

## **NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT**

**RE: PUBLIC HEARING RE ORDINANCE AMENDMENT:** Zoning Ordinance Map Amendment approving a change in the designation of 20.6 acres of land located in the Hill to Downtown Community Plan area from General Business BA District to BD-3 Central Business District/Mixed Use District. (City Plan Director)

**REPORT: 1512-05**

**ACTION: Approve**

### **BACKGROUND**

City Plan has communicated to the Board of Alders an Ordinance Amendment to change the Zoning Ordinance Map for approximately 20.6 acres of land bounded generally by Church Street South, Amistad Street, the eastern boundary of Amistad Park, Cedar Street, Minor Street, Howard Avenue, Washington Avenue, Cedar Street and Congress Avenue from BA (General Business) to BD-3 District (Central Business/Mixed-Use). The submission includes a Petition and draft Ordinance Amendment, a list of parcels affected and legal description of the boundary of the Map change as well as a map illustrating the location, and maps (Sections 11 & 12) showing the existing zoning.

The Economic Development Administration of the City of New Haven, with residents, institutions and business owners in the Hill, worked diligently on the Hill to Downtown Community Plan for the revitalization of this strategically placed area. The City received a US HUD Challenge Grant to accomplish the plan and worked on it for over a year, collaborating with the Economic Development Corporation of New Haven, The Livable City Initiative, the City Plan Department and the Transportation Department. The Hill to Downtown area is generally bounded by Union Avenue, by South Frontage Road (Route 34 Connector), Howard Avenue, Columbus Avenue, and Church Street South and includes Union Station, the Yale University School of Medicine, Yale-New Haven Hospital, Connecticut Mental Health Center, as well as the Church Street South houses, the Robert Wolfe Housing and the Tower One /Tower East housing complexes as well as other buildings and uses.

As envisioned, the Hill to Downtown Community Plan, when fully realized will greatly increase central New Haven's vitality and livability and provide significant new job generation as well as overall economic and fiscal benefit to the City. The Plan makes use of the area's location near dense employment centers and a very busy rail station to encourage Transit Oriented Development. The Community Plan calls for a mixed-use, mixed-income environment with increases in density, some changes to public roads and a new public park at the center of the area. The Plan recommends goals and direction for zoning map and text changes and design guidelines for new or infill development or redevelopment. The Plan recommends adding more housing, retail and services to the mix of uses in the area in order to achieve a truly urban environment.

### **PUBLIC HEARING**

Public Hearing Transcript available – City Plan Commission meeting 1512, November 18, 2015.

### **PLANNING CONSIDERATIONS:**

The area proposed for rezoning is about one fourth of the plan area and is currently zoned as a BA District. BA districts are intended for neighborhood areas of mixed use including retail and

services in commercial buildings that are intermixed with or which may contain upper story residential or office units; with a maximum permitted Floor Area Ratio (FAR) of 2.0.

The City designed the BD-3 District for dense, mixed use development, and to permit high technology and certain medical and research uses that benefit from proximity to hospital, medical education and research institutions at a Floor Area Ratio (FAR) of 6.0. Residences and retail are also permitted in the BD-3 zone. The BD-3 also has a focus on active street frontages and a pedestrian friendly environment. The BD-3 zone relieves residential buildings of the substantial rear and side yard requirements of other business zones (such as the BA zone yard requirements for buildings which are only residential); and reduces required parking spaces per dwelling unit, from 1 per unit to 0.50 per unit, a 50% reduction in parking.

BD-3 was created and approved by the Board of Aldermen in 2012 as part of the Downtown Crossing Project and was mapped along the entirety of the current Route 34 from the Air Rights Garage to State Street, two blocks east of the corridor have also been mapped BD-3. These will be the first blocks south of the corridor to mapped BD-3, if approved by the BOA. The Yale University Medical School Campus lies to the west and east and within the proposed map change area, Yale New Haven Hospital and the Connecticut Mental Health Center are less than a quarter of a mile (5 minute walk) to the west; while Union Station (Metro-North, Shoreline East, Amtrak rail, and inter-city bus service) is a less than a quarter mile east. Central New Haven is a short walk away down either College or Church Streets. The area is served by CT. Transit public bus service and institutional (YNHH & Yale University) and private shuttle busses.

The Commission would like to see more of the rezoning recommended in the Hill to Downtown Community Plan implemented, however given the uncertain future of the Church Street housing at the present, as well as lack of a plan for some of the academic buildings in the area it seems wise to proceed incrementally. New zones and design overlays will take some time and effort to draft.

