

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **Zoning Ordinance Map Amendment**, Amend (Grid #2) to change the designation of land known as 630 Chapel Street (Map 225-Block 0532-Parcel 00600) and 673 Chapel Street (Map 225-Block 0548-Parcel 01300) from General Business(BA) District to Central Business/ Residential (BD-1) District. (Attorney Rolan J. Young Smith), submitting on behalf of Spinnaker Residential LLC)

REPORT(S): 1493-01

ADVICE: Map: Approval

BACKGROUND

Spinnaker Residential, LLC has submitted a petition to the Board of Aldermen of the City of New Haven to amend the Zoning Ordinance Map (Grid #2) to change the zoning district designation of 630 Chapel Street (Map 225 - Block 0532 - Parcel- 00600) and 673 Chapel Street (Map 225 - Block 0548 - Parcel 01300) from General Business (BA) to Central Business/ Residence (BD-1). The property subject to this petition is currently owned by Cable Vision of New Haven, Inc and is comprised of two tax parcels totaling approximately 2.25 acres; Spinnaker Residential LLC has an interest in these parcels. 630 Chapel Street is located on the South side of Chapel Street and includes Comcast's main building, which is mostly vacant. 673 Chapel Street is located on the north side of Chapel Street and is used as a surface parking lot for the main building on the South Parcel; it is adjacent to the former Strouse-Adler building at 683-689 Chapel St., 58 Court street and 78 Olive, now converted to residences. The subject properties are both located just west of the intersection of Chapel Street and Olive Street. The State Street Rail Station is less than 300ft from the properties; Union Station is less than a half mile away.

PUBLIC HEARING

The Hearing will be recorded by Post Reporting

PLANNING CONSIDERATIONS

While the Commission may be aware of a particular plan tentatively proposed for these properties it is recognized that the proposed amendment to the Zoning Map must meet all of the specific standards of Section 64(d)(2) of the New Haven Zoning Code as well as of the broader standards of Sections 181 and 182 of the New Haven Code of General Ordinances (The Charter) **exclusive of any particular plan or proposal**. The location and size/shape of the proposed map amendment as well as the general nature of the district to be expanded lend themselves to the following considerations:

Location

The proposed amendment represents an eastward expansion of (albeit with a tenuous connection to) the existing Ninth Square BD-1 zoning. Currently the majority of properties located on the west side of the railroad line running parallel to Olive Street are either in a BD or BD-1 District while those on the east side of the tracks back to Olive are located in a BA District. Directly east of this BA District is a Medium-High (RM-2) Residence District, much of which is within the Wooster Square Local Historic District.

This expansion of the BD-1 across the rail line represents, in most respects, a positive application of current transit-oriented planning practice in that the adjacency of the State Street Station, State Street and to a lesser extent, Union Station, suggest a level of residential density not possible in a BA District, and could represent the initial stage in the creation of a high density north/south corridor running along both sides of the tracks from Water Street all the way up to Grove Street.

The location of the proposed area also has east/west significance. The existing BA zoning has resulted in a variety of uses which appear to have limited connection to either Wooster Square or the Ninth Square. Approval of this proposal may, if properly managed, provide a connective element between the Ninth Square and Wooster Square that could benefit both.

Size/Shape

The 2.25 acre parcels are, even though located across Chapel Street from each other, of sufficient size to ensure the viability of the sites for uses permitted in the BD-1 district. What the Commission does see as a possible issue however, is the lack of a strong physical connection between these two properties and the rest of the existing BD-1 District. As proposed there is a 24' x 125' long strip of property that runs east from Union Street (the current BD-1 boundary) along the south edge of the Firestone property back towards Olive Street. This narrow strip is the only connection between the Comcast properties and the existing BD-1. Inclusion of the Firestone property at 680 Chapel (and possibly the Strouse Adler property at 78 Olive Street), although not part of this application, would help to create the transit corridor between Wooster Square and Ninth Square described in the previous paragraph.

