

NEW HAVEN CITY PLAN COMMISSION PLANNED DEVELOPMENT ACTION

RE: ZONING ORDINANCE MAP AND TEXT AMENDMENT, 155-181 WHITNEY AVENUE, Application and General Plans for Planned Development District (PDD) Designation of a ±4.39 acre tract for the proposed new Yale School of Management in RO (Residence-Office) and RM-2 (Residential High-Middle Density) Zoning Districts (Yale University).

REPORT: 1434-05

PDD ACTION: Approval with Conditions

PROJECT

ADDRESS: 155, 175 and 181 Whitney Avenue (MBP 222-0375-00201 & 222-0375-00202)

SITE: ±4.39 Acres

EXISTING ZONES: RM-2 (1.89 acres) and RO (2.5 acres)

PROPOSED ZONE: PDD /Private University

CONSTRUCTION: Steel Frame, Hung Glass Curtain Wall System with Metal Clad Columns and Panels

PROJECT COST: c. \$150 million

FINANCING: Private

DEVELOPER: Yale University

ARCHITECT: Foster and Partners, Gruzen Samton LLP; Landscaping, Olin Partnership

ENGINEERS: Civil, URS Corp.; Structural, Buro Happold; Traffic, Tighe & Bond.

CITY LEAD: City Plan **CONTACT:** Karyn M. Gilvarg, AIA **PHONE:** 203-946-6379

SUBMISSION

Application and General Plans received by the Board of Aldermen dated 10/13/09, including a 13 page narrative dated 10/13/09 consisting of a project overview and detailed description of project compliance with Planned Development District standards and requirements; attachments to the application including a Traffic Report by Tighe & Bond describing existing site and area traffic conditions, anticipated post development conditions, parking and pedestrian accessibility issues; Material samples (glass panels) and supporting documentation submitted 11/13/09; Plans (dated 10/13/09) and renderings (undated) including the following:

| <u>Drawing No.</u> | <u>Title</u> |
|--------------------|---|
| SP-101 | Color renderings of SOM Building |
| A-101-B2 | Site Plan Showing PDD, Building Coverage and Setbacks |
| A-101-B1 | Level -2 Basement Floor Plan |
| A-101 | Level -1 Basement Floor Plan |
| A-102 | Level 1 Ground Floor Plan |
| A-103 | Level 2 Floor Plan |
| A-104 | Level 3 Floor Plan |
| A-105 | Level 4 Floor Plan |
| A-300 | Roof Plan |
| A-301 | Elevation Sheet One |
| A-321 | Elevation Sheet Two |
| C-101 | Section Sheet Two |
| C-104 | Site Survey |
| C-105 | Site Plan with Turning Movements |
| C-106 | Site Drainage Plan |
| C-107 | Site Utility Plan |
| L-1 | Soil Erosion and Sedimentation Control Plan |
| | Landscape Plan |

In addition, correspondence entitled "Yale University's Response to Questions Posed at City Plan Commission November 18, 2009 Hearing" along with plans entitled "Responses to CPC Hearing" exhibits "A" through "T",

all dated 12/12/09; correspondence from Tighe and Bond entitled "Yale University School of Management PDD Application, Response to November 18, 2009 City Plan Commission Hearing Questions" dated 12/2/09 addressing traffic related issues discussed at the 11/18/09 public hearing, all submitted 12/2/09.

SUMMARY

Yale University is proposing to construct a building which will provide its School of Management with a program of approximately 237,000 square feet of building space for up to 600 students. The building is organized around a "U" shaped courtyard similar to some of the residential apartment complexes located further north along Whitney Avenue. It is more open to the street than the typical fully enclosed, walled and moated Yale College quadrangle. The courtyard can be enclosed by means of gate panels to screen it from the traffic noise on Whitney Avenue.

Planning has been guided by a desire for a building massing and setback that is respectful of the existing buildings on Whitney Avenue. The main body of the proposed building will have a height of no more than four stories above grade along Whitney Avenue. The building will be sited in relation to the street line consistent with the averages of the other buildings in that area, allowing the massing of the building to favor Whitney Avenue and leaving open space at the rear of the site for a substantial landscaped buffer at the residential boundary of the site. In addition to classroom and office space the program also includes a 350 seat auditorium on the east end of the building, a library along the Whitney Avenue frontage for the full height of the building, a coffee shop at the northwest corner and a media lab to the south of the library.

The exterior features repeating cylindrical vertical elements on all elevations, clad in metal and glass which house classroom/seminar theaters, and other program elements, including the larger auditorium element at the rear (east elevation) that is also curved. The entire structure is covered by a separate light colored canopy supported on slender columns that rise unbraced from grade to the roof at the front façade along Whitney Avenue.