The increased density and reduced parking requirements are typical in transit oriented development. Rezoning the area proposed from BA to BD-3 makes sound land use and zoning sense and conforms to the recommendations of the Hill to Downtown Community Plan as well as the City's Comprehensive Plan, Vision 2025, recently adopted by the Commission and approved by the Board of Alders.

#### **ADVICE AND FINDINGS:**

##### **Revised Parcel List ATTACHMENT**

##### **Revised Draft Ordinance Map Amendment for the Board of Alders**

##### **Article XIII, Sections 2(B) and 2(C) of the Charter of the City of New Haven require the following finding:**

The City Plan Commission finds that the proposed map amendments comply with Article XII, Sections 2(B) and 2(C) 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-3 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 Commission finds that the property at issue, due primarily to its location, has the potential to extend a high density transit oriented corridor running along College Street between the Central Business District and the Medical District. Located between areas of relatively high density of commercial and residential uses and within easy walking distance of a major transportation facility, the proposed expansion of the BD-3 District will serve to connect these adjoining areas in a functional manner. Furthermore, this proposal, with its introduction of expanded and updated 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...*

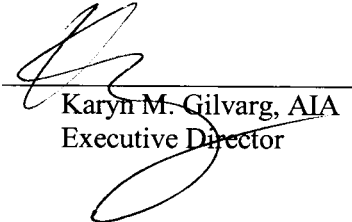
The scope of both the physical area and degree of regulatory change required clearly indicate the appropriateness of an application to the Board of Alders for a Zoning Map Amendment.

*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 approximately at over 20 acres and is clearly large enough for the successful implementation of any or all types of development permitted in the district.

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 Article XII, Sections 2(B) and 2(C) of the Charter of the City of New Haven and Section 64(d) of the New Haven Zoning Ordinance and should be approved.”

**ADOPTED:** November 18, 2015  
Edward Mattison  
Chair

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



August 25, 2015

Hill to Downtown Proposed BA to BD-3 Zoning Map Amendment  
New Haven, Connecticut

#### DESCRIPTION

A certain area located in the City and County of New Haven and State of Connecticut being shown on a map entitled "Compilation Plan Hill to Downtown Proposed BA to BD-3 Zoning Map Amendment New Haven, Connecticut", by AECOM, scale 1"=100', dated August 2015, said Zone Change area being more particularly bounded and described as follows:

Beginning at a point marking the intersection of the centerline of Liberty Street and the centerline of Congress Avenue;

Thence running northeasterly along said centerline of Congress Avenue, 225 feet, more or less;

Thence running northwesterly 40 feet, more or less, to the centerline of College Street;

Thence running northeasterly along the centerline of College Street, 538 feet, more or less, to the intersection of the centerline of College Street and the centerline of South Frontage Road;

Thence running southeasterly along the centerline of South Frontage Road 907 feet, more or less, to the intersection of the centerline of South Frontage Road and the centerline of Church Street South;

Thence running southwesterly along the centerline of Church Street South 393 feet, more or less;

Thence running southeasterly 68 feet, more or less, to a point on the southwesterly street line of Tower Lane;

Thence running southeasterly along the southwesterly street line of Tower Lane 453 feet, more or less to the southerly terminus of Tower Lane;

Thence running southeasterly 65 feet, more or less, and westerly 145 feet, more or less, along the northwesterly property line of land now or formerly of New Haven Greek Community to the easterly street line of Church Street South;

Thence continuing westerly 53 feet, more or less, to the centerline of Church Street South;

Thence running northerly 251 feet, more or less, along the centerline of Church Street South to the intersection of the centerline of Church Street South and the centerline of Amistad Street;

Thence running westerly 517 feet, more or less, along the centerline of Amistad Street;

Thence running northerly 25 feet, more or less, to a point on the northerly street line of Amistad Street;

