zoning ordinance, and its current terms, conditions and provisions as set forth in Exhibit A are hereinafter referred to as the "IZO"). PDD 65 is located within the "Strong Market" as defined in the IZO. Upon the complete conversion of the said 112 hotel rooms to a multi-family dwelling unit facility, the owner of the site shall voluntarily opt in to the IZO (if the said conversion is not otherwise an "Applicable Development" under the IZO) and the multi-family dwelling unit facility will be subject to and benefitted by all terms, conditions and provisions of the IZO as the same pertain to "Applicable Developments" within the "Strong Market" as such terms are defined in the IZO.

SUBMISSIONS ACCOMPANYING THIS PETITION: Included in this petition and submitted herewith are the following:

Exhibit A: The IZO

Exhibit B: PDD 65 adopted in 1986

Exhibit C: Traffic and Parking Review dated June 13, 2022 prepared by David G. Sullivan, PE of SLR Consulting
Exhibit D: POCD Consistency Letter dated June 13, 2022 prepared by Vincent McDermott, FASLA, AICP, of SLR Consulting
Exhibit E: Site Plan - Village Suites PDD 65 with General Notes, Zoning Data Table and Useable Open Space calculation, prepared by SLR Consulting
Exhibit F: Coastal Area Management Report, prepared by SLR Consulting
Exhibit G: Application for Development Permit: Coastal Site Plan Review, prepared by SLR Consulting

CONSISTENCY OF PETITION WITH SECTION 65 PDD STANDARDS: The proposed amendment to PDD #65, satisfies the four standards for a planned development district as set forth in Section 65 (a) of the Zoning Ordinance which are as follows:

1. The proposed amendment is "in accordance with the comprehensive plans of the city including all plans for redevelopment and renewal." As noted in the POCD Consistency Letter dated June 13, 2022 prepared by Vincent McDermott, FASLA, AICP, of SLR Consulting (Exhibit D), the proposed amendment is consistent with the recommendations contained in *New Haven Vision 2025* in that it will provide work force housing opportunities in Long Wharf where there had not been any new housing in the decade prior to the preparation of the *New Haven Vision 2025* plan. Mr. McDermott goes on to conclude:

In addition to being consistent with recommendations in *Vision 2025*, the conversion of the extended-stay hotel use to permanent residential housing will complement and strengthen the compatibility of the proposed use with the existing medium density housing on Hallock Avenue

Moreover, the Long Wharf Responsible Growth Management Plan adopted by the Board of Alders in 2019 envisions transforming the under-utilized industrial waterfront to a pedestrian friendly, walkable, bikeable, environmentally sustainable mixed-use neighborhood. The proposed amendment is entirely consistent with this vision.

2. PDD #65, amended as proposed herein, is "composed of such uses and in such proportions as are most appropriate and necessary for the integrated functions of the planned development and for the city." The information supportive of standard 1 as stated above addresses this standard 2.

3. PDD #65, amended as proposed herein, is "so designed in space allocation, orientation, texture, materials, landscaping and other features 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." This proposed amendment is unique in that it being made with respect to a development that has already been designed and constructed in accordance with specifications that the Board already approved. There will be no construction or alteration of the site or the buildings and structures thereon in order to accommodate the proposed change in use.

4. PDD #65, amended as proposed herein, is "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." The development is already fully constructed and, as is shown in

the Plans contained within Exhibit E, the site is already arranged to provide 250 square feet of usable open space per dwelling unit. The space is located and designed to emphasize convenience of tenant access and ease of use.

CONCLUSION: The proposed amendment to PDD #65 is consistent with the terms, conditions and requirements of the standards in Section 65 of the Ordinance.

Respectfully submitted,

Village Suites LLC

By: 

Christopher M. McKeon, Its Attorney
Bershtein, Volpe & McKeon, P.C.
900 Chapel Street, 11th Floor
New Haven, Connecticut 0510

EXHIBIT A



City of New Haven

Signature Copy

Ordinance: OR-2022-0002

165 Church Street
New Haven, CT 06510
(203) 946-6483 (phone)
(203) 946-7476 (fax)
cityofnewhaven.com

File Number: OR-2022-0002

ORDINANCE TEXT AMENDMENT TO THE NEW HAVEN ZONING ORDINANCE TO REQUIRE AND
INCENTIVIZE THE INCLUSION OF AFFORDABLE HOUSING UNITS IN MARKET RATE DEVELOPMENT.

WHEREAS, on January 18, 2022 the New Haven Board of Alders passed an inclusionary zoning ordinance pursuant to Conn. Gen. Stat. Sec. 8-2i, and

WHEREAS, the intent of the Board of Alders in passing the Inclusionary Zoning Ordinance was to require the set aside of certain dwelling units to be affordable housing for persons of low and very low income very; and

WHEREAS, the Board of Alders wishes to make amendments to the Inclusionary Zoning Ordinance to make expressly clear the authority of the City to set rental limits and income qualifications for the inclusionary zoning set aside units; and

WHEREAS, the Board of Alders wishes to ensure due process for all persons subject to requirements of the Inclusionary Zoning Ordinance; and

WHEREAS, in accordance with the provisions of 1925 Special Act No. 490, Section 5, Article XIII, Sections 2A-2F and Article VII of the Charter of the City of New Haven (the "Charter") and Section 64(d)(1) of the New Haven Zoning Ordinance, the City Plan Department ("City Plan") of the City of New Haven (the "City"), which serves as staff to the New Haven City Plan Commission, filed with the New Haven City Clerk for transmission to the Board of Alders of the City of New Haven (the "Board of Alders") a Petition (the "Petition") requesting that the Board of Alders adopt text amendments to the Zoning Ordinance with regard to the mandatory inclusion of affordable units within a newly-proposed Overlay District and in projects of substantial size and the creation of city-wide incentives for the development of those affordable units, as more particularly described in Schedule A attached hereto (the "Text Amendments"); and

WHEREAS, City Plan submitted sufficient plans, information and related supporting materials, and

WHEREAS, pursuant to Article XIII, Section 2E of the Charter, the Board of Alders referred the Petition to the New Haven City Plan Commission for a public hearing; and

WHEREAS, on March 16, 2022, the City Plan Commission held a public hearing on the Petition after providing due notice of such hearing in accordance with the provisions of law; and

WHEREAS, on April 4, 2022, the City Plan Commission rendered an advisory report to the Board of Alders after considering the factors set forth in Article VII of the Charter and Sections 64(d)(2) of the Zoning Ordinance recommending approval of the Petition, CPC Report No. 1586-04 and

WHEREAS, the Board of Alders finds that the Text Amendments and their provisions are in accordance with the Comprehensive Plan of Development of the City and are consistent with the land uses and the zoning classifications of neighboring parcels and with the standards set forth in Article XIII, Sections 2B through 2E of the Charter, and

WHEREAS, the Board of Alders further finds that after public notice, hearing, and due comment from the public.

interested parties, and the various agencies of the City, including, without limitation, the Department of Transportation, Traffic and Parking, the Engineering Department, and the Office of Building, Inspection and Enforcement that the Text Amendments meet the objectives set forth in Zoning Ordinance, Article VII, Section 64(d) in that the Text Amendments are responsive to changes that have taken place in the City and in patterns of construction and land use, the supply of land and its peculiar suitability for various purposes, the purposes of zoning and the comprehensive plan of the City.

NOW, THEREFORE BE IT ORDAINED by the Board of Alders that the Text Amendments are hereby adopted and made a part of this Ordinance.

BE IT FURTHER ORDAINED by the Board of Alders that except as amended herein, the Zoning Ordinance and the Zoning Map of the City shall remain in full force and effect.

BE IT FURTHER ORDAINED that said Text Amendments shall take immediate effect on the day after the date of publication of notice of the adoption of the Zoning Ordinance Text Amendment in accordance with the requirements of Article IV, Section 3 of the Charter.

Article 1, § 1 - Definitions

AFFORDABLE HOUSING: The term "affordable housing," "affordable rental housing" or "housing affordable to rental households" is housing that costs no more than 30 percent of household income for rent and utilities, for households earning 60% or less of area median income. Unless otherwise specified by funding sources, or other agreement made with the City of New Haven, deed restricted units shall remain affordable for a period of 40 years after following issuance of the last certificate of occupancy for the qualifying development. In multi-phased qualifying developments, the period of affordability may begin upon issuance of the last certificate of occupancy for each phase, at the discretion of the Affordable Housing Commission.

AREA MEDIAN INCOME or "AMI" means the median income by household size for New Haven County, as adopted by HUD.

FLOOR AREA RATIO or "FAR" The ratio of the *gross floor area* to the *principal building or principal buildings* on a lot to the total lot area.

"HUD" means the United States Department of Housing and Urban Development.

STUDENT HOUSING means a subtype of multi-family residential dwelling units and is characterized by being owned or leased by a school or university, not available to the general public, and serving as housing exclusively for boarding school, undergraduate or graduate college students. Student Housing is leased by room or bed rather than entire dwelling unit, and may be on- or off-campus. Student housing is sometimes, but not always, rented for less than one (1)-year terms or follows an academic calendar schedule. Student Housing does not include co-living arrangements, such as roommates, in dwelling units available to the general public, regardless of the tenants' school enrollment status.

Article VI. - Other Districts. § 50. - Inclusionary Zoning Overlay Zone. [Move § 50 to Article VI; Delete

"Reserved" and replace with the following language in its entirety.]

§ 50(a). - Purpose, Overlay Area, & Effective Date

(1) Purpose. The purpose of this ordinance is to create mixed-income housing through new construction, conversion, or renovation that assists the City in promoting the creation of Inclusionary Developments and Affordable Housing as the City grows and attracts new market-rate residential development. By linking the production of affordable housing to private market development, this inclusionary zoning policy aims to expand the supply of affordable housing. The effect is to foster mixed-income communities and create housing choice in high-opportunity areas. This policy will support the provision of safe and affordable housing options in areas of opportunity.

especially for communities that have been historically marginalized, including low-income and communities of color.

(2) Enactment and Mapped area. There is hereby created an Inclusionary Zoning Overlay District (IZO), the boundaries of the IZO and its tiered areas are established on the map entitled "INCLUSIONARY ZONING: Overlay District and Markets" (the "Map"). In order to accurately reflect changes in housing market conditions, the City Plan Commission shall prepare and adopt updates to the Map every three (3) years. In addition, every calendar year, no later than February 1, the Commission shall, submit to the Mayor any recommended amendments to the in-lieu fee schedule, which subject to final adoption by the Board of Alders, shall take effect no later than July 1 of the calendar year. The Map is available in the New Haven Affordable Housing Manual and is on file and available for public inspection with the City Plan Department and the Livable City Initiative (as staff to the Affordable Housing Commission). The IZO is comprised of two sub-districts:

Core Market. The Core Market represents locations where the majority of new market-rate development is occurring as of the effective date, rents are highest, and where the majority of new market-rate development is anticipated.