Parking will be located on two levels under the building and loading will be recessed within the building envelope, thus removing existing open surface parking and an existing open loading dock which have long been the most prominent features of the backyard of the site. There is a single drive at the southern property line to access loading docks as well as 200 below grade parking spaces. There is a paved plaza to the north for drop off from taxis or handicap vehicles; Yale shuttle and CT Transit stops will be along Whitney Avenue.

PUBLIC HEARING

See Appendix D for Hearing Minutes, List of Hearing Exhibits, and List of Materials submitted between hearing and December 11, 2009.

GENERAL PLANNING CONSIDERATIONS/ PROJECT DESCRIPTION

The Need for the Proposed SOM Facility

The School of Management at Yale was founded in the 1970s. At that time, the school occupied a group of renovated buildings and a small addition which connected them. Currently the school occupies 12 buildings which are located in the Hillhouse and Whitney Avenue areas. This separation of facilities, staff and students into various locations throughout the Yale campus does not fully support the school curriculum or its mission for management education.

According to the materials submitted with the application, in 2003 SOM undertook a study to analyze the existing SOM facilities and the size of the current facility and staff. The study looked at the MBA classes and projected growth. The current facilities and curriculum were also benchmarked against SOM's peer institutions. The results of this study suggested that for SOM to become a leader among its peer institutions, it must re-envision its curriculum as well as increase the size of both its faculty and student body. In addition, when evaluated on the basis of square feet available for education per student, the current facility ranks near the bottom when compared to other business schools. The University has also recognized the need to consolidate

the School of Management into a single location within the Yale campus in order to create a better integrated campus for the school and to provide necessary new teaching facilities, office and administrative space to facilitate the teaching methodologies and learning practices required by the new curriculum and programs.

Locational Criteria

Based on a study undertaken by the firm of Cooper Robertson, which developed the Yale Campus Framework Plan, the site on Whitney Avenue opposite Schem Street was identified as best suiting SOM's needs and its new program, according to University correspondence. The study was not part of this submission. The SOM Building and the proposed Yale Biology Building at 230 Whitney Avenue will present an entrance from the north to the Yale campus on Whitney Avenue. The site is opposite the Peabody Museum and the Anthropology Building, and will be nearly across from the planned new Yale Biology Building designed by Cesar Pelli, approved in CPC Report 1417-06 on 6/18/08. The Whitney Avenue location provides a high degree of accessibility for users ranging from City-based pedestrians to suburban commuters. The location and topography of the site are such that the building can and will be designed consistent with LEED guidelines and with the goal of obtaining LEED Gold certification.

Use (or rather, reuse) of this site for this proposal is in keeping with City efforts to encourage more intense use of University property in order to limit the spread of the University footprint, while still encouraging overall growth of the University, as it is a major driver of economic vitality in New Haven.

Existing Site and Area Conditions

The site is 4.39 acres, all currently owned by Yale University, with about 430 feet of frontage along Whitney Avenue; to the south along Whitney is the church and parish house of Christ Presbyterian Church (135 Whitney, CPC Report 1287-01 approved 5/17/00) separated by a low concrete retaining wall. To the east the site is bordered by the rear yards of homes which front on Lincoln Street; to the north a narrow driveway which accesses the New Haven Lawn Club. The east-west dimensions of the site vary from 844 feet deep on the north to 555 feet on the south. The site is split zoned, with the Whitney Avenue frontage in an RO (Residence Office) zone and the rear in a RM-2 (Residential Medium Density) district (Appendix B, Sketch Nos. PDD-1, PDD-2 and PDD-3).

The site is currently occupied by three buildings totaling approximately 151,000 square feet in area and their related 196 space surface parking lots, which are in administrative University use, and have been for some time (See general plans, sheet C 101); The surface lots are accessed by two drives from Whitney Avenue, at the northern and southern borders for the site as well as a card key entry from Pearl Street. The site contains extensive paved area for surface parking, with outdoor loading dock and trash receptacles. It is approximately 73% impervious surface.

The two main structures are listed in the Historic Resources Inventory. 175 Whitney, the northern most of the two buildings was built for the Security Insurance Company in 1924 according to a design by Henry Killam Murphy in a modern-tinged colonial revival style. 155 Whitney was built in 1954 also for the Security Insurance Company, and was designed by Douglas Orr, in a moderne style. Both of these buildings and a small building in the rear (known as 181 Whitney) will be demolished to make way for the new structure.