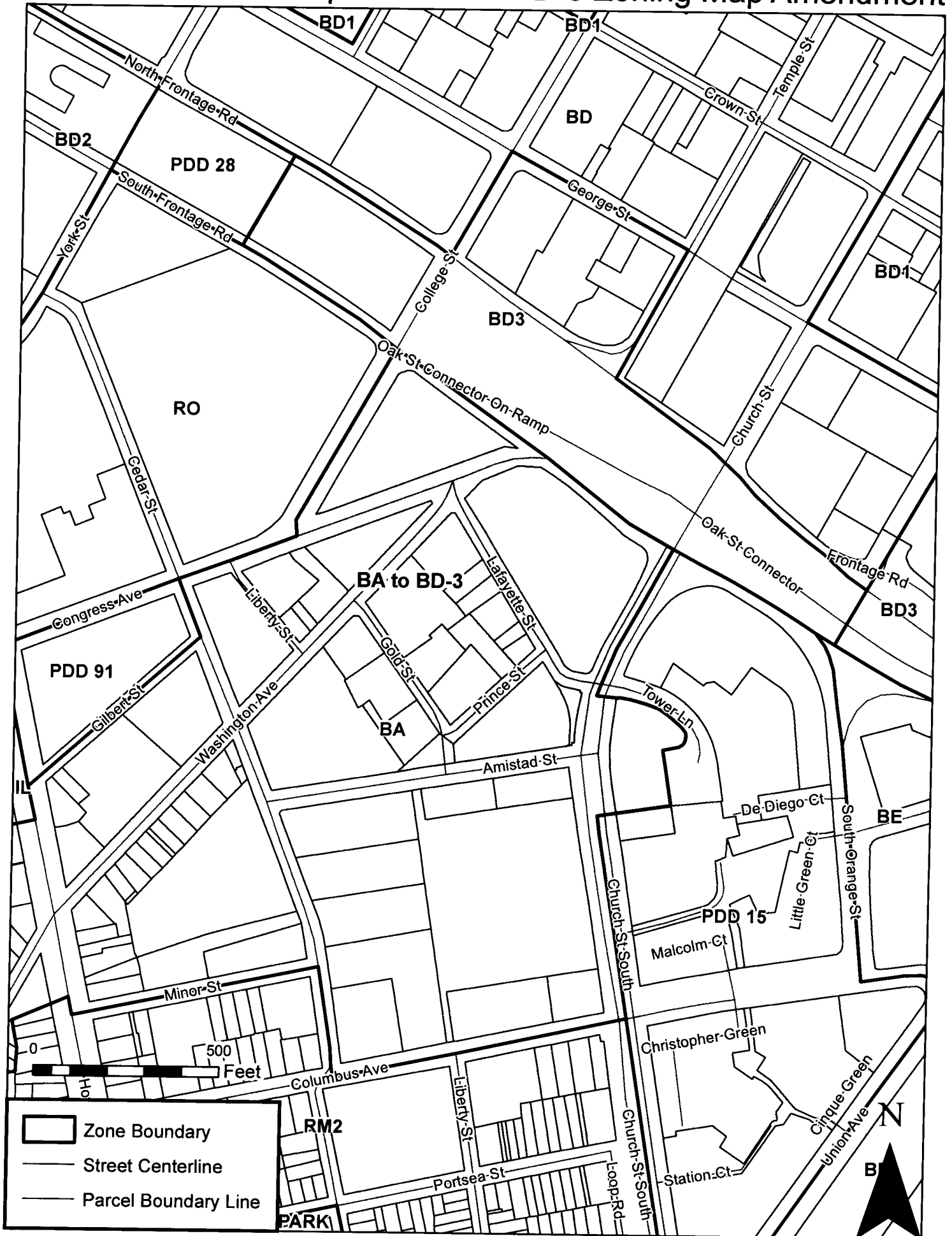
Thence running northwesterly 428 feet, more or less, along the northeasterly property line of land now or formerly of Amistad Partners LLC to the southeasterly street line of Washington Avenue;

Thence running northwesterly 25 feet, more or less, to a point on the centerline of Washington Avenue;

Thence running southwesterly 52 feet, more or less, along the centerline of Washington Avenue to the intersection of the centerline of Washington Avenue and the centerline of Liberty Street;

Thence running northwesterly 326 feet, more or less, along the centerline of Liberty Street to the point and place of beginning.