Strong Market. The Strong Market represents areas that have potential to support new market-rate development today and in the immediate future.

(3) The Effective Date shall be the published notice of this Section's passage.

§ 50(b) Definitions for Inclusionary Zone Overlay Zone

For the purposes of this § 50 "Inclusionary Zoning Overlay Zone," the following definitions apply:

APPLICABLE DEVELOPMENT means any plan or application for construction, development, or rehabilitation of real property for which the development application to the City agency with appropriate jurisdiction, including but not limited to the Board of Alders, City Plan Commission, Board of Zoning Appeals, or Office of Building Inspection and Enforcement, was submitted on or after February 18, 2022 and is (a) new construction; or (b) constitutes rehabilitation, conversion, or renovation of any existing buildings if the value of such rehabilitation, conversion, or renovation is greater than fifty percent (50%) of the existing assessed value of the property; and (c) is a (i) Mandatory Market-Driven Inclusionary Development; (ii) Large-Scale Inclusionary Development; (iii) Voluntary Inclusionary Development; or (iv) an Applicable PDU/PDD Development, as defined in Section 50(b) below.

For the purposes of the applicability of Article VI, § 50, Applicable Development does not include any Prior Approved Development, Prior Submitted Development, or any development application subject to a Restricted Housing Agreement.

AVERAGE GROSS FLOOR AREA PER DWELLING UNIT means the gross floor area of the principal building or buildings divided by the total number of housing units in the inclusionary development.

"INCLUSIONARY DEVELOPMENT" means a development containing both affordable and market-rate units.

"IZ Affordable Unit" means a residential dwelling unit, which is a required or voluntarily set aside unit under this Section 50 and which is restricted for occupancy by households that have a combined total annual income for all members that does not exceed fifty percent (50%) of the New Haven Area Median Income as defined by HUD at the time of initial occupancy; and for which the costs for rent and utilities do not exceed thirty percent (30%) percent of household income.

"IZO" - means Inclusionary Zoning Overlay District.

LARGE-SCALE INCLUSIONARY DEVELOPMENT means a development anywhere in the City that proposes seventy-five (75) or more residential dwelling units, which is required to be an

Inclusionary Development under the Inclusionary Zoning policy

LOW-INCOME HOUSEHOLD means a household in which the combined total annual income for all members of a household does not exceed fifty percent (50%) of the area median income. These income limits are adjusted by household size based on multipliers used by HUD to adjust area median income by household size.

MARKET-RATE UNITS means housing not restricted to low-income households that may sell or rent at any price that the market may bear.

PRIOR APPROVED DEVELOPMENT means an otherwise Applicable Development for the construction, development, or rehabilitation of real property for which the development application to the City agency with appropriate jurisdiction, including but not limited to the Board of Alders, City Plan Commission, Board of Zoning Appeals, or Office of Building Inspection and Enforcement, was submitted prior to February 18, 2022, and which has received the required approval of one or more of the City agencies with appropriate jurisdiction, but which requires the approval of one or more additional City agencies, and for which the application to such agency is submitted on or after February 18, 2022.

PRIOR SUBMITTED DEVELOPMENT means an otherwise Applicable Development for the construction, development, or rehabilitation of real property for which the development application to the City agency with appropriate jurisdiction, including but not limited to the Board of Alders, City Plan Commission, Board of Zoning Appeals, or Office of Building Inspection and Enforcement, was submitted prior to February 18, 2022.

RESTRICTED HOUSING AGREEMENT means an agreement or a commitment to enter into an agreement existing and in force on the Effective Date between an owner of property, a developer of property, or a lessee of property with (i) the City of New Haven, including but not limited to a Development and Land Disposition Agreement, a grant agreement, a loan agreement, and/or a tax abatement agreement, (ii) another governmental entity, including but not limited to the State of Connecticut Department of Housing or the Connecticut Housing Finance Authority, or (iii) a third party for low-income tax credits which requires a property, project, and/or a development to provide Restricted Units (whether or not such Restricted Units meet the definition of Affordable Units and/or such agreement complies with the Inclusionary Housing Set-Aside requirements of Section 50(c) (3)).

RESTRICTED UNIT means a dwelling unit, whether a rental unit or ownership unit, that is subject to affordability controls

§ 50(c). - Set-Aside of IZ Affordable Units.

(1) Applicability. The requirements and incentives in this Section 50 shall apply to all Applicable Developments which include any new construction and any rehabilitation, conversion, or renovation of existing buildings that is valued greater than fifty percent (50%) of the existing assessed value of the property and which is a:

a. Mandatory Market-Driven Inclusionary Developments. After the Effective Date of this Section, compliance with this Section is required for all properties or developments with a residential component that are proposing ten (10) or more dwelling units that are located within the IZO; or

b. Large-Scale Inclusionary Developments. After the Effective Date of this Section, compliance with this Section is required for all properties or developments proposing seventy-five (75) dwelling units or more (herein referred to as "Large-Scale Residential Developments"), outside of the IZO; or

c. Voluntary Inclusionary Developments. After the Effective Date of this Section, compliance with this Section is optional for all properties or developments with a Residential component of (i) less than seventy-five (75) dwelling units outside the IZO and (ii) less than ten (10) dwelling units within the IZO that elect to construct IZ Affordable Units, consistent with this Section. Such Voluntary Inclusionary Developments shall be eligible for certain zoning bonuses as outlined herein; or.

d. Applicable PDU/PDD Developments. Except as provided in §50(c)(2)(d) below, otherwise Applicable Developments meeting the definitions of this Section 50(c)(1), within an existing PDD or a PDU are subject to this policy. A new PDD or PDU may not create an exemption from this policy.

(2) Exemptions.

The following development projects are exempt from the requirements of this §50(c):

- a. Any project which is to be undertaken by the New Haven Housing Authority.
- b. Any project that proposes, Student Housing, a Dormitory, or Rooming, Boarding, or Lodging Houses.
- c. Any development project which is a Prior Approved Development, a Prior Submitted Development, or any development application subject to a Restricted Housing Agreement.
- d. Any PDD or PDU existing on the Effective date which contains a requirement concerning Restricted Units or Affordable Housing.
- e. Minor changes to approved site plan approvals which may be granted by the City Plan Staff under Section 64(f)(7)f.

(3) Inclusionary Housing Set-Aside

a. In the Core Market of the IZO, Applicable Developments shall set aside not less than ten percent (10%) of the total number of dwelling units as IZ Affordable Units. IZO applicable developments shall prioritize an additional five percent (5%) of the total number of dwelling units for persons or families with Housing Choice (Section 8) vouchers. Such Housing Choice Voucher units shall be offered such that the cost for rent and utilities do not exceeds fair market rents as determined by HUD. If tenants with Housing Choice vouchers are not able to be placed and proper documentation is approved by the City, a unit with Housing Choice priority may be rented to a tenant with a household income no more than eighty percent (80%) of AMI until vacancies occur, at which time, Housing Choice tenants will be re-prioritized.

b. In the Strong Market of the IZO, Applicable Developments shall set aside not less than five percent (5%) of the total number of dwelling units as IZ Affordable Units.

c. City-Wide Inclusionary Housing Set-Aside. Outside of the IZO, Large-Scale Inclusionary Developments shall set aside not less than five percent (5%) of the total number of dwelling units as IZ Affordable Units.

d. Voluntary Inclusionary Set-Aside.

i. Outside of the IZO, a development of less than seventy-five (75) dwelling units may set aside five percent (5%) of the total number of dwelling units as IZ Affordable Units on a voluntary basis. A development that opts in will be required to comply with all of the provisions of this Section.

ii. Within the IZO, any project involving ten (10) dwelling units or less may opt into this policy by setting aside the number of units required in a. and b. above, as applicable as IZ Affordable Units. If the calculation results in a partial unit, it is rounded up to the nearest whole unit for the purposes of calculating the units to be provided on site. If the calculation results in less than one-half (0.5) units, then one (1) affordable unit will be required to opt into this policy and receive the incentives. For a payment in-lieu of constructing a unit, the developer pays an in-lieu fee based on the share of total units required under a. and b. above, as applicable. If the calculation results in a partial unit, the in-lieu fee is calculated based on the partial unit (e.g., if the unit calculation requires one-half (0.5) dwelling units, the developer pays fifty percent (50%) of the established in-lieu fee).

e. This Inclusionary Housing Set-Aside applies to rental units. All IZ Affordable Units must be constructed and maintained in a manner consistent with market-rate units provided as part of the Inclusionary Development.

f. The Director of the City Plan Department or his/her designee shall review all Applicable Developments at the time of application for site plan review to verify compliance with income and rental limits as required for the IZ Affordable Units.

g. The Director of the Livable City Initiative or his/her designee shall review leasing plans and rent rolls to verify ongoing compliance with income and rental limits of the IZ Affordable Units.

h. The set-aside IZ Affordable Units shall be deed-restricted to ensure the units have rent limits and income limits to ensure the units are set aside and occupied as IZ Affordable Units for a minimum of ninety-nine (99) years. The deed restriction shall be recorded on the New Haven Land Records in advance of final Certificate of Occupancy.

i. Rounding. When any calculation of the mandatory set aside results in a fractional income restricted unit, the fraction is rounded to the nearest whole unit. If the calculation results in less than one-half (0.5) units total (which would be rounded to zero (0) under this subsection), then one (1) IZ Affordable Unit will be required.

j. IZ Affordable Unit requirements.

i. IZ Affordable Units must be evenly distributed throughout the Inclusionary Development, including across project phases.

ii. IZ Affordable Units must be a mix of unit types and sizes that matches the overall mix of unit types and sizes in the Inclusionary Development.

iii. IZ Affordable Units must have comparable finishes and access to amenities to Market-Rate Units in the Inclusionary Development.

iv. IZ Affordable Units shall reflect the composition of the overall development in terms of accessible design (ANSI Type A and Type B).

k. A payment may be made in lieu of on-site construction, in accordance with Subsection 59(e) below.

(4) Approving Authority. All Applicable Developments must be reviewed and approved by the City Plan Commission as part of Site Plan Review or Detailed Site Plan Review in accordance with Section 64 and Section 50(f) below.

§ 50(d). - Incentives for the Development of IZ Affordable Units.

All applicable Inclusionary Developments, whether mandatory or voluntary, are eligible for the following incentives, the purpose of which is to offset the cost burden of constructing and maintaining affordable units.