Yale School of Organization and Management is currently housed in several separate buildings clustered around Hillhouse Avenue and Schem Street, and also along Prospect Street. All SOM functions will be consolidated within the new building. The SOM buildings west of Prospect Street will be demolished to make way for two new undergraduate colleges. The Commission understands that the historic houses on Hillhouse Avenue will be retained and reused by the University.

The Design

The University has retained the firm of Foster and Partners to design the new campus for SOM. The design is pedestrian-focused and energy efficient, and is organized around a central courtyard. The entrance to the

courtyard is on an axis with Sachus Street. The Foster design incorporates a glass wall with pivoting glass doors which, whether open or closed, permit the courtyard to be viewed by pedestrians as they walk by on Whitney Avenue. The courtyard is entered by passing under the library. The library, a three story glass element, appears suspended above the courtyard entry. Once inside the courtyard, a variety of hardscaped spaces and treed lawns permit lounging, outdoor dining, and gathering for commencement and special events. The classrooms are expressed as blue curvilinear elements viewed through the four-story serpentine glass walls surrounding the courtyard. It is this transparency which reflects one of the key elements of the SOM mission statement, which is to encourage interaction between the faculty, administrators, and all levels of students and executives attending the school. The two story classroom elements are located on the second floor and above, leaving the first floor available for more public functions such as the café, coffee shop, and student and faculty lounges, as well as the admissions office and other public administrative functions. The focal point at the end of the courtyard is the 350-seat auditorium, which can accommodate an entire class year of SOM students. The auditorium will also be used on occasion for undergraduate lectures and public functions. A four story interior atrium is the organizing element for the faculty and administrative offices. This four story wing of the building will allow all of the faculty and administrative departments to be collected in one space, thereby increasing the opportunity for cross-interaction between the teaching centers as well as encouraging interdisciplinary teaching and research.

The siting of the building places the bulk of the four story glass and steel building forward on the site facing Whitney Avenue. The location of the plaza along Whitney Avenue at the entry to the courtyard is intended as a welcoming and transparent gesture to the street. At the rear, the massing breaks down into smaller elements with the curvilinear shape of the auditorium expressed as a dominant element. A landscaped terrace serving the executive meeting rooms is located on the roof above the auditorium. The plan features a landscaped area of more than an acre at the rear of the building. This area also serves as a buffer of treed greenscape separating the building from the residential neighbors on Lincoln Street. Green space on the Site, including the courtyard, will total approximately 36%, as compared to current green space of approximately 27%.

Building Materials

The structure of the Yale School of Management is expressed as a prevailing sense of transparency throughout the building. This transparency manifests the new vision of management education. The teaching pods and other building elements, for example, are visible from Whitney Avenue and each of the different volumes expresses the functions within. An oversailing roof canopy shades the facades and organizes the varied volumes beneath.

The classroom drums are enclosed within a deep blue cladding system. The library volume, contrasting with the solid classrooms, is a full-height transparent glass element with a steel hung curtain wall system that is detailed to appear to hang from the floating roof above.

The ground level across the most public Whitney Avenue facade is highly transparent in order to make visible activity within the school. This will create interesting views for the passerby along Whitney Avenue as well as for those who approach the building from Sachus Street. A series of external sunshades shelter this West facade. These are mechanically operated and will rise and fall automatically depending on the solar conditions. The sunshades are a light filtering resilient fabric and will add an additional layer of interest to the facade, highlighting the sustainability of the building.

The office block on the exterior perimeter of the building is expressed in grey spandrel glass with a pin-stripe pattern on the glazing. This pattern also provides shading to the internal offices. This glass extends around the perimeter of the building on the south, east and north facades.

The floating canopy and colonnade on the west façade links all of these diverse elements together into a single composition. On the south, east and north sides of the building, the structural grid is expressed within the facades.

Parking/Loading

Parking totaling 186 spaces has been placed below the building in a two-level garage, with gate-controlled security access. Additional parking is provided by the University and is available off site as part of the University's overall parking plan. The current occupants of the existing buildings on the Site will be accommodated within the Yale parking system in their new locations, including parking in the new Science Park Garage. The new garage located under the proposed SOM building is designed to house the current SOM faculty and staff with room for future growth. The garage has a single entrance and drive which it shares with the loading area.

The loading area contains four loading docks and is also located within the building, as are the trash handling facilities. Deliveries will be consolidated into this one area on the south side of the building. In addition to roll-down screens at both the garage and loading areas, a landscaped buffer is planned along the south boundary to screen the drive. A drop-off for cars, taxis and handicapped access is located on the north west corner of the building. This location will allow persons to enter the building adjacent to the main lobby and security desk. No parking will be permitted at this location. Vehicular access for passenger cars, service and delivery trucks is from the south side drive. Certain service and maintenance vehicles may also access the Site via the existing gate-controlled Pearl Street service drive. Secure entrances for the parking structure are off this drive as well as a separate entrance to the loading dock area.

