

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: 235 NICOLL STREET (aka 85 Willow Street), Coastal Area Management Permit concerning a religious institution in a Light Industrial (IL) District (Owner: 85 Willow Street NH LLC; Applicant: David Via, BZA files# 12-56-V, 1204-CAM).

REPORT: 1470-15

CSPR: No Impact

USE VARIANCE: Approval

BACKGROUND

Mr. David Via seeks a Coastal Site Plan Review and Use Variance to allow a religious use in IL zone at 235 Nicoll Street (a.k.a. 85 Willow Street). During the September 7th visit staff observed the subject 2-story building is part of the former Marlin factory campus bounded by Mitchell Drive and Willow Street. The first floor is currently occupied by the *Integrated Refuge and Immigrant Service* office. All dedicated off street parking is within the Marlin Complex.

At the October 9th Board of Zoning Appeals public hearing Mr. David Via noted he has 6 parking spaces on site that will yield a 48 seat maximum for the church. Mr. Via stated he has a 1-year agreement with a 5-year option regarding parking. The applicant also noted there is ample on street parking to support the church during Sunday service. In regard to the Coastal Site Plan application he noted there is no impact from the existing structure. No one testified in favor nor opposed the application.

Prior CPC Actions:

- Finding-No Impact (CPC report 1345-13) Coastal Site Plan Review Application required as per Section 55 of New Haven Zoning Ordinance (85 Willow Street NH-, LLC BZA 03-148-V, 03-16-CAM).
- Approved with 2 conditions authorization for signage over City sidewalk (CPC 1236-06) October 15, 1997.
- Approved Coastal Site Plan Review to permit a 400 seat church in an IL zone (CPC 1158-15) March 17, 1993.

PLANNING CONSIDERATIONS

Submitted plans include a proposed floor plan that displays a 44-seat sanctuary in conjunction with a business office, clergy room, secretary office, usher station, sound room, coat-check, 4-classrooms, 2-storage rooms, 3-storage rooms and restrooms. In Addition, a site plan dated July, 1987 was submitted showing all available parking spaces within the complex. Review of the site plan shows 5-available parking spaces adjacent to the 235 Nicoll Street wing. All other parking spaces are reserved.

The applicant asserts his hardship is that the subject space is unsuitable for light industrial use. He goes on to say the planned church is a higher and better use than light industrial uses and the corner location makes it unique for their purpose.

Off street parking for a church use is 1 space for each 8 seats. In this instance the proposed church meets the parking requirement. However staff notes the displayed sanctuary seating is movable with ample space for expansion of the congregation. As the Marlin parking capacity is limited, Staff is concerned off street parking related to the church may impact the surrounding neighborhood when a wedding or special fellowship activities are planned.

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.

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

Coastal Flood Hazard Area: The site is located within Zone X, an area determined to be outside the 0.2% annual chance flood on Flood Map# 09009C0433H, December 17, 2010.


Potential Adverse Impacts on Coastal Resources and Mitigation of Such Impacts: There are no coastal resources at or adjacent to this previously disturbed urban site. Therefore no adverse impacts are anticipated with the change in use.

COASTAL FINDING: No impact

USE VARIANCE: Approval

ADOPTED: October 17, 2012
Roy Smith, Jr.
Vice Chair

ATTEST:


Karyn M. Gilvarg, AIA
Executive Director