(1) FAR Bonus. The Inclusionary Development is entitled to a bonus in FAR of up to twenty-five percent (25%) over the permitted FAR in the underlying zone in which the property is located, but may be otherwise limited by height restrictions and other bulk area requirements of the underlying zone.

(2) Waived Parking Minimums. The Inclusionary Development does not have a minimum amount of automobile parking required for Residential uses, but may elect to include parking as part of the development. Sections 29 and 45 of the Zoning Ordinance, as they relate to motor vehicle parking for Residential uses, are waived.

Notwithstanding the foregoing,

the Inclusionary Development shall comply with bicycle parking requirements. As part of its review, the City Plan Commission may require additional bicycle parking as a condition of approval.

Where the Inclusionary Development is mixed-use with a commercial component or parking is provided voluntarily, the Inclusionary Development must also include loading spaces in accordance with Section 45(a)(1)b. Notwithstanding the criteria of §2 ½-25 of the New Haven Code of General Ordinances, an Inclusionary Zoning application to the City Plan Commission shall include a Traffic Impact and Multi Modal Transport Safety Study as part of the development application for any development project under the Inclusionary Zoning overlay involving new construction of more than seventy-five (75) residential units, more than fifty thousand (50,000) gross square feet of floor area in one structure, or the addition of two hundred (200) or more parking spaces. The study shall show the amount and direction of traffic to be generated by the proposed development and shall estimate its effect on the roadway capacity as well the safety with regards to pedestrian, bicycle, and transit patterns. Furthermore, the traffic study shall provide an analysis of pedestrian, bicycle and transit infrastructure within one-quarter (¼) mile radius, and include best practices in site plan design to connect safely to and to enhance multi modal transportation options.

(3) Density Bonus. Irrespective of density limitations in the underlying zone, the Inclusionary Development is entitled to a density of six hundred (600) square feet for the average gross floor area per dwelling unit. This reduction is applicable to all structures, regardless of age and lot size, whether conforming or nonconforming, so long as they are permissible under applicable building codes.

§ 50(e). - Payment In Lieu of Developing IZ Affordable Units

For projects meeting Section 50(b)(1)(a) or 50(b)(1)(b), the property owner/developer may pay a fee in lieu of building on-site IZ Affordable Units for some or all the obligation in accordance with the following:

(1). A developer may provide a payment in lieu of constructing the IZ Affordable Units obligation to the City of New Haven deposited in a special fund designated for such purpose. A developer may build a portion of the required IZ Affordable Units and provide a payment in lieu of the remainder of the required IZ Affordable Units. However, the policy of this Section favors construction of on-site affordable units.

(2) Payment in-lieu fee. The amount of the payment-in-lieu figure is based upon a tiered payment in-lieu system that will be reassessed every three (3) years from the effective date of this Section's adoption. The fees and any assessed premium is available in the New Haven Affordable Housing Manual and is on file with City Plan Department and the Livable City Initiative.

(3) Condition of Approval. In advance of Site Plan Approvals by the City Plan Commission, the developer shall enter into an IZ Affordable Unit Agreement, deed restriction or Payment in Lieu of Agreement with the City of New Haven.

§ 50(f). - Performance and compliance.

(1) Inclusionary Developments containing one (1) or more IZ Affordable Unit(s) must meet all applicable requirements under the laws of the State of Connecticut.

(2) All Inclusionary Zoning applications will be formalized with an IZ Affordable Unit Agreement. The IZ Affordable Unit Agreement is required for all Applicable Projects. The IZ Affordable Unit Agreement must be to the satisfaction of the Director of the Livable City Initiative before the project's Site Plan Review or Detailed Site Plan Review application is reviewed by the City Plan Department.

(3) All Inclusionary Developments will comply with tenant screening processes for available affordable units as described in the New Haven Affordable Housing Manual on file with City Plan Department and the Livable City Initiative.

(4) All Inclusionary Developments will be required annually to certify compliance, including certification of incomes of tenants in affordable units and submit a Compliance Report to the Director of the Livable City Initiative. Information on income certification processes and tenant eligibility is provided in the New Haven Affordable Housing Manual and is on file with City Plan Department and the Livable City Initiative.

§ 50(g). - Violation, default and remedies

Upon a violation of any of the provisions of the affordable housing agreement, the Zoning Enforcement Officer will give written notice to the developer or property owner specifying the nature of the violation and require corrective action within a reasonable period of time. If the developer or property owner does not reply or correct the violation within the time specified, they will, for each and every violation, be fined up one hundred dollars (\$100), or the maximum allowed by state statutes for each day that such violation continues after such notice.

§ 50(h). - Severability.

If any Section, Subsection, sentence, clause, phrase, or portion of this Article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion is deemed a separate, distinct, and independent provision, and such holding does not affect the validity of the remaining portions thereof.

§ 50(i) - Fixing of Assessments for Inclusionary Development Property.

Pursuant to Section 12-65b of the Connecticut General Statutes, any owner of real property proposing an Inclusionary Development of not less than four residential units and which Inclusionary Development complies the IZ Affordable Unit set aside requirement of Section 50(c) of this ordinance shall, in addition to incentives identified in Section 50(d), be eligible to enter into an agreement with the City fixing the assessment on such Inclusionary Development property fixing the assessment at the amount equal to seventy percent (70%) of the otherwise applicable assessment on any property within the Core Market as identified in the Inclusionary Zoning Monitoring and Procedures Manual, or ninety-five percent (95%) of the otherwise applicable assessment on any property outside of the Core Market, for a period of ten years.

§ 50(j) - Development Incentives May Be Aggregated

Notwithstanding the limitation of any other section of this Zoning Ordinances or the New Haven Code of Ordinances, or other City regulation to the contrary, an Inclusionary Development that qualifies for one or more benefits or incentives under this § 50 may receive any other development incentive or benefit for which the development would otherwise qualify.

§ 50(k) - City Plan Commission to Promulgate Regulations; Recommend Fees

The City Plan Commission shall promulgate regulations to implement the intent and purposes of this Section 50. Such regulations shall be compiled in a document to be entitled "Inclusionary Zoning Monitoring and Procedures Manual," and shall include, but not be limited to (1) Inclusionary Zoning Policy & Development Guidelines, (2) Permitting and Approvals, (3) Tenant Selection and Protections, (4) Monitoring and Enforcement; (5) rental and income limits to ensure set aside units are maintained as IZ Affordable Units; (6) a recommended schedule of administrative fees including but not limited to application fees, In-Lieu payment fees and fines for non-compliance with the requirements of this Ordinance and the Inclusionary Zoning Monitoring and Procedures Manual to be included in the Mayor's budget subject to approval by the Board of Alders in a manner consistent with the annual amendment of Chapter 17 of the Code of General Ordinances; and (7) such other regulations, consistent with this Section 50, as may be necessary to effect the purposes of this ordinance. The City Plan Commission shall approve such regulations after public notice and a public hearing of the Commission.

§50(l) - Right of Appeal

(1) Appeals of Administrative Orders. An appeal from an administrative order of the Zoning Enforcement Officer (ZEO) or other City staff charged with enforcing this Section 50 may be taken to the Board of Zoning Appeals as provided in section 63.

(2) IZ Land Use Permitting or Site Plan - any person aggrieved by any decision of a board pursuant to this Section 50, including a decision to approve or deny a site plan, may take an appeal to the Superior Court

pursuant to the procedures for such appeal in Connecticut General Statutes §8-8.

(3) Non-Compliance With Operation or Maintenance of IZ Affordable Units - All violations order issued pursuant to §50(g) shall be issued and enforced and shall have the same right and procedures for appeal as violations under Section 9-51 (l)-(l) of the Code of General Ordinances.

This Ordinance was Approved by the Board of Alders on 5/3/2022.

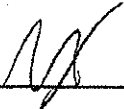
Attest, City Clerk



Date

5/3/2022

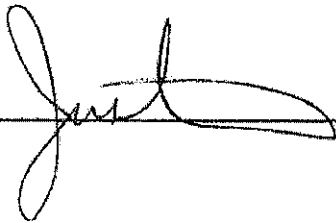
Signed, City Clerk



Date

5/12/2022

Signed, Mayor



Date

6/8/2022

EXHIBIT B

ZONING ORDINANCE AMENDMENT PLANNED DEVELOPMENT DISTRICT
177 HALLOCK AVENUE

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW HAVEN:

WHEREAS, Walfarm Associates have filed an Application dated 14th April 1986, and have submitted General Plans to the Board of Aldermen of the City of New Haven, requesting that this Board adopt an amendment to the Zoning Ordinance of the City of New Haven to designate the area described below as a "Planned Development District", under Section 65 of the Zoning Ordinance of the City of New Haven; and

WHEREAS, the New Haven City Plan Commission has ruled favorably, with conditions for a 112 room hotel, upon said Application; and

WHEREAS, a certain piece or parcel of land known as 177 Hallock Avenue, shall be designated a Planned Development District in accordance with their application dated April 14, 1986, and the plans submitted, subject to the conditions contained in City Plan Commission Report 1017/1 adopted May 21, 1986 and filed with the City/Town Clerk; and

WHEREAS, the Planned Development District is to be located on a tract of land consisting of 1 parcel totalling 3.12 acres, more or less, and to consist of a 112 room hotel; and

WHEREAS, the land is currently zoned as IL.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW HAVEN AS FOLLOWS:

1. That it is hereby found and determined that the aforementioned planned development district is composed of a 112 room hotel with supportive uses, which uses, in the proportions provided, are most appropriate and necessary for the integrated functioning of the Planned Development District and the City of New Haven.
2. That it is hereby found and determined that the proposed amended District in its space allocations, orientation, texture, materials, landscaping and other features will produce an environment of stable and desirable character, complementing the design and values of the surrounding area, and shows such unusual merit as to reflect credit upon the developer and the City of New Haven.
3. That it is hereby found and determined that the area of the proposed development within the District is in excess of two acres, which is the minimum tract requirement for Planned Development District composed of other than residential uses.

4. The potential adverse impacts of the proposed activities on both coastal resources and future water dependent activity are acceptable, and are consistent with all applicable goals and policies of Section 22a-92 of the CAM Act.

BE IT FURTHER ORDAINED THAT:

1. Upon full consideration of the aforesaid Application and General Plans and such other matters as were brought before the Board pertaining thereto, and upon the favorable, with conditions for a 112 room hotel, recommendation of the City Plan Commission it is hereby found that:

(a) The overall design of the proposed development is such as to warrant modification of the standards contained in the Zoning Ordinance of the City of New Haven as set forth in the foregoing Application and General Plans, and

(b) The proposed Planned Development as described in the said Application and General Plans is:

1. In accordance with the comprehensive plans of the City of New Haven in that it effectively develops the site in a manner which is compatible with surrounding development and the existing IL zone. Construction of the development will create a unique complex of high architectural quality.