Parking facilities design takes into consideration the facts that Whitney Avenue is on the Yale Shuttle route and a large proportion of students and faculty reside in New Haven. Additionally the Connecticut Transit J Line bus route serves the site. Access to the site for pedestrians will be provided by a wide walkway which leads down from the main entry of the building to Whitney Avenue. This walkway aligns directly with the signalized crosswalk at the intersection of Sagem Street. Pedestrian and bicycle access will be provided from the Lincoln and Orange Street areas by a lighted pathway along the north side of the Site. Bicycles will be permitted to enter the enclosed garage along the south driveway for secure parking.

Traffic Impact Study

A report from Tighe & Bond addressing traffic impacts is submitted with the application as Attachment G. As set forth in the report, the proposed SOM facility will not adversely impact existing traffic operating conditions; with LOS for the new drive at level B during the afternoon peak. The submitted site plan reduces access to the parking facility from the two existing drives, to one main drive at the southern border of the site. Drop off only is accommodated at the northern plaza entrance. Shuttles and public transit stops will remain on Whitney Avenue. In addition, there is sufficient parking available in the University parking system to accommodate parking demand resulting from the project. The City Department of Transportation, Traffic and Parking has submitted comments concerning the Tighe & Bond study (see Appendix D).

Stormwater Drainage Discharge and Management

The site is located in an area served by a combined sanitary and stormwater sewer system. Consequently, the proposed stormwater drainage system is designed according to the City of New Haven and the Greater New Haven Water Pollution Control Authority standards and guidelines to control both quantity and quality of the stormwater runoff leaving the Site.

The storm drainage system will consist of conventional inlets to collect runoff. Collected runoff is to be conveyed through the Site using polyethylene pipes. Quantity and quality control is provided by routing runoff over pervious surfaces, where possible, by routing runoff collected from surfaces subject to vehicular traffic through oil/particle separators, and by the use of on-site, subsurface, infiltration/detention systems. A 30,000 gallon water retention tank will collect drainage from the building roof for irrigation purposes on the Site. It is proposed to discharge the treated, reduced quantities of runoff from the Site to the existing sewer in Whitney Avenue and to the existing sewer in Lincoln Street. Discharge to the existing system in Lincoln Street requires reconstruction of the system along Pearl Street between the easterly site property line and Lincoln Street. This work will be performed as part of the project, and will be coordinated with appropriate City departments. Post-construction peak discharge rates for the 2, 10 and 25 year storm events correspond to pre-construction rates. In addition, the design provides detention and infiltration of the 2 year storm, 6 hour post-

construction runoff volume, which will enhance local groundwater recharge and reduce impacts on the public stormwater system during severe weather events.

Utilities

Existing University utility services including electric power, chilled water, steam and telecommunications currently existing on the Site will be utilized for the new facility. The University is seeking a license from the City to allow the installation of fire water service from the University system under Whitney Avenue to connect to the new facility (see CPC Report 1434-06). Public utilities currently serve the site as well, and will be underground.

Paving Standards

Paving required to support vehicular and pedestrian traffic on the Site will consist of reinforced concrete, bituminous concrete and various unit pavers. Paving within the right-of-way of Whitney Avenue will conform to City of New Haven and Connecticut Department of Transportation standards. Further details will be provided for review with Detailed Plan Submission.

Signage Requirements

Signage will consist of typical Yale University System wayfinding signs identifying the University, the School of Management and facilities on the Site, consistent with the types of signs used elsewhere on the University campus. Additionally, signage as appropriate to guide pedestrian and vehicular traffic will be installed. An illustration of a typical University sign is submitted with the application as Attachment E. Further details will be provided for review with Detailed Plan Submission.

Soil Erosion and Sediment Control

The proposed construction activities are being planned in a manner which will reduce, to the greatest extent possible, the potential for adverse impacts to neighboring properties and the public sanitary and storm sewer infrastructure from soil erosion and sedimentation. The soil erosion and sedimentation control design stipulates the initial requirements for the control measures. Initial control measures include installation of anti-tracking pads at construction entrances and installation of hay bale and silt fence barriers to prevent sediment from leaving the Site. The design also indicates the contractor's responsibility to add control devices as work progresses to maintain effective control over the erosion and sedimentation process.

