

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **ZONING ORDINANCE MAP AMENDMENT.** Amendment to change the zoning designation of properties located on Munson Street and Shelton Avenue from Heavy Industry (IH) to Middle High Density Residence (RM-2) and General High Density (RH-2). (City Plan)

REPORT: 1544-09

ADVICE: Approval

BACKGROUND

This amendment to the New Haven Zoning Map will change the zoning designation of properties located along the north side of Munson Street between its intersections with Ashmun Street and Shelton Avenue, as well as properties located on the east side of Shelton Avenue between its intersections with Munson Street and Argyle Street, from IH (Heavy Industrial) to RM-2 (High- Middle Density Residence) and RH-2 (General High Density Residence). These 24 properties comprising an approximate area of 4.48 acres are all either currently vacant or occupied by residential structures (with the exception of the grocery store located at the corner of Munson and Shelton). They are located to the south and east of 201 Munson Street, formerly the long-time site of a 13-acre industrial facility owned by Olin Corporation.

The zoning designation of the 201 Munson Street property was recently changed from IH to RH-2 in order to permit high density residential development.

Also, it should be noted that in this proposal it is only the City owned property at 53 Shelton Avenue that will be changed to RH-2 rather than RM-2 due to its larger size and tentative plans on the part of the City to sell the property to a nonprofit social services/affordable housing entity.

PUBLIC HEARING

A public hearing was held on May 16, 2018. Deputy Economic Development Administrator, Michael Piscitelli, presented to the Commission the staff report and his support for the recommendation of approval of the map amendment. One member of the public inquired about the related development at 201 Munson Street. No other public testimony was given. Transcripts of the hearing are also available at the City Plan Department.

PLANNING CONSIDERATIONS

Review of the Zoning Map in this area as it existed before the recent rezoning of 201 Munson Street appears to indicate that the area of this current proposal, prior to that rezoning, represented an area for future expansion of industrial activities then taking place on the Olin site. Given that 201 Munson Street is no longer available for industrial use, that no adjacent area for future expansion of industrial use is now required, that the properties are currently used for primarily residential purposes and that they are adjacent to an existing RM-2 District it is clear to the Commission that the proposed amendment is both necessary and appropriate. The RM-2 designation will serve as a buffer between the existing RM-2 neighborhood and the higher density residential development anticipated on 201 Munson Street. It will also allow for a more uniform building line along both sides Munson Street and Shelton Avenue in this area than would result from its current IH or an RH-2 designation.

The Commission does note that while this proposal will make these properties much more conforming in respect to use many will be made nonconforming in respect to lot size and shape, building coverage and required setbacks, number of dwelling units etc. This degree of nonconformity will, however, be largely in harmony with that of the adjacent RM-2 neighborhood.

The City Plan Commission is responsible for the continuous review and revision of the Zoning Ordinance and the City Plan Department serves as the professional staff of the Commission. The Commission is in agreement with

the Department position that the current category of land use for these properties (IH) is no longer viable from a land use perspective based both on the existing residential nature of the subject properties as well as the recent rezoning of adjacent property from IH to RH-2. It is also in agreement that the proposed RM-2 and RH-2 (53 Shelton Avenue only) zoning re-designations of these properties will best ensure a well-integrated (in particular respect to use) and spatially appropriate pattern of neighborhood physical development.

Such immediate considerations notwithstanding, this proposed zone change should also be subject to analysis involving three separate levels of review. Initially, it should be established that the existing conditions are such that the subject properties themselves are of such size and shape so as to be reasonably capable of supporting the uses that the RM-2 and RH-2 District permits. Next, it should be demonstrated that the proposal is locationally appropriate and represents an enhanced functional relationship with and among surrounding districts. Finally, there should be evidence that the proposal represents a benefit to the community as a whole and is in accordance with and furthers the goals and objectives of the Comprehensive Plan of Development.

Review of the proposed properties as included in the proposal it is beyond reasonable dispute that the existing uses, structures and even lots reflect the fact that this area was and should remain a residential area. The current IH zoning may have had some value at some point in time as a means by which to ensure the continued viability of industrial use in the area; The recent zone change of 201 Munson not only invalidates any such intent but as importantly results in these properties requiring largely industrial uses in an area and on properties where such uses would be both impractical and if realized, highly intrusive.

In terms of a relationship to adjacent areas ideas expressed above make it clear to the Commission that this proposal is not only preferable but absolutely essential for both the preservation of this portion of the larger neighborhood as well as the creation of an element of physical transition between the existing neighborhood and the newly established RH-2 District at 201 Munson Street.

In terms of the Comprehensive Plan of Development (New Haven Vision 2025) the Housing and Neighborhood Planning section includes a recommendation for the Newhallville neighborhood that "Planning that promotes better integration of Science Park with the adjacent neighborhoods is encouraged". In a very real sense, this proposal, in tandem with the rezoning of 201 Munson Street, is in the view of the Commission, in complete accordance with this recommendation. It helps to establish a meaningful sense of physical transition extending from High -Middle Density (RM-2) to General High Density (RH-2) to the high density mixed use environment of the Science Park Planned Development District.

Finally, Commission reminds the Board that in its recommendations concerning the rezoning of 201 Munson Street last year it advised that staff pursue efforts to incorporate this area into the adjacent RM-2 District.

SECTION 64(d)(2)c OF THE NEW HAVEN ZONING ORDINANCE

Section 64(d)(2) 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 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;

Addressed above

b. Whether some other method or procedure under the zoning ordinance is more appropriate; and

Addressed above

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 proposed Change will result in a 4.18 addition to an existing contiguous RM-2 District of more than 20 acres. The existing IH District of only 4.18 acres will be eliminated.

SECTIONS(S) 181 and 182 OF THE CHARTER OF THE CITY OF NEW HAVEN

The City Plan Commission does find that, based on submitted information the proposed map amendment complies with Sections 181 and 182 of the Charter of the City of New Haven in that it is (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 IL 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

FINDINGS AND ADVICE

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 16, 2018
Leslie Radcliffe
Vice Chair

ATTEST: 
Thomas Falbot,
Deputy Director, Zoning