# Hill to Downtown Proposed BA to BD-3 Zoning Map Amendment



**ATTACHMENT B (revised 11/13/2015)**

**HILL-TO-DOWNTOWN ZONING MAP AMENDMENT  
BA TO BD-3**

Block) bounded by Washington Avenue, Liberty Street, Congress Avenue

Parcels:        263-0126-00600  
                  263-0126-00100  
                  263-0126-01200  
                  263-0126-01300  
                  263-0126-00201

Block bounded by College Street, South Frontage Road, Congress Avenue

Parcel:         263-0137-00100

Block bounded by Prince Street, Lafayette Street, Washington Avenue, and Gold Street

Parcels:        264-0120-00200  
                  264-0120-01200  
                  264-0120-00300  
                  264-0120-00400  
                  264-0120-00500  
                  264-0120-00700  
                  264-0120-00800  
                  264-0120-00900  
                  264-0120-01100  
                  264-0120-01101

Block bounded by Amistad Street, Gold Street, Washington Avenue, and Cedar Street

Parcels:        264-0121-00400  
                  264-0121-00401  
                  264-0121-00402  
                  264-0121-01400

Block bounded by Amistad Street, Church Street South, Lafayette Street, and Prince Street:

H to D Map Parcels List Attach B

Parcels: 264-0103-00202 (-153?)  
264-0103-00244

Block bounded by Church Street South, South Frontage Road, Congress Avenue, and Lafayette Street

Parcel: 239-0119-00100

Block bounded by Church Street South, Tower Lane

Parcel: 238-0110-00401



**ATTACHMENT C (Revised 11/18/2015)**

**ZONING ORDINANCE MAP AMENDMENT APPROVING A CHANGE IN THE DESIGNATION OF 20.6 ACRES OF LAND (SHOWN ON ATTACHMENT B, D & E) LOCATED IN THE HILL TO DOWNTOWN COMMUNITY PLAN AREA FROM GENERAL BUSINESS BA DISTRICT TO BD-3 CENTRAL BUSINESS DISTRICT/MIXED USE DISTRICT**

WHEREAS, on September 21, 2015 pursuant to 1925 Special Act No. 490, and Article VII § 3L and Article XIII §2 of the Charter of the City of New Haven, and Section 64(d)(1) of the Zoning Ordinance, City of New Haven (the “Zoning Ordinance”), the Executive Director of the City Plan Department of the City of New Haven filed with the New Haven City Clerk for transmission to the Board of Alders a Petition requesting that the Board of Alders amend the New Haven Zoning Ordinance Map (Section 11 and 12), to indicate that 20.6 acres of property, consisting of the parcels listed on Attachment B, located in the Hill to Downtown Plan area, which property is currently located in the Business A-General Business District (the “BA District”), be designated on such maps as being located in the Central Business District / Mixed Use BD-3 District (the BD-3 District); and

WHEREAS, on October 30, 2015 pursuant to the City of New Haven Charter, the Board of Alders referred the Petition to the New Haven City Plan Commission for a public hearing and for their advice;

WHEREAS, on November 18, 2015, the City Plan Commission following its public hearing rendered an advisory report to the Board of Alders after considering the factors set forth in Section 64(d)(2) of the Zoning Ordinance recommending approval of the Petition, City Plan Commission Report No. 1512-05; and

WHEREAS, following the public hearing of the Board of Alders Legislation Committee on \_\_\_\_\_, the Committee issued a \_\_\_\_\_ report; and

WHEREAS, the Board of Alders finds that the Map Amendment to the Zoning Ordinance requested in the Petition is in accordance with the Comprehensive Plan and the Comprehensive Plan of Development for the City of New Haven as such amendments will encourage intensive mixed use development as in other existing BD-3 Zoning Districts and will connect the City's central business and medical district areas with each other; and

WHEREAS, the Board of Alders further finds that the Map Amendment to the Zoning Ordinance requested in the Petition is designed to lessen congestion in the streets, secure safety, promote health and the general welfare, provide adequate light and air, prevent the overcrowding of land, avoid undue concentrations of population, provide adequate provisions for all forms of transportation and other public requirements, reflect the character of the applicable zoning districts and their peculiar suitability for the uses to be allowed in such districts, conserve the value of existing buildings, and encourage the most appropriate use of land in the City; and

WHEREAS, the Board of Alders further finds that the map amendments to the Zoning Ordinance requested in the Petition are uniform for each class of buildings or structures within the BD-3 district; and

NOW THEREFORE BE IT ORDAINED by the Board of Alders of the City of New Haven that the Petition of the Executive Director of the City Plan Department for an Amendment to the Zoning Map (Section 11 and 12) is granted and the Zoning Map shall be amended to designate the property consisting of 20.6 acres described in Schedule B, D and E Attached hereto, as being located in the BD-3 District. This Ordinance shall be effective on the day after the date of publication of notice of adoption of this Ordinance Map Amendment.

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Signed

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Date