Erosion and sedimentation control measures implemented on the Site will be consistent with the principles, methods and practices described in the Connecticut Department of Environmental Protection manual, "Connecticut Guidelines for Soil Erosion and Sediment Control," as well as the industry standards and practices required to specifically address site concerns. All erosion and sedimentation control devices will be required to remain in place and be maintained until all areas of the Site become stabilized. The Commission will require a Site Plan Application for the demolition phase, given the developed nature of the surrounding area and the proximity to residences and businesses.

Building and Site Lighting

The building and site lighting should be designed to utilize energy efficient fixtures that restrict light pollution and prevent glare and spillover beyond the site. The Commission will require that a photometric plan of the site is submitted by the applicant as part of the Detailed Plan Review to ensure compliance with this standard. Further details will be provided for review with Detailed Plan Submission.

PDD CONSIDERATIONS

Delineation of Uses to Be Permitted As of Right in PDD

The Site is currently zoned RM-2 (High-Middle Density) and RO (Residence-Office). College and university uses are allowed as-of-right in both of these existing districts. Numerous other uses are also allowed in these existing districts. The University proposes that college and university uses and uses accessory thereto be

permitted as-of-right in the proposed PDD. The proposed PDD will not be less restrictive with respect to uses than either of the existing zones, and will not allow the expansion of any pre-existing nonconforming uses.

Bulk/Yard Statistics – Deviations from Existing Zoning Requirements

Attachment D in the applicant's submission (as amended at the November 18 2009 CPC hearing) sets forth the bulk and yard requirements for the existing RO and RM-2 zones and the bulk and yard statistics proposed for the PDD. The applicant proposes standards different from the existing RM-2 and RO zoning requirements so as to permit the development of the proposed PDD as set forth in the application, plans and supporting materials. Specific standards for building coverage, F.A.R., building height, front, side and rear yards, as well as lot size and gross building square footage.

Compliance with Tract Area Requirements

The PDD boundaries will follow the existing site boundaries. The site is over 4 acres in size and therefore meets the minimum applicable tract size of two (2) acres as required by Section 65(b)(2) of the Zoning Ordinance for a PDD.

COMPLIANCE WITH PDD OBJECTIVES IN § 65(a) OF THE ZONING ORDINANCE

Section B of the applicant's petition addresses this issue in the following manner:

Section 65(a) of the Ordinance sets forth the objectives to be considered by the Board of Aldermen in reviewing an application for a PDD. A PDD is appropriate where, as here, it will allow redevelopment of a large tract with a building of outstanding design. The objectives set forth in Section 65(a) that are applicable to the University's proposal are as follows:

The PDD must be

1. *"In accordance with the comprehensive plans of the City, including all plans for redevelopment and renewal";*
2. *"Composed of such uses, and in such proportions as are most appropriate and necessary for the integrated functioning of the planned development and for the City"; and*
3. *"So designed in its space allocation, orientation, texture, materials, landscaping and other features as to produce an environment of stable and desirable character, complementing the design and values of the surrounding neighborhood and showing such unusual merit as to reflect credit upon the developer and upon the City..."*

The proposed PDD and associated improvements are in accordance with the comprehensive plans of the City and are composed of such uses and in such proportions as are most appropriate and necessary for the integrated functioning of the PDD and for the City. College and university uses are allowed as-of-right in the RO and RM-2 zoning districts underlying the Site. The Site currently supports University uses and is proximate to other University buildings and uses. The proposed PDD will also further the City's goal identified in its Plan of Development of promoting a "design which encourages an outward presence and free flow of people" as well as encouraging the "concentration of facilities and efficient use of current lands" with respect to institutional land use in the downtown area. In addition, the University submits that the proposed uses, building design, orientation, materials, associated landscaping and other features will further the objectives of Section 65 and will produce an environment of stable and desirable character, complementing the design and values of the surrounding neighborhood and showing such unusual merit as to reflect credit upon the University and the City.

COMMISSION FINDINGS

When evaluating changes to the zoning map and text, Section 64.(d)(2)a. of the New Haven Zoning Ordinance requires that the Commission objectively consider, in addition to application materials, "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."

In addition, Section 65.(a) regarding Planned Developments of the New Haven Zoning Ordinance requires certain findings based on specific standards that provide evidence of the fact that the tracts of land that are the subject of a PDD application "are developed, redeveloped or renewed as integrated and harmonious units, and where the overall design of such units is so outstanding as to warrant modification of the standards contained elsewhere in this ordinance".