2. The General Plans for the PDD show a carefully designed approach which develops the site at a residential scale and form, and provides a transition from residential to industrial uses in a manner which is compatible with adjacent development in accordance with the objectives of Section 65.A.

3. The General Plans are sufficient in scope to describe the proposed improvement. Submission of detailed plans for review and approval, in accordance with Section 65.E will assure the project continues to meet the requisite design standards.

(c) The Applicants are the contract owners or are deemed under Section 65 C of the Zoning Ordinance of the City of New Haven to be the owner of the tract in question.

2. That the tract of land in question, as described above, also known as 177 Hallock Avenue, be and is hereby designated as a "Planned Development District" for the purposes stated in the Application and General Plans, and that the modifications to the Zoning Ordinance set forth therein are hereby ordered and adopted subject to the provisions of Section 65E of the Zoning Ordinance of the City of New Haven.

3. That this zoning ordinance amendment be subject to the following conditions;

a. A 112 room hotel with supportive uses is approved, and all requirements of the Detailed Plan Submission are conditions of approval.

b. The project shall comply with all guidelines and standards of the Connecticut Guidelines for Soil Erosion and Sediment Control.

c. All project utility lines shall be placed underground, and on-site and off-site utilities shall be provided at no cost or liability to the City, and any costs resulting from this project (e.g., restoration of pavement or streets disturbed for placement of utilities) shall be the developer's responsibility.

d. Verification of a full contractual arrangement by the submitting team (architect, engineer, and landscape architect), shall be furnished to the Commission prior to Detailed Plan submission for the PDD to be considered in effect. The Commission shall be given prior notice of any change in development principals, and any change in the approved submitting team shall be for cause and require prior Commission approval.

e. The Commission will establish a reasonable time for project completion at the time of submission of Detailed Plans. If at any subsequent time the Commission determines the project is not likely to be completed within a reasonable time, it may submit to the Board of Aldermen a communication to revert the tract to all requirements of the IL zone.

f. City Plan Commission report 1017/1, together with all the conditions therein, is incorporated herein by reference.

EXHIBIT C



August 1, 2022

Attorney Christopher M. McKeon, Esq.
Bershtein, Volpe & McKeon P.C.
900 Chapel Street, 11th Floor
New Haven, CT 06510

**Re: Traffic and Parking Review
PDD No. 65 Modification – Village Suites
3 Long Wharf Drive and 175 Hallock Avenue
New Haven, Connecticut
SLR #141.20946.00001**

Dear Attorney McKeon,

We have prepared this letter to assess the traffic and parking implications of converting the existing 112 suites at the New Haven Village Suites hotel into residential units. The site is located at 3 Long Wharf Drive/175 Hallock Avenue in southwestern New Haven and is situated less than one mile from Union Station and Interstate-95. It is adjacent to residential, commercial, office, and rail yard uses. There are bus stops within a short walking distance from the site for Connecticut CT Transit Bus Routes No. 271 (Kimberly Avenue) and No. 274 (Sargent Drive). It is typical in urban city settings that people generally take fewer trips by car and instead walk or use transit.

The following presents a review of traffic-generation estimates for the proposed site conversion from an all-suites hotel compared to the proposed multifamily development. Statistical data contained in the Institute of Transportation Engineers' (ITE) *Trip Generation, 11th Edition*¹ manual was used to estimate the number of vehicular trips the existing use and the proposed use would be expected to generate during peak-hour conditions. Actual traffic counts were not conducted of the existing location. ITE land use code (LUC) 311, All Suites Hotel, was used to estimate the traffic generated by the existing hotel suites, and LUC 220, Multifamily Housing (Low-Rise), was used to estimate the traffic of the future residential units. Additionally, a transit-oriented development credit of 20 percent was applied to the new residential vehicular trips. A traffic generation reduction of 20 percent is typically considered acceptable by the Connecticut Department of Transportation (CTDOT) when assessing traffic generation in urban, high-

¹ *Trip Generation, 11th Edition*, Institute of Transportation Engineers, 2021

transit areas. Table 1 presents the traffic generation comparison between the existing hotel use and the proposed residential use during the weekday morning and evening peak hours.

TABLE 1: Traffic Generation Comparison

LAND USE	TRIP GENERATION					
	WEEKDAY MORNING PEAK HOUR			WEEKDAY AFTERNOON PEAK HOUR		
	IN	OUT	TOTAL	IN	OUT	TOTAL
Existing 112 Hotel Units (LUC 311 All Suites Hotel)	20	18	38	19	21	40
Proposed 112 Residential Units (LUC 220 Multifamily Housing (Low-Rise))	11	34	45	36	21	57
Transit-Oriented Development Credit	-2	-7	-9	-7	-4	-11
<i>Difference</i>	-11	+9	-2	+10	-4	+6

As shown in the table, it is estimated that the conversion of the site into residential units would have a net decrease of two trips during the morning peak hour and a net increase of six trips during the afternoon peak hour compared to current hotel traffic generation. The change in volume is minor and would not have any noticeable impact on area traffic. For example, ten additional entering traffic trips during the afternoon peak hour would be equivalent to approximately one additional trip every six minutes if averaged over the course of the hour.

In review of onsite parking, there are 88 existing parking spaces supplied for the hotel. According to the Code of Ordinances of the City of New Haven Section 45, the city would require a minimum of one-half parking space per dwelling unit for the residential use compared to one parking space per hotel unit for the current site use. Therefore, the site converted to residences would need to supply only 66 parking spaces compared to the existing 88 spaces.

In summary, the conversion of the existing New Haven Village Suites into residential units would have negligible impact on area traffic, and the current parking supply onsite exceeds the City requirement for dwelling units.

August 1, 2022

Attorney Christopher M. McKeon, Esq.

Page 3



We hope this letter is useful to you and the City of New Haven. If you have any questions or need any further information, please do not hesitate to contact either of the undersigned.

Sincerely,

SLR International Corporation

A handwritten signature in black ink, appearing to read "David G. Sullivan".

David G. Sullivan, PE
US Manager of Traffic & Transportation Planning

A handwritten signature in black ink, appearing to read "Carl Giordano".

Carl Giordano, PE, CNU-A
Associate Transportation Engineer

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EXHIBIT D



August 1, 2022

Attorney Christopher M. McKeon, Esq.
Bershtein, Volpe & McKeon P.C.
900 Chapel Street, 11th Floor
New Haven, CT 06510

**Re: Propose Amendment to PDD No. 65
 Village Suites
 31 Long Wharf Drive and 175 Hallock Avenue
 New Haven, Connecticut
 SLR #141.20946.00001**

Dear Attorney McKeon,

At your request, we have reviewed the above-referenced application to convert the existing Village Suites from a hotel to permanent multifamily dwellings for its consistency with the City of New Haven's Plan of Conservation and Development (POCD). In our opinion, the proposed amendment to the ordinance that established Planned Development District (PDD) No. 65 is consistent with the current POCD.

Background

In 1986, the New Haven Board of Alders approved an amendment of the City's Zoning Ordinance to create PDD No. 65 at 175 Hallock Avenue that would allow for the construction of a 112-unit all-suite hotel. This action was made to support the City's initiative to redevelop Long Wharf for large corporate offices.

At present, there are 14 residential structures each containing 8 dwelling units. There is a management/office building and a small amenities area. There are 88 parking spaces serving the property. While the property has frontage on Hallock Avenue on the west of the property, the Village Suites property has, and will continue to have access only from Long Wharf Drive. At present, the hotel buildings provide a transition between the older one-and-two-family homes on Hallock Avenue, and the parking lots and large buildings on Long Wharf Drive.

Now, the owner of the property, Village Suites, LLC, has applied to the City to amend PDD No. 65 to allow for the conversion of what has become an extended-stay hotel into 112 individual rental dwelling units. Notably, there will not be a discernable change to the property since all buildings and related site improvements will remain.

Consistency with the *New Haven Vision 2025*

In 2015, the City of New Haven adopted *New Haven Vision 2025* as its official POCD as a guide to creating a sustainable, healthy, and vibrant city. Among the many issues that *New Haven Vision 2025* addresses is the need for affordable housing and the creation of mixed-use developments. Recognizing that the earlier goals for Long Wharf as industrial hub for New Haven has not been realized and the area has evolved into a mix of large-scale retail and other commercial uses, the Planning Commission recommended in Chapter 3 of *New Haven Vision 2025* the "...continued development of sites in the Long Wharf area along Interstate 95...for office space, light industrial, residential, and retail and restaurant type uses". In the discussion of housing in Chapter 4 of *New Haven Vision 2025*, the Commission identified the need for adaptive reuse of the vacant or underutilized large structures in Long Wharf and the development of a mixed-use corridor of higher density promoting among other things "resident connectivity" to other uses and to the waterfront district on New Haven Harbor.

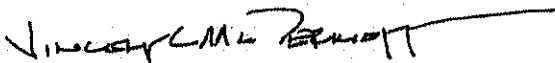
The proposed amendment to PDD No. 65 is consistent with the recommendations contained in *New Haven Vision 2025*. The conversion from extended stay housing to permanent residential dwellings will provide work force housing opportunities in Long Wharf where there had not been any new housing in the decade prior to the preparation of the *New Haven Vision 2025* plan. (See the Existing Land Use illustration in the plan.) In addition, the conversion to permanent residences is consistent with the Planning Commission's recommendation for the inclusion of residential land uses among the many mixed-uses identified for Long Wharf in the plan.

In addition to being consistent with recommendations in *Vision 2025*, the conversion of the extended-stay hotel use to permanent residential housing will complement and strengthen the compatibility of the proposed use with the existing medium density housing on Hallock Avenue in the Lower Hill neighborhood and will reinforce the transition between the neighborhood and the commercial uses in Long Wharf.

Please feel free to contact us should you have any questions about this finding of consistency.