Nature of the District

The Commission acknowledges that all of the uses and nearly all of the bulk, area and parking standards of a BD-1 District are appropriate on these properties (if the boundaries are revised as mentioned). The floor to area ratio standard (FAR), however, may not in its present form be particularly appropriate for these properties. Abutting RM-2 properties that permit a minimum building height of 45ft with properties that permit an FAR of 6.0 and no direct height limit could result in an inappropriate height differential between the east and west sides of Olive Street. Buildings of eight to twelve stories or more could be easily constructed directly across the street from three and four story buildings.

Consequently the Commission views as necessary the revised Zoning Ordinance language that would limit the FAR to 3.0 as well as a maximum building height of 70ft on any BD-1 property abutting certain residentially zoned properties (See CPC #1493-02). At an upper limit of 70ft (including structured parking) this figure would provide a physically transitional element between the predominately three to four story RM-2 neighborhood to the east and the 8 to 12 stories (or higher) permitted in BD-1 zoned properties to the west.

FINDINGS

Section(s) 181 and 182 of the Charter of the City of New Haven requires the following finding:

The City Plan Commission finds that the proposed map and text amendments comply with Sections 181 and 182 of the Charter of the City of New Haven in that they are (i) uniform for each class of buildings or structures, (ii) made in accordance with the comprehensive plan, (iii) designed to lessen congestion in the streets, secure safety from fire, panic and other dangers, promote health and the general welfare, provide adequate light and air, prevent the overcrowding of land, avoid undue concentration of population, facilitate the adequate provisions for transportation, water, sewerage, parks and other public requirements, and (iv) made with reasonable consideration as to the character of the proposed expanded BD-1 District and its

peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City.

Section 64(d)(2) of the New Haven Zoning Ordinance requires that the City Plan Commission take into consideration in evaluating any amendment to the Zoning Map:

a. Errors in the existing ordinance, changes that have taken place in the city and in patterns on any of construction and land use, the supply of land and its peculiar suitability for various purposes, the effect of a map change on the surrounding area, the purposes of zoning and the comprehensive plan of the City of New Haven;

The applicant has demonstrated to the Commission that the property at issue, due primarily to its location, has the potential to play a very unique functional role in the creation of a high density transit oriented corridor running along both sides of the Amtrak/Metro North rail line between Water and Grove Streets. Located between areas of relatively high density of commercial and residential uses and adjacent to a major transportation facility, the proposed expansion of the BD-1 District will serve as both a buffer between many of those uses in existing surrounding areas while at the same time creating a subdistrict where they can connect in a functional manner. Furthermore, this proposal, with its introduction of expanded use categories and more sustainable approaches to issues such as parking, mixed uses and overall density, represents an appropriate response to “changes that have taken place in the City”.

b. Whether some other method or procedure under the zoning ordinance is more appropriate;
The scope of both the physical area and degree of regulatory change required clearly indicate the appropriateness of an application to The Board of Aldermen for a Zoning Map Amendment.

c. In the case of a map change, the size of the area involved. As a general policy, the City Plan Commission shall not consider favorably any petition which would result in a total contiguous area (separated only by streets, and excluding the area of streets) of less than two acres in the case of a residence district, less than one acre in the case of a Business District, or less than four acres in the case of an Industrial District.

The area of the proposal is slightly over 2.25 acres and is clearly large enough for the successful implementation of any or all types of development permitted in the district.

RECOMMENDATIONS

Based on all of the above it is the recommendation of the Commission that the proposed map amendment is in full compliance with the standards and requirements of Section(s) 181 and 182 of the Charter of the City of New Haven and Section 62(d)(2) of the New Haven Zoning Ordinance and should be approved.

ADOPTED: May 28, 2014
Edward Mattison
Chair

ATTEST: 
Karyn M. Gilvarg, AIA
Executive Director