The following represents application of each of the four objectives of Section 65.(a) as well as the more general considerations of Section 64.(d)(2)a.) to the School of Management proposal. The plan should be:

(1) In accordance with the comprehensive plans of the city, including all plans for redevelopment and renewal;

This proposal may be characterized as one that is in essential harmony with relevant portions of the current 2003 Comprehensive Plan of Development (POD), most particularly those that reference "The Commission's directive (is) to elevate the quality of development in New Haven and to achieve a high standard of design, stewardship and environmental protection" but also including elements of the document that deal with issues of Housing and Neighborhood Planning, Economic Development and Environment. In the recommendations section of the Housing and Neighborhood Planning portion of the POD, reference is made to the need to "Consider the impact of new development on the existing urban fabric relative to traffic, noise, public convenience, public safety, aesthetics, site design and layout, etc." This proposal is sensitive to and designed in consideration of each of these concerns. Its proximity to public transit, the provision of buffering to adjacent residential neighbors, and the accessibility of those neighbors to Whitney Avenue all demonstrate an awareness of and attention to the potential impacts of this proposal on the surrounding area.

The Economic Development portion of the POD makes reference to the importance of "Green Design" in the city and mentions the encouraging of buildings "that meet or exceed energy targets" and "provide for daylighting, minimize transportation movements; and recycle and/or control waste streams". As described above this proposed structure is designed according to LEED guidelines, will require a minimum of daytime lighting, is located along public transit routes, and utilizes a system that will use collected stormwater for irrigation purposes, and reduces the pervious surface on site from the existing condition.

The Environment section of the POD contains two recommendations that are addressed in the SOM proposal. The site's Whitney Avenue location, on a major busline, close to residential neighborhoods and with bicycle access is reflective of the recommendation to "Implement a vehicle miles traveled reduction strategy which is designed around walk-to-work, bicycle and transit-based initiatives". Also the restoration of existing surface parking areas to a vegetative state anticipates implementation of the POD recommendation that "... landscape considerations should be further incorporated into the site plan review process, particularly through additional regulations...".

(2) Composed of such uses, and in such proportions, as are most appropriate and necessary for the integrated functioning of the planned development and for the city;

The use proposed for the site is academic use for a college or university, which is permitted in surrounding zones. Yale University has long had a presence on Whitney Avenue, and has recently intensified use in the Science Hill portion of the campus directly across Whitney from the proposed PDD. Education at the college and university level is a driver of economic growth in New Haven and the region. As described above this proposal makes use of a very open (in both a visual and spatial sense) design that is intended to meet the need to physically integrate the facility into the area in a manner that is not only operationally self sustaining but also provides a connection to other University facilities and enhances the quality of life of area residents by increasing the landscaped areas and screening the loading, parking and trash facilities from the residential areas.

Based on the applicant's description of SOM program needs it has been demonstrated that this proposal will meet the internal needs of the School of Management for the present and accommodate growth for the foreseeable future.

The integrative functional value of the proposal in respect to the neighborhood is a somewhat more complex issue. In some ways this value is apparent. For example the provision of pedestrian access from Pearl Street to Whitney Avenue and the provision for landscaped buffering to the south and east are easily recognized as integrative elements of the proposal. Other elements, while not as apparent, are at least as important. The largely rectilinear mass, limited to four stories in height and with an extensive setback from Whitney Avenue is characteristic of other larger structures in the area, and is designed to reduce the impact of the scale of the proposed structure. It also serves to integrate some of the building's more current materials and curvilinear design elements into an existing largely "brick and masonry" streetscape.

(3) So designed in its space allocation, orientation, texture, materials, landscaping and other features as to produce an environment of stable and desirable character, complementing the design and values of the surrounding neighborhood, and showing such unusual merit as to reflect credit upon the developer and upon the city;

There is considerable merit in this project which addresses a broad range of considerations in a consistently effective manner. In terms of location the site is not only adjacent to and therefore readily accessible from other Yale facilities but also is located along a major public transportation route. While it is designed primarily to meet the present and future needs of the school, it does so in a form that acknowledges the ascending level of mass and scale that moves north to south along Whitney Avenue toward downtown. The placement of the structure on the western portion of the site indicates concern for the privacy of nearby residents while still affording them through pedestrian access to Whitney Avenue. Nearby residential and business properties are provided with a level and quality of landscaped buffering that does not currently exist. From the use of specialty glass and sunscreens, underground parking, bicycle storage and recycled stormwater, both building and site incorporate design features that reflect a commitment to sustainable technologies.