Sincerely,

SLR International Corporation



Vincent C. McDermott, FASLA, AICP
Senior Principal, Landscape Architecture and Planning

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EXHIBIT E

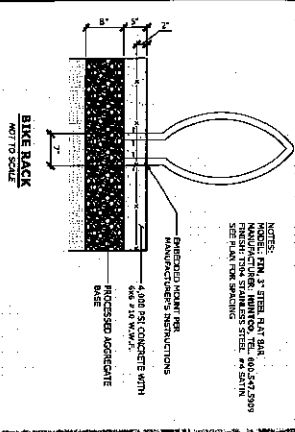
GENERAL NOTES

1. PROPERTY AND ZONING MAPS ARE BASED ON THE COMPREHENSIVE ZONING MAP, TOWN OF NEW HAVEN, CONNECTICUT, 2008.
2. THE ZONING MAP IS A LEGAL DOCUMENT AND SHOULD BE USED IN CONJUNCTION WITH THE ZONING REGULATIONS.
3. THE ZONING REGULATIONS ARE A LEGAL DOCUMENT AND SHOULD BE USED IN CONJUNCTION WITH THE ZONING MAP.
4. THE ZONING REGULATIONS ARE A LEGAL DOCUMENT AND SHOULD BE USED IN CONJUNCTION WITH THE ZONING MAP.
5. THE ZONING REGULATIONS ARE A LEGAL DOCUMENT AND SHOULD BE USED IN CONJUNCTION WITH THE ZONING MAP.

ZONING DATA TABLE - 3 LONG WHARF DRIVE & 175 HALLOCK AVENUE

ZONE	THICKETS	REQUIRED/PERMITTED	PROVIDED
RESIDENTIAL			
DWELLING UNITS			112
PARKING		0.5 SPACES/UNIT (66 SPACES)	0.75 SPACES/UNIT (88 SPACES)
LOUSE OPEN SPACE		200 SPACES/UNIT (200 SPACES)	220 SPACES/UNIT (220 SPACES)
BICYCLE PARKING		7 ADDITIONAL BICYCLES/UNIT	10

NOTES: 1. THE 10 SPACES, 7 ARE REQUIRED TO BE COVERED, 3 OF THE SPACES ARE REQUIRED TO BE OPEN TIER AND 3% PERMITTED TO BE COVERED. 2. 10% OF THE SPACES ARE REQUIRED TO BE COVERED. 3. 10% OF THE SPACES ARE REQUIRED TO BE COVERED. 4. 10% OF THE SPACES ARE REQUIRED TO BE COVERED. 5. 10% OF THE SPACES ARE REQUIRED TO BE COVERED.



LOCATION MAP



SP 1 OF 1	SITE PLAN VILLAGE SUITES PDD #85 3 LONG WHARF DRIVE & 175 HALLOCK AVENUE NEW HAVEN, CONNECTICUT	DESCRIPTION DATE BY	SLR THE CONSULTING ENGINEERS, INC. NEW HAVEN, CT 06510 203.461.1111 SLRCONSULTING.COM	
	DATE 11/20/2023 11/20/2023	11/20/2023 11/20/2023	11/20/2023 11/20/2023	11/20/2023 11/20/2023

PROPERTY SURVEY
ALTA/ACSM LAND TITLE SURVEY
3 LONG WHARF DRIVE & 175 HALLOCK AVENUE
NEW HAVEN, CONNECTICUT

LAND OF
LSEBZ COVER PROPERTY, LLC
AREA = 6,468 SQ. FT.

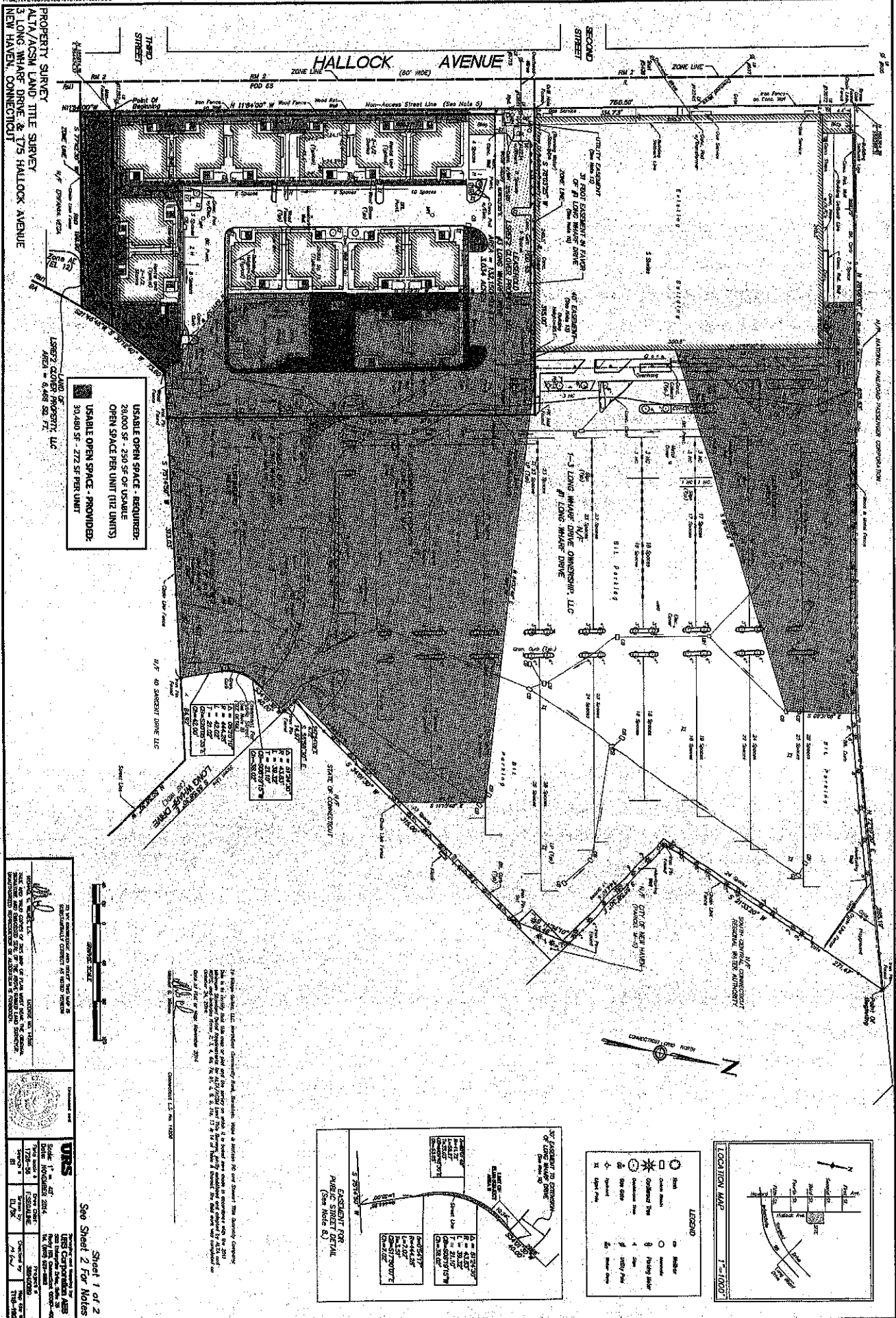
USABLE OPEN SPACE - REQUIRED:
20,000 SF - 250 SF OF USABLE
OPEN SPACE PER UNIT (112 UNITS)
USABLE OPEN SPACE - PROVIDED:
30,480 SF - 272 SF PER UNIT

TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND I AM NOT PROVIDING ANY WARRANTY, EXPRESS OR IMPLIED, FOR THE ACCURACY, COMPLETENESS, OR RELIABILITY OF THE INFORMATION CONTAINED HEREIN.

DATE OF SURVEY: 10/28/2014
DATE OF PLOTTING: 11/10/2014
DATE OF REVISION: 11/10/2014
DATE OF FINAL REVIEW: 11/10/2014
DATE OF FINAL APPROVAL: 11/10/2014

DATE OF FINAL REVIEW: 11/10/2014
DATE OF FINAL APPROVAL: 11/10/2014

Sheet 1 of 2
See Sheet 2 For Notes



DATE OF SURVEY: 10/28/2014
DATE OF PLOTTING: 11/10/2014
DATE OF REVISION: 11/10/2014
DATE OF FINAL REVIEW: 11/10/2014
DATE OF FINAL APPROVAL: 11/10/2014

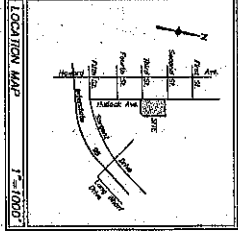
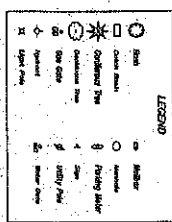
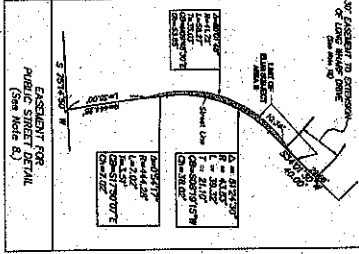


EXHIBIT F



July 27, 2022

Mr. Juan M. Salas-Rower
Village Suites LLC
c/o NHR Group
139 Orange Street, 4th Floor
New Haven, CT 06511

**Re: PDD No. 65 Modification – Village Suites
3 Long Wharf Drive and 175 Hallock Avenue
New Haven, Connecticut
SLR #141.20946.00001**

Dear Mr. Salas-Rower,

SLR International Corporation (SLR) conducted a site evaluation at the Village Suites property at 3 Long Wharf Drive and 175 Hallock Avenue in New Haven, Connecticut. The purpose of the assessment was to characterize coastal resources on and adjacent to the site, as identified by the Connecticut Coastal Management Act (CAM) at Connecticut General Statutes (CGS) § 22a-90 through 22a-112. Following the site investigation, SLR reviewed project documentation to evaluate the proposed site construction relative to the legislative goals and policies identified in the CAM. These activities are necessitated by proposed site improvements at the Village Suites property that require site plan review by the City of New Haven City Plan Commission.

In summary, the proposed activities are consistent with applicable resource and use policies of the CAM. Although the site is located within New Haven's coastal boundary, the site is not located directly on the shoreline of New Haven Harbor or its contributing estuaries. The proposed project involves converting an existing development that allows for long-term hotel stays into a rental apartment complex. No new construction is proposed, other than the addition of bike racks, to benefit the rental community. The proposed activities are depicted on the site plans prepared by SLR entitled "*Site Plan – Village Suites*" dated July 12, 2022.

General Site Description

The two-parcel project area, comprised of 3 Long Wharf Drive (3 acres) and 175 Hallock Avenue (0.15 acres), is located within the Long Wharf neighborhood of New Haven (Figure 1), which supports commercial, industrial, port, and recreation facilities. The project site abuts residential use on Hallock

Avenue. Village Suites, accessed via Long Wharf Drive, operates as a long-term stay hotel with 112 rooms and 88 parking spaces.

