

# NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

## NEW HAVEN CITY PLAN COMMISSION COASTAL SITE PLAN REVIEW

**RE:** 179-183 CHAPEL STREET, 140 SALTONSTALL AVENUE, 109-111 LLOYD STREET,  
Special Exception to permit 81 parking spaces where 188 are required. Coastal Area  
Management Review. For an expansion of an existing church in a BA, RM-1, RM-2 split zone  
(Owner/Applicant: Second Star of Jacob Church. Agent: Ronald E. Zocher).

**REPORT:** 1437-23

**ADVICE:** Special Exception: Approval with Conditions  
CAM: Approval

### PRINCIPAL APPLICABLE REGULATIONS

#### Section 63(d)(6)f. Special Exceptions

In the following types of special exception cases, which involve more than conventional questions of *use* and may have a significant impact on surrounding areas and a substantial relationship to the comprehensive plan of the city, the Board of Zoning Appeals shall, following its hearing, refer the case including all exhibits to the City Plan Commission, which shall submit an advisory report, on such factors as it may deem relevant, to the Board within 30 days after receiving all records and documents in the case. This report of the City Plan Commission shall be taken into account in the decision of the Board.

f. Adjustment for parking and loading requirements.

**Section 55. Coastal Area Management Review** A written **Coastal Site Plan Review (CSPR)** shall be conducted for *all buildings, uses or activities* located within the Coastal Management District. The review shall determine that potential adverse impacts of the proposed use on both coastal resources and future water-dependent development activities are acceptable within the meaning of the Connecticut Coastal Management Act. (CCMA), as amended.

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### SITE CONDITIONS and BACKGROUND

The applicant is proposing to expand an existing 15,000 square foot church located at 185 Chapel. The proposed addition of approximately 40,000 square feet, constructed over a 40 space surface parking area features two level sanctuary designed to accommodate up to 1500 worshippers. This addition will require the razing of three existing multi-family structures at 179, 181 and 183 Chapel Street and the utilization of the rear portions of 140 Saltonstall Avenue. This assemblage of properties consisting of slightly over one acre in area is intersected by zone boundaries for both commercial (BA) and residential (RM-1 and RM-2) districts.

### PRIOR BZA ACTIONS:

140 Saltonstall Avenue- Granted area variance to allow four dwelling units on a property where only two are permitted in a Low -Middle Density (RM-1) residence zoning district, September 11, 1968 (BZA File # 68-60-V )

### PUBLIC HEARING

Appearing for the applicant at the Board of Zoning Appeals Public Hearing on February 9, 2010 was Ronald Zocher, architect. He described the unique character of these assembled properties in that as a whole they are trisected by three zoning districts, two of which are residential (RM-1 and RM-2) and one of which is commercial (BA) in nature and that therein lies the need for relief. He also related that the proposed addition would be "raised up" over proposed surface parking. He addressed staff concerns regarding FAR, the use of the existing church, the combination of lots and the use of vans to shuttle attendees from off-site parking lots at the Martinez and Columbus schools. Internal traffic circulation was also discussed.

#### Speaking in favor of the application:

Senior Pastor Eliseo Aponte (and presenting a letter)

Frank Alvarado, Grand Avenue Merchants Association (Presenting correspondence from State Representative Juan L. Candelaria and the Spanish- American Merchants Association)

Alderman Jorge Perez

Alderdwoman Migdalia Castro

In addition, approximately 38 members of the audience stood to acknowledge their support of the application

In Opposition

Enrique Rosado, owner of properties at 194 and 196 Chapel Street

Mr. Rosado expressed concerns about lack of notice and churchgoers parking both on his properties and in areas that prevent access to those same properties

Finally Mr. Zocher described the minimal impact upon coastal areas, due primarily to the distance from the coast and the type of construction involved in this proposal.

**SPECIAL EXCEPTION CONSIDERATIONS**

Special Exceptions have been requested for both the number of parking spaces provided as well as for front yard parking along Chapel Street. The Special Exception for front yard parking is not required. The plan shows a total of 81 available parking spaces where 188 required, in addition, the application contains a letter from Superintendent of Schools Reginald Mayo allowing the use of parking facilities associated with both Columbus (approximately 55 spaces located about 2200 feet away) and Martinez (approximately 80 spaces located about 1300 feet away) schools.