The design by a Pritzker prize winning architect continues Yale University's tradition of architectural excellence and innovation and is of "unusual merit". Initially the overall massing, building setback and updated colonnade establishes a contextual relationship with the Whitney Avenue neighborhood; particularly the existing academic buildings such as the Peabody Museum. The approved but not yet constructed Yale Biology building will be of similar height and scale. The more transparent and dynamic design elements and distinctly current exterior materials then establish a unique identity for the structure, and for the resident institution itself, setting a tone of innovation and transparency.

(4) So arranged as to provide a minimum of 250 square feet of usable open space per dwelling unit on the tract, except 125 square feet in the case of elderly housing units, subject to the specific minimum standards enumerated in section 15(a)(1)g. of this ordinance.

This standard is not applicable in that no residential units are proposed. It is worth noting, however, that this proposal will increase the amount of open space from that which currently exists on the site (from 27% to 36%) and concentrates it to rear of the property.

In addition this proposal is subject to the provisions of Connecticut General Statute 8-2m. which states as follows:

Sec. 8-2m. Floating and overlay zones and flexible zoning districts. *The zoning authority of any municipality that (1) was incorporated in 1784, (2) has a mayor and board of alderman form of government, and (3) exercises zoning power pursuant to a special act, may provide for floating and overlay zones and flexible zoning districts, including, but not limited to, planned development districts, planned development units, special design districts and planned area developments. The regulations shall establish standards for such zones and districts. Flexible zoning districts established under such regulations shall be designed for the betterment of the municipality and the floating and overlay zones and neighborhood in which they are located and shall not establish in a residential zone a zone that is less restrictive with respect to uses than the underlying zone of the flexible zoning district. Such regulations shall not authorize the expansion of a pre-existing, nonconforming use. Notwithstanding the provisions of this section, no planned development district shall be approved which would permit a use or authorize the expansion of a pre-existing nonconforming use where the underlying zone is a residential zone.*

The Commission has previously requested advice of counsel as to the appropriate interpretation of this statute, and the requirements it imposes on various actions which the City may take. Based upon the advice received, to comply with Conn. Gen. Stat. § 8-2m., there are three restrictions placed upon the enactment of new planned development districts:

1. The flexible zoning districts established under such regulations shall be designed for the betterment of the municipality and the floating and overlay zones and neighborhood in which they are located.

The Commission finds that the proposed planned development district is designed for the betterment of the City

and the neighborhood in which it is located, substantially for the reasons stated in the Findings 1 through 3 above. Specifically, the proposal is in essential harmony with relevant portions of the current 2003 Comprehensive Plan of Development, most particularly those that deal with neighborhood planning, the general environment and economic development and is driven by and designed in close response to these and other elements of the comprehensive plan. This proposal places emphasis on design quality and the utilization of innovative building technology, and pays special attention to its proximity to nearby residential areas. It represents "betterment" in that it will enable a "greener" and more environmentally sustainable system of building construction, storm water and parking management. This represents a dramatic change for both the site and the surrounding area and sets significant standards for any subsequent development in this neighborhood, which the Commission finds is for the betterment of the City and the neighborhood.

Accordingly, based on the foregoing, the Commission finds that the requirements of this provision of Conn. Gen. Stat. § 8-2m. are satisfied, and it is appropriate to approve the proposal.

2. The flexible zoning districts shall not establish in a residential zone a zone that is less restrictive with respect to uses than the underlying zone of the flexible zoning district.

As documented in this report the uses allowed in both the existing and proposed districts are identical. Accordingly, the proposed zoning district is not less use-restrictive than the existing zoning districts.

The proposed departures from the standards of the existing zones are appropriate for and in keeping with the site and the adjoining area. Moreover, in addition to including a building of outstanding design, the proposed PDD will substantially increase green space in the rear of the site and provide enhanced buffering to the adjacent residences, and will eliminate existing open paved surface parking lots and existing open loading docks in the rear of the Site.

In addition, to the extent that the proposed new zone replaces the existing two zones in which the site is located, the proposed district does not establish a zone which is less restrictive, in that the project is designed to increase green space and thereby reduce the environmental impact by such means as having underground parking and loading. In addition, the new zone imposes a floor area ratio not previously contained in the RM-2 zone and height requirements not previously required in the RO zone. The requirements contained in the proposed new zone are consistent with the development pattern in the surrounding area.

The Commission does not believe that the term "underlying zone" as used in Conn. Gen. Stat. § 8-2m. has any application to this proposal. As such, the Commission has compared the proposed district to the existing district in an attempt to meet the spirit of the statute rather than the inapplicable language of the statute.

3. No planned development district shall be approved which would permit a use or authorize the expansion of a pre-existing nonconforming use where the underlying zone is a residential zone.