The proposed project is located interior to the shoreline and within an intensively modified and developed portion of New Haven. According to the United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) Web Soil Survey mapping, two soil map units are within the project area (Figure 2). The primary soil type within this area is Penwood-urban land complex. NRCS also identified a small portion of water within the project area. Upon investigation, the referenced area is paved and comprised of human transported material (HTM), specifically udorthents or fill material.

Site elevation ranges from 9 feet above mean sea level (MSL) in the southernmost points of 175 Hallock Avenue to 26 feet in the northeastern portion of 3 Long Wharf Drive. The 0.15-acre 175 Hallock Avenue parcel is comprised of manicured lawn and a vegetated fence line. The 3-acre parcel located at 3 Long Wharf Drive contains almost entirely impervious surface, with scattered mulched landscaping features and small areas of manicured lawn.

Two coastal resources exist on and adjacent to the project site: shorelands and coastal flood hazard area. Approximately 3 acres of the project site is considered shoreland, defined as *"land areas within the coastal boundary exclusive of coastal hazard areas, which are not subject to dynamic coastal processes and which are comprised of typical upland features such as bedrock hills, till hills, and drumlins"* [Connecticut General Statutes (CGS) §22a-93(7)(M)]. The remaining 0.15-acre portion, located in the southeast portion of the site, represents a coastal flood hazard area that is associated with the New Haven Harbor. According to the Federal Emergency Management Agency (FEMA), there is a 1 percent annual chance flood hazard, also known as the 100-year floodplain, for that area. The base flood elevation (BFE) is 12 feet above MSL. This floodplain extends north, south, and east of the project area, encompassing most of Long Wharf and several residential properties along Hallock Avenue. New Haven Harbor is located approximately 0.3 miles southeast of the project area.

Proposed Project

The purpose of the project is to convert Village Suites from a long-term stay hotel to a residential apartment complex. The only proposed construction is the installation of two bicycle racks: one long-term covered and secured rack with nine bicycle spaces and one short-term rack with one bicycle space (Figure 3). The prebuilt racks will be ground mounted with approximately 8 inches of processed aggregate base and approximately 5 inches of concrete. The single rack will be located at the entrance on the east side of the property while the nine-space rack will be located in the southeastern corner of the property. There is no anticipated need for sediment and erosion controls due to the small scale of construction and absence of erosive material within the project area. The proposed site improvements are minimal and will not result

in an increase in impervious area on the parcels. No modifications are proposed to existing stormwater management on the properties.

Identification of Applicable Coastal Resources and Coastal Resources Policies

The following table provides a list of CAM resources and policies. A checkmark is placed adjacent to the resources and policies that are applicable to the project.

Table 1 CAM Resources and Policies

Coastal Resources	On site	Adjacent	Off site but Within the Influence of the Project	Not Applicable
General Coastal Resources – Definition: CGS § 22a-93(7); Policy: CGS §22a-92(a)(2)	✓	✓		
Beaches and Dunes – Definition: CGS § 22a-93(7)(C); Policies: CGS §§ 22a-92-(b)(2)(C) and 22a-92(c)(1)(K)				✓
Bluffs and Escarpments – Definition: CGS § 22a-93(7)(A); Policy: CGS §22a-92(b)(2)(A)				✓
Coastal Hazard Area – Definition: CGS §22a-93(7)(H); Policies: CGS § 22a-92(a)(2), 22a-92(a)(5), 22a-92(b)(2)(F), 22a-92(b)(2)(J), and 22a-92(c)(2)(B)	✓	✓		
Coastal Waters, Estuarine Embayment's, Nearshore Waters, Offshore Waters – Definition: CGS § 22a-93(5), 22a-93(7)(G), and 22a-93(7)(K), and 22a-93(7)(L) respectively; Policies: CGS § 22a-92(a)(2) and 22a-92(c)(2)(A)				✓
Developed Shorefront – Definition: CGS § 22a-93(7)(I); Policy: 22a-92(b)(2)(G)				✓
Freshwater Wetlands and Watercourses – Definition: CGS § 22a-93(7)(F); Policy: CGS §22a-92(a)(2)				✓
Intertidal Flats – Definition: CGS § 22a-93(7)(D); Policies: 22a-92(b)(2)(D) and 22a-92(c)(1)(K)				✓
Islands – Definition: CGS § 22a-93(7)(J); Policy: CGS § 22a-92(b)(2)(H)				✓
Rocky Shorefront – Definition: CGS § 22a-93(7)(B); Policy: CGS § 22a-92(b)(2)(B)				✓
Shellfish Concentration Areas – Definition: CGS § 22a-93(7)(N); Policy: CGS § 22a-92(c)(1)(I)				✓
Shorelands – Definition: CGS § 22a-93(7)(M); Policy: CGS § 22a-92(b)(2)(I)	✓			
Tidal Wetlands – Definition: CGS § 22a-93(7)(E); Policies: CGS §§ 22a-92(a)(2), 22a-92(b)(2)(E), and 22a-92(c)(1)(B)				✓

Coastal resources on and adjacent to the site consist of a coastal hazard area and shorelands (Figure 4). The character of each resource was evaluated within the context of the proposed project to determine potential impacts. Using best management practices, coastal resources on and adjacent to the project site will not be adversely impacted by the proposed site improvements. The extent and nature of each resource will not be physically modified by the proposed activities.

Given that the subject parcel is located interior to the New Haven shoreline and exists within a heavily developed sector of the city, the primary criteria to focus on relative to CAM interests is consistency with floodplain management. Although one bicycle rack is proposed to be installed within the 100-year floodplain, the small footprint is not anticipated to impact the function or extent of the floodplain.

Identification of Applicable Coastal Use and Activity Policies and Standards

The following table identifies all coastal policies and standards in or referenced by CGS § 22a-92 applicable to the proposed project or activity:

Table 2 Coastal Policies and Standards

Coastal Use Activity Policy and Standard	Applicable
General Development - CGS § 22a-92(a)(1), 22a-92(a)(2), and 22a-92(a)(9)	✓
Water-Dependent Uses - CGS § 22a-92(a)(3) and 22a-92(b)(1)(A); definition CGS § 22a-93(16)	
Ports and Harbors - CGS § 22a-92(b)(1)(C)	
Coastal Structures and Filling - CGS § 22a-92(b)(1)(D)	
Dredging and Navigation - CGS § 22a-92(c)(1)(C) and 22a-92(c)(1)(D)	
Boating - CGS § 22a-92(b)(1)(G)	
Fisheries - CGS § 22a-92(c)(1)(I)	
Coastal Recreation and Access - CGS § 22a-92(a)(6), 22a-92(c)(1)(j) and 22a-92(c)(1)(K)	
Sewer and Water Lines - CGS § 22a-92(b)(1)(B)	
Fuel, Chemicals and Hazardous Materials - CGS § 22a-92(b)(1)(C), 22a-92(b)(1)(E) and 22a-92(c)(1)(A)	
Transportation - CGS § 22a-92(b)(1)(F), 22a-92(c)(1)(F), 22a-92(c)(1)(G), and 22a-92(c)(1)(H)	
Solid Waste - CGS § 22a-92(a)(2)	
Dams, Dikes and Reservoirs - CGS § 22a-92(a)(2)	
Cultural Resources - CGS § 22a-92(b)(1)(J)	
Open Space and Agricultural Lands - CGS § 22a-92(a)(2)	

Consistency with Applicable Coastal Use Policies and Standards

The proposed project is consistent with the applicable coastal use and activity policies and standards identified in the preceding table.

- **General Development:** In accordance with this policy and standard, the project is proposed in a manner that is consistent with the capability of the land and water resources to support development, preservation, and use without significantly disrupting the natural environment or sound economic growth.

Identification of Potential Adverse Impacts on Coastal Resources

The following table provides a list of potential adverse impacts on coastal resources as defined in CGS § 22a-93(15). A checkmark is placed adjacent to the potential impacts that are applicable to the project.

Table 3 Potential Adverse Impacts on Coastal Resources as Defined in CGS § 22a-93(15)

Potential Adverse Impacts on Coastal Resources	Applicable	Not Applicable
Degrading tidal wetlands, beaches and dunes, rocky shorefronts, and bluffs and escarpments through significant alteration of their natural characteristics or functions – CGS §22a-93(15)(H)		✓
Increasing the hazard of coastal flooding through significant alteration of shoreline configurations or bathymetry, particularly within high-velocity flood zones – CGS §22a-93(15)(E)		✓
Degrading existing circulation patterns of coastal water through the significant alteration of patterns of tidal exchange or flushing rates, freshwater input, or existing basin characteristics and channel contours – CGS §22a-93(15)(B)		✓
Degrading natural or existing drainage patterns through the significant alteration of groundwater flow and recharge and volume of runoff – CGS §22a-93(15)(D)		✓
Degrading natural erosion patterns through the significant alteration of littoral transport of sediments in terms of deposition or source reduction – CGS §22a-93(15)(C)		✓
Degrading visual quality through significant alteration of the natural features of vistas and viewpoints – CGS §22a-93(15)(F)		✓
Degrading water quality through the significant introduction into either coastal waters or groundwater supplies of suspended solids, nutrients, toxics, heavy metals, or pathogens or through the significant alteration of temperature, pH, dissolved oxygen, or salinity – CGS §22a-93(15)(A)		✓

The proposed activities will not degrade protected interests identified within the CAM. The work is confined to a developed lot and does not represent a significant increase in impervious surfaces.

Identification of Potential Adverse Impacts on Water-Dependent Uses

The following table provides a list of potential adverse impacts on coastal resources as defined in CGS § 22a-93(17). A checkmark is placed adjacent to the potential impacts that are applicable to the project.

Table 4 Potential Adverse Impacts on Coastal Resources as Defined in CGS § 22a-93(17)

Potential Adverse Impacts on Future Water-Dependent Development Opportunities and Activities	Applicable	Not Applicable
Locating a nonwater-dependent use at a site physically suited or planned for location of a water-dependent use – CGS §22a-93(17)		✓
Replacing an existing water-dependent use with a nonwater-dependent use – CGS §22a-93(17)		✓
Siting a nonwater-dependent use, which would substantially reduce or inhibit existing public access to marine or tidal waters – CGS §22a-93(17)		✓

Mitigation of Potential Adverse Impact

No potential adverse impact on coastal resources and/or future water-dependent developments are anticipated. The site is landlocked and therefore not conducive to water-dependent use.

Remaining Adverse Impact

No potential adverse impacts on coastal resources and/or future water-dependent developments are anticipated. The proposed project is consistent with zoning standards and maintains coastal resource conditions and functions.

Conclusions

SLR completed a coastal consistency review of the proposed construction of the Village Suites property in New Haven, Connecticut. Proposed activities are limited to the installation of two bicycle racks to accommodate a change in use from a long-term hotel to a residential apartment complex. The project site is not located on a direct waterfront and demonstrates no capacity to affect future water-dependent use. No adverse impacts to coastal resources are anticipated from the proposed project.