The applicant should be advised that this proposal will require Site Plan Review from the City Plan Commission subsequent to any BZA approvals.

**SPECIAL EXCEPTION CRITERIA**

- *Nature of the Proposed Site:* Please refer to **SITE CONDITIONS and BACKGROUND** section above.
- *Resulting Traffic Patterns:* Chapel Street is a busy intra-neighborhood street linking Downtown with the southern portion of Fair Haven. It would appear that while a substantial number of church members may live to the direct north of the site and generate a significant percentage of associated traffic, the large seating capacity of the proposed facility will draw considerable levels of traffic from outside the area. This traffic will access the site via Chapel and Grand from the west and The Ferry Street Bridge and Grand Avenue from the east. The submitted plan should show how all of the privately owned vehicles and vans will safely and efficiently operate in this fairly small area on service days.
- *Nature of the Surrounding Area:* The site is located on the southern boundary of an RM-2 District area just north of an Industrial District. Hours of church services and nearby industrial and commercial uses appear to differ enough to be considered complementary uses (at least in respect to parking). Availability of parking in the commercial area adjacent to the church, along with the plan to shuttle attendees to the site from the Martinez and Columbus Schools, would appear to minimize the impact of church related parking in the nearby residential streets.
- *Proximity to Public Buildings:* Saint Rose Church is about 300 feet away, Saint Rose School about 600 feet; Cold Spring School is almost 600 feet from this proposed location, while the Martinez School is over 700 feet away.
- *The Comprehensive Plan:* This proposal does not contravene the advice of the Comprehensive Plan because the nature and scope of the proposed use is in harmony with the character of the existing neighborhood.

**SPECIAL EXCEPTION FINDING: Approval with Conditions (see page 3)**

**COASTAL SITE PLAN REVIEW**

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

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

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

**Coastal waters/Navigable waters:** These properties are located in excess of 1000 feet from New Haven Harbor which is navigable and is accessible to Long Island Sound.

**Flood Hazard Area:** The site plan as submitted shows no site elevation information. As shown on FIRM Map 090084-0003C dated May 2, 1983, revised to October 31, 1997 all of the property is located in Flood Zone C, defined as "areas of minimal flooding" and which lies outside the areas of 100-year flood.

**Freshwater wetlands:** n/a

**Intertidal flats:** n/a

**Tidal wetlands:** n/a

**Estuarine embayments:** n/a

**Potential Adverse Impacts on Coastal Resources and Mitigation of Such Impacts:** This proposal represents little or no impact to the existing water view. Although building height at its tallest will be slightly over 100 feet tall it is not clear that any existing water views will be significantly obstructed. Also construction of surface parking ( after the removal three existing houses) with the new structure elevated above may actually lessen the potential for flood related damage on this property.

**Public Access:** n/a

**COASTAL FINDING**

Taking into consideration all of the above information, the City Plan Commission finds the proposed activity consistent with all applicable goals and policies in Section 22a-92 of the Connecticut Coastal Management Act and incorporates as conditions or modifications all reasonable measures which would mitigate the adverse effects on both coastal resources and future water-dependent activities. It therefore recommends approval of the Coastal Site Plan with Condition:

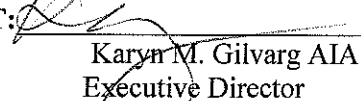
1. Submission of site plan with surface elevations shall be required.

**SPECIAL EXCEPTION FINDING**

Based on the above considerations it is the determination of the Commission that this application has met the applicable standards of Section 63(d) of the New Haven Zoning Ordinance and that the parking plan as submitted will not have a significant impact on the adjacent residential and industrial areas. This determination is made with the following conditions:

1. Site Plans, including topographic elevations, shall be submitted to the City Plan Commission for review in accord with Section 64(f) of the Zoning Ordinance.
2. Written description of how van shuttles to and from the public school lots will actually operate; days, times, and location of church drop-off areas and number of vehicles should all be included in the site plan narrative.

**ADOPTED:** February 17, 2010  
Edward Mattison  
Chair

**ATTEST:**   
Karyn M. Gilvarg AIA  
Executive Director