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TOWN OF NEWINGTON


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Town Planner

Renata Bertotti
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Memorandum

To: TPZ Commission

From: Renata Bertotti, Town Planner 

Date: February 18, 2021

Re: 12-14 Fenn Road – Proposed Multi-Tenant Commercial Building
Site Plan Petition 06-21 and Special Permit Petition 07-21

Project Description:

The applicant is applying for site plan approval, under petition 06-21, for a “Proposed Multi-Tenant Commercial Building”, as well as a special permit for a drive-thru restaurant, under petition 07-21.

The subject site is zoned PD (Planned Development) and falls within the TOD (Transit-Oriented Development) overlay district. The applicant opted to design this project in compliance with PD zone regulations and not use the incentives available under the TOD overlay. As noted above, the proposed use is subject to special permit approval.

The 2.22 acre parcel currently has Starbucks on the northerly end of the property; the remainder of this site is currently undeveloped. The proposed single-story building is approx. 8,900 square feet and shows 4 (four) potential future tenants that will front Fenn Road. The building, in my opinion, looks attractive. It is 21.5 foot in height, with a mixture of stone and metal exterior treatments (see the architectural renderings sheets). Please note, the applicants have revised building elevations to address staff comments regarding adding some fenestration and architectural interest to the back of the proposed building.

The proposed site layout is that of a single site with 50 new parking spaces and a connection to the Starbucks portion of the property.

The site will be accessed from either Cedar Street or Myra Cohen Way by a private drive through the existing site. The landscape plan includes the following on site plantings; 34 trees and 152 shrubs (see sheet 5 Landscape Plan). The plan meets the landscape requirements of section 6.10 of the regulations.

Staff Comments:

The applicants have worked with Staff on architectural and site plan revisions. We are currently conducting a second round of plan review and will submit our final comments to you at the meeting.

As of date of this memo, the applicant has not provided the traffic impact analysis required for the Special Permit application. They are aware of the requirement and have indicated they will be prepared to address the traffic at the meeting.

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This parcel was recently created and approved by the TPZ with several subdivision requirements being deferred, since, at the time of subdivision application, there was no proposed new development at this site. The following requirements were deferred:

Open Space Improvements.

Excerpt from the regulations: “The Commission may require that land be reserved for parks and recreation or conservation purposes. Examples are, but not limited to, situations where open space reservation may be appropriate to protect mapped wetlands, flood hazard areas, steep terrain (slopes in excess of 15 fifteen 17 percent) and when the new open space would be contiguous to existing protected open space or further open space goals of the Town Plan of Development. Each reservation shall be of suitable size, dimension, topography, and general character for the particular purpose envisioned by the Commission. A maximum of 15% of the total tract proposed for subdivision may be required as park/recreation or conservation area. The developer shall deed all such open space area to the Town or qualified homeowners' association. Land protected by a conservation easement, such as for wetlands preservation, shall be counted toward the 15% maximum set aside. Land dedicated as part of an Open Space Subdivision shall comply with requirements of the Zoning Regulations.”

It is the Staff opinion that provision of the open space area may not be best suited (or necessary) in this location. Instead, the applicant should provide bike/ped link(s) to the 2+ mile long Fastrack walking/biking path that extends from East St station to Newington Junction.

Pedestrian and Bike Path Easements.

Excerpt from the regulations: “In areas where the proposed street system does not conform to the anticipated pattern of pedestrian circulation or in the vicinity of schools and playgrounds, the Commission may require the provision of 15 foot easements to the Town of Newington for the establishment of pedestrian ways and bike paths. The Developer shall install an eight (8) foot wide foot paved path to Town specifications. Fencing of the easement right-of-way, may be required, if in the Commission's judgment it is necessary for the safety of the public and protection of adjacent property.”

Sidewalks.

Excerpt from the regulations: “The Commission shall require sidewalks on all streets, in pedestrian easements and in other places deemed proper by the Commission. Sidewalks shall be provided on both sides of arterial and collector street, and on one side of local residential and residential access streets as directed by the Commission. Sidewalk construction shall conform to the Standard Specifications.

As noted above, I feel that providing bike/ped improvements in this location is important. This property is in the TOD overlay zone. Under the current conditions, there is already a lot of foot traffic and a worn out/visible pathways along both, Fenn Rd. and Cedar Street. The Fastrack is within the walking distance and so is the CCSU, as well as the Stop & Shop shopping plaza next door. I strongly recommend the Commission requires that sidewalks be installed along the Fenn Rd. frontage as well as along the site's driveway connecting Cedar Street to Myra Cohen Way.

Solar Access.

Excerpt from the regulations: “The applicant shall demonstrate to the Commission that the subdivision planning process has considered site design techniques that promote solar energy use. The site design techniques shall include, but not be limited to, house orientation, street and lot layout, use of landscaping and natural vegetation, natural vegetation, natural and man made topographic features, and protection of solar access within the development. Lots shall be arranged, where possible, to provide for orientation of buildings to the south in order to encourage solar energy use. Streets should have an east-west orientation to the greatest extent possible to permit orientation of buildings to the south and thereby encourage solar energy use.”

This requirement appears to be intended for residential subdivisions.

Also deferred were the requirements to provide a letter from M.D.C. or New Britain Water Department confirming the public water is available in this location, and a letter from M.D.C. confirming the public sewers are available. The applicant indicated they would supply the letters, but as of date we have not received them. I will note that this technicality is not particularly concerning in my opinion considering there is both the public water and sewer in this location.

Commission:

In reviewing this application, the commission should consider the special criteria for the proposed restaurant use listed under the Section 3.15.4 of Newington Zoning Regulations, as well as the general Special Permit criteria listed under Section 5.2 of the regulations. The relevant regulations are below:

3.15.4 Drive Through Restaurants

A. Traffic impact analysis describing peak hours of operations, volume of customers per hour, stacking lane length needed for the anticipated volume of drive through vehicles, turning movements, roadway capacity and level of service of nearby streets.

B. Driveway locations shall be spaced at least 150 feet from a corner intersection. The Commission may limit the number of driveways with adjacent properties and/or inter property driveway connections when the reduction of curb cuts is deemed to improve safety.

C. Drive through windows shall be located only on one side of the proposed restaurant building and shall be positioned to minimize conflicts with doorways and pedestrians.

D. The restaurant structure and drive through service menu board (order intercom) shall be located not less than 300 feet from any adjacent residential structures.

Section 5.2 Standards for All Special Permits

A. The need for the proposed use in the proposed location.

B. The existing and probable future character of the neighborhood in which the use is located.

C. The size, type and location of main and accessory buildings in relation to one another, and in relation to other structures in the vicinity.

D. Traffic circulation within the site; amount, location and access to parking, and traffic load or possible circulation problems on existing streets or proposed streets and driveways considering impact on existing

streets are effected. For large scale retail developments in excess of 40,000 square feet of gross floor area a traffic impact analysis report with proposed mitigation measures shall be submitted with the application.

E. Availability of public water and sewer, and possible overloading of water and sewage systems and the adequacy of the existing off site storm water system serving the property to safely accommodate any increase in drainage.

F. Location and type of display signs, lighting and landscaping and the impact of type signs on adjacent properties.

G. Safeguards to protect adjacent property, and the neighborhood in general, from detriment including, but not limited to proper buffering.