If you should have any questions or comments regarding this review, please do not hesitate to contact me.

Sincerely,

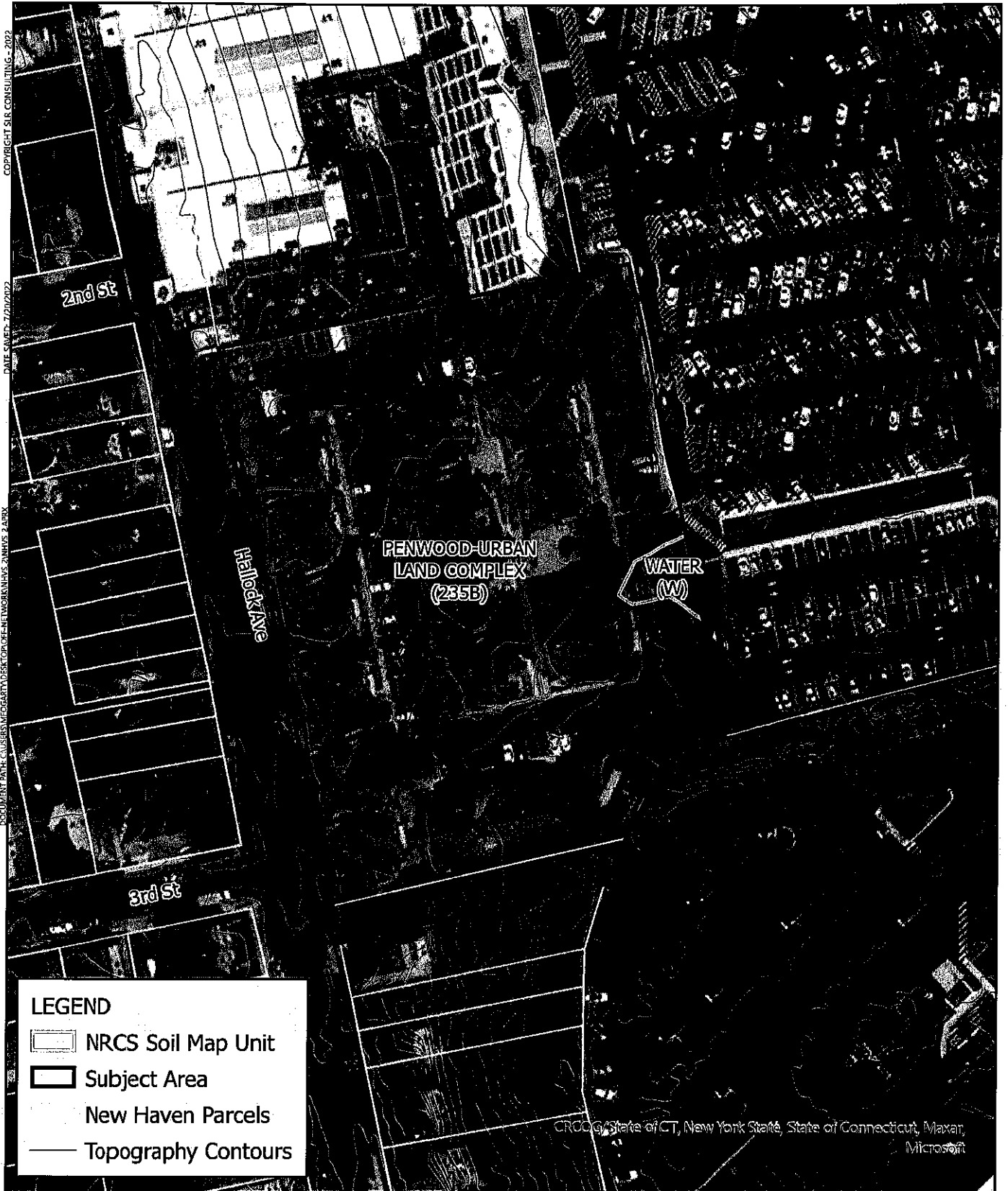
SLR International Corporation







Megan B. Raymond, MS, PWS, CFM
Principal Scientist, Wetlands & Waterways Lead

Enclosure:
Supporting Figures

141.20946.00001.jl2722.ltr



LEGEND

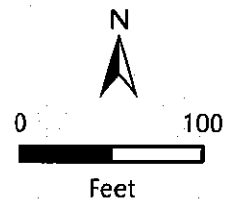
-  NRCS Soil Map Unit
-  Subject Area
-  New Haven Parcels
-  Topography Contours



195 CHURCH STREET
7TH FLOOR
NEW HAVEN, CT 06511
203.344.7887

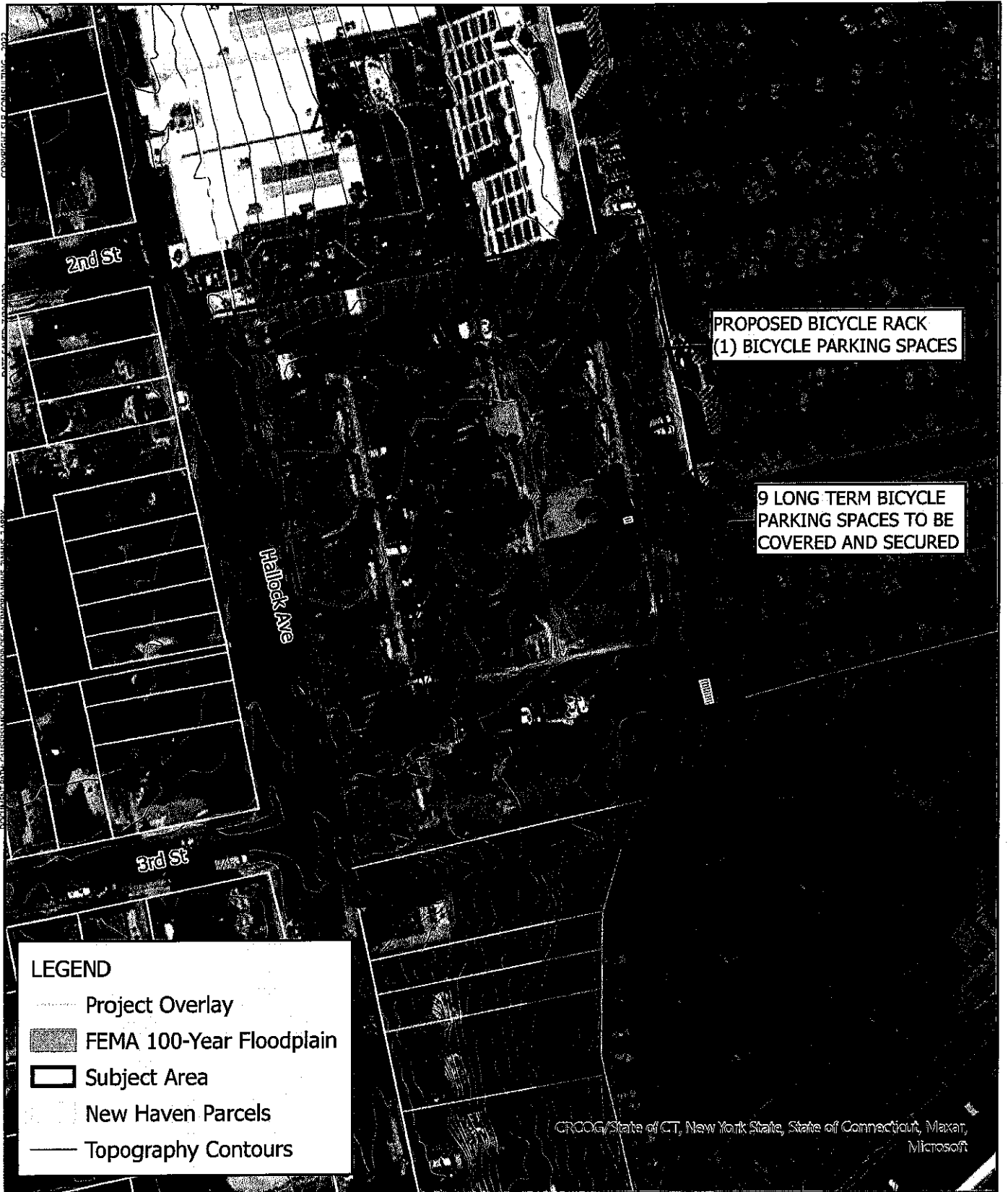
NRCS WEB SOIL SURVEY

PDD NO. 65 MODIFICATION – VILLAGE SUITES
VILLAGE SUITES LLC
3 LONG WHARF DRIVE AND 175 HALLOCK AVENUE
NEW HAVEN, CT 06510



SCALE	1" = 100'
DATE	7/20/2022
PROJ. NO.	141.20946.00001

FIG. 2

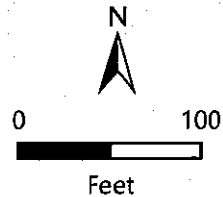


LEGEND

- Project Overlay
- FEMA 100-Year Floodplain
- Subject Area
- New Haven Parcels
- Topography Contours

