

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: 40 SARGENT DRIVE, Coastal Site Plan Review and Special Exception to allow 600 parking spaces where 1450 are required and a variance to allow signage to be painted on a wall where such signage is not permitted. Zone: BA. (Owner: 40 Sargent Drive, LLC. Applicant: John P. Hanley, 13-72-S, 13-73-V, 13-03-CAM).

REPORT: 1485-09

ADVICE: Coastal Site Plan; No Impact
Special Exception; Approval
Variance: Approval

BACKGROUND

As part of a change of use in the former 198,000sf New Haven Register building to a 90,000sf retail furniture store with associated uses the applicant is requesting variances related to signage and tree removal, Special Exceptions for amusement –related uses and parking as well as a Coastal Site Plan Review. This proposal is the result of a recent Zoning Map Amendment which redesignated this property from Light Industrial (IL) to General Business (BA). The site plan indicates little change to the existing footprint or 600 space parking lot boundaries. In addition to being located in the Coastal Area Management District most of the site, with the exception of the actual building and front yard, is located within the boundaries of the 100 year flood plain.

Based on evidence and testimony submitted to the Board on October 8, 2013, the applicant has amended the following Special Exception portions of the original application as follows:

1. Proposed liquor permits limited to Restaurant Liquor, Restaurant Beer or Restaurant Beer and Wine.
 - a. Accessory entertainment limited to acoustic performances, live bands, piano, TV's and projectors.
 - b. Hours of operation not to extend beyond 10:00pm
 - c. Maximum square footage of 10,000sf, maximum seating for 400 patrons limited to area dedicated to restaurant use on site plan.
2. 12,000sf Bowling alley as shown on site plan.
3. 19,000sf Amusement Center including but not limited to the following:
 - a. Rock climbing wall,
 - b. Zip Line;
 - c. Water Show
 - d. Trapeze exhibition, training center
 - e. Multi Media Presentation;
 - f. Interactive Games;
 - g. Laser Light Show;
 - h. Skating Rink;
 - i. Special event Theater -video presentation - 25 seats
 - j. Motion Ride - Ferris wheel, carousal
 - k. Motion simulator rideIn location shown on site plan

All other original requests for both variances and Special Exceptions are still pending

PLANNING CONSIDERATIONS

Variances

Signage

With one exception all variances requests are related to signage. The applicant is requesting a total of 9,500sf of exterior signage where less than 2,500sf is permitted. In addition they are proposing to paint 1,300sf of that 9,500sf directly on the building. All other proposed signage is attached to the existing building as shown on the submitted signage plan.

The Commission does not have any issues with the proposed sign and believes that it may be approved.

Special Exception

Parking

A Special Exception to reduce the number of required parking spaces has been requested. Under the Ordinance (29(k)), the Board of Zoning Appeals has the power to lessen the requirements of the Ordinance as to the number of parking spaces required upon a finding of that either particular circumstances or mitigative measures support such reduction. Particular circumstances may include the availability of public parking, proximity to public transit or significant levels of pedestrian access. In this instance, the applicant is proposing to provide approximately 600 of what the applicant claims is required 1450 spaces. Generally, it can reasonably be demonstrated that the parking requirement for retail spaces of over 5,000sf of 1 space per 100sf of retail use is unreasonable, technically unsupportable and possibly intended to discourage large scale retail use. Combining a more conventional standard of one space per 250sf of gross retail floor area along with the complementary nature of the uses the Commission believes that the proposed 600 parking spaces are sufficient

Coastal Management Review

Review of the submitted narrative and plans indicates an overall reduction of runoff due to a decrease in impermeable surface on the site. Also the plan will not increase the hazard of coastal flooding because it does not alter the configuration of the existing shoreline. No adjacent coastal resources such as beaches, tidal wetlands, near or offshore waters or shellfish concentration areas will be impacted by this plan.

Public Hearing

10/8/2013

The applicant along with legal and engineering representatives presented the plan to the Board. The applicant's attorney presented information regarding the suitability of the proposed 600 parking spaces. He also described in detail the need for 9,500sf of signage for a site where only 2,500sf is permitted. The remainder of the presentation was devoted to issues not related to this referral.

Approximately a dozen people testified against the proposal, focusing almost exclusively on portions of the proposal (primarily use related) not part of this referral.

11/12/2013

The applicant discussed issues related to the Coastal Site Plan Review and demonstrated how a determination of no impact was appropriate. Other discussion concerned amendments to portions of the proposal related to uses not subject to referral.

Approximately three applicants spoke in favor of the application in its entirety.

FINDINGS AND RECOMMENDATIONS

Variances

The Commission believes that the applicant has a legitimate visibility concern that is addressed by the 1,300sf Jordan's sign proposed to be painted on the northwest wall of the building and therefore recommends approval.

Special Exception

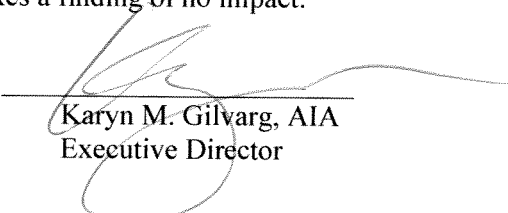
As discussed above it is the determination of the Commission that the applicant has provided sufficient information demonstrating that 600 parking spaces can support the proposed uses on the property and therefore recommends approval.

Coastal Management Review

The City Plan Commission finds the site plan consistent with the legislative goals and policies of the Connecticut Coastal Management Act and therefore makes a finding of no impact.

ADOPTED: November 20, 2013
Edward Mattison
Chair

ATTEST: _____


Karyn M. Gilvarg, AIA
Executive Director