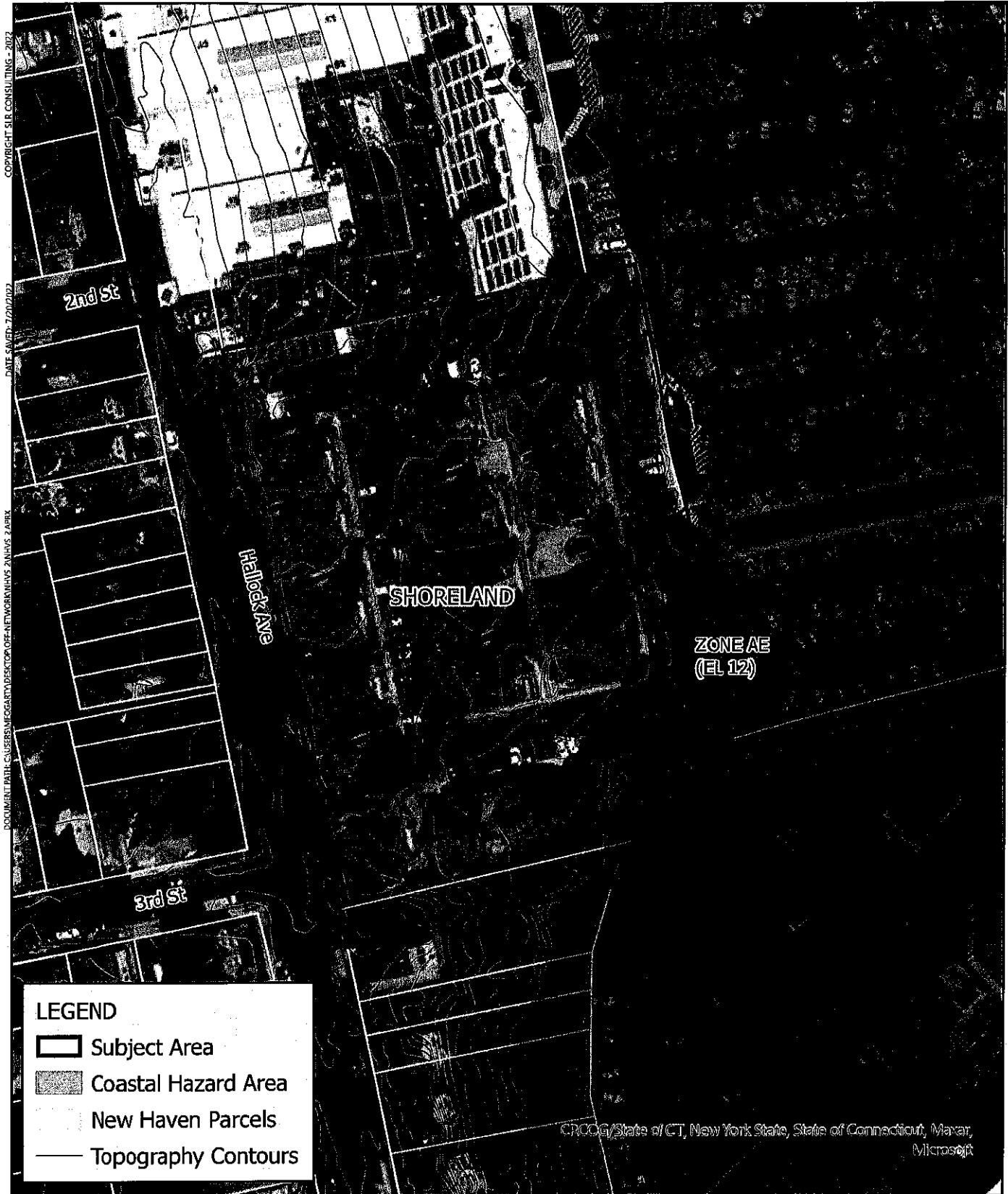
SLR
 195 CHURCH STREET
 7TH FLOOR
 NEW HAVEN, CT 06511
 203.344.7887

PROJECT OVERLAY
 PDD NO. 65 MODIFICATION – VILLAGE SUITES
 VILLAGE SUITES LLC
 3 LONG WHARF DRIVE AND 175 HALLOCK AVENUE
 NEW HAVEN, CT 06510



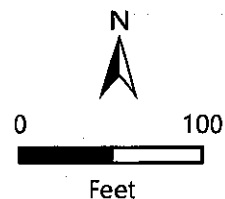
SCALE	1" = 100'
DATE	7/20/2022
PROJ. NO.	141.20946.00001

FIG. 3



SLR
 195 CHURCH STREET
 7TH FLOOR
 NEW HAVEN, CT 06511
 203.344.7887

COASTAL RESOURCES MAP
 PDD NO. 65 MODIFICATION – VILLAGE SUITES
 VILLAGE SUITES LLC
 3 LONG WHARF DRIVE AND 175 HALLOCK AVENUE
 NEW HAVEN, CT 06510



SCALE 1" = 100'
 DATE 7/20/2022
 PROJ. NO. 141.20946.00001

FIG. 4

EXHIBIT G

CITY OF NEW HAVEN, CONNECTICUT

CITY PLAN DEPARTMENT | 165 CHURCH STREET, 5TH FLOOR, NEW HAVEN, CT 06510-2010
PHONE 203.946.6379 FAX 203.946.7815

Application for Development Permit: Coastal Site Plan Review

CSPR

Use a check ☒ to note items completed. Print or type information in space provided, or attach.

1. General Information.

If this project is within the Coastal Management District, please furnish material required in the SITE section of the application forms and the following additional information:

A. ☒ General Project Area Map locating Coastal Resources on or adjacent to the site, as defined in §22a-93(7), C.G.S.

B. ☒ List the type and extent of vegetation, animal habitats and plant types at or adjacent to the site.

The site is an existing long-term stay hotel complex comprised almost entirely of impervious surfaces, located within a heavily developed sector of the city.

Vegetation is limited to scattered landscaping features and small areas of manicured lawn. The potential for wildlife utilization is limited by the extent of development and lack of available food sources and ecosystem services.

C. ☐ Yes ☒ No Does this project affect the view to or from this site of coastal resources?

D. ☒ Yes ☐ No Is this Parcel in a Flood Zone? If yes, fill in the Flood Zone^{AE} and Community-Panel Number 090084-000C0441J
(IF YES, A FLOOD DEVELOPMENT PERMIT WILL BE REQUIRED AS PART OF THE BUILDING PERMIT APPLICATION).

E. ☒ Yes ☐ No Is this a previously developed urban site REMOTE from the waterfront?

2. Coastal Resources Impact. Review lists below, check each item which is on or adjacent to the site.

- | Yes | No | COASTAL RESOURCES | H. <input checked="" type="checkbox"/> | <input type="checkbox"/> Coastal Flood Hazard Area |
|----------------------------------------|-------------------------------------|------------------------------------|----------------------------------------|---------------------------------------------------------------------|
| A. <input type="checkbox"/> | <input checked="" type="checkbox"/> | Coastal Bluffs or Escarpments | Yes | No |
| B. <input type="checkbox"/> | <input checked="" type="checkbox"/> | Rocky Shorefronts | OTHER FEATURES | |
| C. <input type="checkbox"/> | <input checked="" type="checkbox"/> | Beaches and Dunes | 1. <input type="checkbox"/> | <input checked="" type="checkbox"/> Navigable Waters |
| D. <input type="checkbox"/> | <input checked="" type="checkbox"/> | Intertidal Flats | 2. <input type="checkbox"/> | <input checked="" type="checkbox"/> Historical Structure or Feature |
| E. <input type="checkbox"/> | <input checked="" type="checkbox"/> | Tidal Wetlands | 3. <input type="checkbox"/> | <input checked="" type="checkbox"/> Scenic Feature |
| F. <input type="checkbox"/> | <input checked="" type="checkbox"/> | Freshwater Wetlands & Watercourses | 4. <input type="checkbox"/> | <input checked="" type="checkbox"/> Archeological Feature |
| G. <input type="checkbox"/> | <input checked="" type="checkbox"/> | Estuarine Embayments | 5. <input type="checkbox"/> | <input checked="" type="checkbox"/> Recreational Feature |
| I. <input type="checkbox"/> | <input checked="" type="checkbox"/> | Nearshore Waters | 6. <input type="checkbox"/> | <input checked="" type="checkbox"/> Other (Please Describe below): |
| J. <input type="checkbox"/> | <input checked="" type="checkbox"/> | Offshore Waters | | |
| K. <input checked="" type="checkbox"/> | <input type="checkbox"/> | Shorelands | | |
| L. <input type="checkbox"/> | <input checked="" type="checkbox"/> | Shellfish Concentration Areas | | |
| M. <input type="checkbox"/> | <input checked="" type="checkbox"/> | Developed Shorefront | | |
| N. <input type="checkbox"/> | <input checked="" type="checkbox"/> | Island | | |

For CSPR Goals and Policies, See Connecticut General Statutes §22a-92, C.G.S.

For EACH BOX CHECKED YES above, ATTACH THE FOLLOWING INFORMATION:

- Describe the character and condition of EACH coastal resource or other feature checked above.
- Identify and describe potential adverse or beneficial impacts of the project on the condition, character and value of EACH resource checked above.
- Describe any measures to mitigate adverse impacts described.
- Identify any conflicts between the proposed activity and any goal or policy in the §22a-92, C.G.S. (CCMA).
- After installation of reasonable measures:
 - a. Describe any remaining adverse impacts.
 - b. Explain why the impacts were not mitigated.
 - c. State why the Commission should find the impacts acceptable.
 - d. Explain how the proposed project is consistent with coastal goals and policies in §22a-92, C.G.S. (CCMA).

PRIOR NOTIFICATION FORM

NOTICE OF MATTER TO BE SUBMITTED TO
THE BOARD OF ALDERS

TO (list applicable alders of):

Ward #6 Carmen Rodriguez

DATE: August 1, 2022

FROM: Department/Office
Person

Attorney Christopher McKeon

Telephone 203-671-8485

This is to inform you that the following matter affecting your ward(s) will be submitted to the Board of Alders in the near future:

PETITION TO AMEND PLANNED DEVELOPMENT DISTRICT 65
3 LONG WHARD DRIVE & 175 HALLOCK AVENUE
TO ALLOW FOR USE AS MULTI-FAMILY RESIDENTIAL DWELING UNITS

Check one if this an appointment to a commission

☐ Democrat

☐ Republican

☐ Unaffiliated/Independent/Other _____

INSTRUCTIONS TO DEPARTMENTS

1. Departments are responsible for sending this form to the alder(s) affected by the item.
2. This form must be sent (or delivered) directly to the alder(s) before it is submitted to the Legislative Services Office for the Board of Alders agenda.
3. The date entry must be completed with the date this form was sent the alder(s).
4. Copies to: alderperson(s); sponsoring department; attached to submission to Board of Alders.

BERSHTEIN VOLPE & MCKEON P.C.

29478

Date : Aug 01, 2022
Che # : 29478
Amount: 1,500.00
Paid To: City of New Haven

Re:Filing Fee

**BERSHTEIN VOLPE & MCKEON P.C.
ATTORNEYS AT LAW**

900 CHAPEL ST - 11TH FLR
NEW HAVEN, CONNECTICUT 06510



JPMorgan Chase Bank, N.A.
www.Chase.com

51-36/211

29478

*****One Thousand Five Hundred Dollars and 00/100

DATE
Aug 01, 2022

AMOUNT
*****1,500.00

PAY
TO THE
ORDER
OF

City of New Haven

Memo: Filing Fee



AUTHORIZED SIGNATURE

Security features. Details on back

⑈029478⑈ ⑈021100361⑈ 860500277065⑈

BERSHTEIN VOLPE & MCKEON P.C.

29478

Date : Aug 01, 2022
Che # : 29478
Amount: 1,500.00
Account: opchase
Paid To: City of New Haven

Contact: 2766; Village Suites, LLC
File : 156477; General Matters

Re: Filing Fee