Existing use of the property is university-related and is a conforming use. As such, there is not only no existing non-conforming use to consider, but there is also no expansion of any such use. This requirement is therefore not applicable to this application.

The Commission reiterates that it does not believe that the term "underlying zone" as used in Conn. Gen. Stat. § 8-2m. has any application to this proposal. As such, the Commission has compared the proposed district to the existing district in an attempt to meet the spirit of the statute rather than the inapplicable language of the statute.

Review of the statutory language indicates that this plan as proposed is in full compliance. No uses are proposed that are not permitted in an RM-2 or RO District, there are, or rather were, no existing nonconforming uses on the site to expand, and there would not be, upon approval of this proposal, an "underlying residential zone" on this property.

RECOMMENDATIONS

Based on the preceding considerations and specific findings, the proposed Yale School of Management Planned Development District at 155-181 Whitney Avenue is found to be in accord with the comprehensive plans of the City of New Haven as the Future Land Use element of the New Haven Plan of Development designates the property for both institutional and residential use.

The General Plans for the PDD demonstrate appropriate use of the property in terms of its treatment of form,

design, and open space to the extent that the Commission has determined that the proposal is in accordance with the objectives of Section(s) 65.A. and 64(d)(2)a. Submission of detailed plans for review and approval, in accordance with text recommendations and conditions of approval and Section 65.E requirements will assure the project continues to meet requisite design standards.

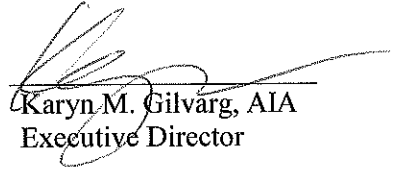
It is the opinion of the City Plan Commission that the Yale School of Management General Plan fully complies with the standards of Section 65.E of the Zoning Ordinance, and Conn. Gen. Stat. § 8-2m., and that the resulting development would have a positive effect on the economic health and quality of life within the neighborhood and the City. The Commission therefore approves the Application and General Plans for Planned Development designation with the following conditions:

The Commission strongly encourages the University to continue to work with the abutting New Haven Lawn Club to consolidate access drives at the north site boundary.

CONDITIONS OF APPROVAL

- 1) The Commission recommends that the Board of Aldermen require lighted public pedestrian and bicycle vehicle access from Pearl Street through to Whitney Avenue 24 hours a day, seven day a week. The path width should be increased to a minimum of 12 feet.
- 2) The Commission recommends that the north side yards be a minimum of 16 feet.
- 3) This report and the Application and General Plan text shall be recorded on the Land Records of the City of New Haven within 60 days of publication of Board of Aldermen approval for the PDD designation to be considered in effect. A certified copy of the recording on the Land Records and verification of a full contractual arrangement by the submitting professional design team (architect, engineer and landscape architect) shall be furnished to the Commission prior to Detailed Plan submission for each project component.
- 4) The Commission shall be given prior notice of any change in development principals, and any change in the approved submitting professional design team shall be for cause and require prior Commission approval.
- 5) Any required Federal or State permits for traffic improvements or storm water discharge shall be secured prior to issuance of any permit for new construction.
- 6) All necessary on or off site utility improvements are required to be completed at developer cost from its funds or by City Agreement, and to the satisfaction of the City Engineer.
- 7) Detailed plans shall be submitted within 18 months of the effective date of PDD designation, unless the Commission grants an extension upon written request of the Developer, who shall state a basis for the delay. If no Detailed Plans are submitted and no extension requested, the City Plan Commission and the Board of Aldermen shall act to return the zoning of the tract to the RM-2 (Low-Middle Density Residential) and RO (Residence Office) designations that currently exist.
- 8) Detailed Plans for the demolition of the existing structures and site features including site stabilization and dust and sound control measures, demolition vehicle access and egress points, haul routes and any plans for the securing of the site between completion of demolition and commencement of construction shall be submitted as a Site Plan Review Application within 180 days from Aldermanic approval of the General Plans.
- 9) Demolition of the existing structures on the site shall not commence until such time as the applicant shall demonstrate to the City that it has sufficient funds to commence and complete the project and has entered into a construction agreement to complete the project with an attached schedule showing a commencement date not later than 90 days following completion of demolition and a reasonable estimated completion date.
- 10) Interim uses, including educational uses and those accessory to educational uses must be reviewed and approved by the City Plan Commission.

ADOPTED: December 16, 2009
Edward Mattison
Chairman

ATTEST: 
Karyn M. Gilvarg, AIA
Executive Director

APPENDIX A

DETAILED PLAN SUBMISSION REQUIREMENTS for Yale School of Management PDD

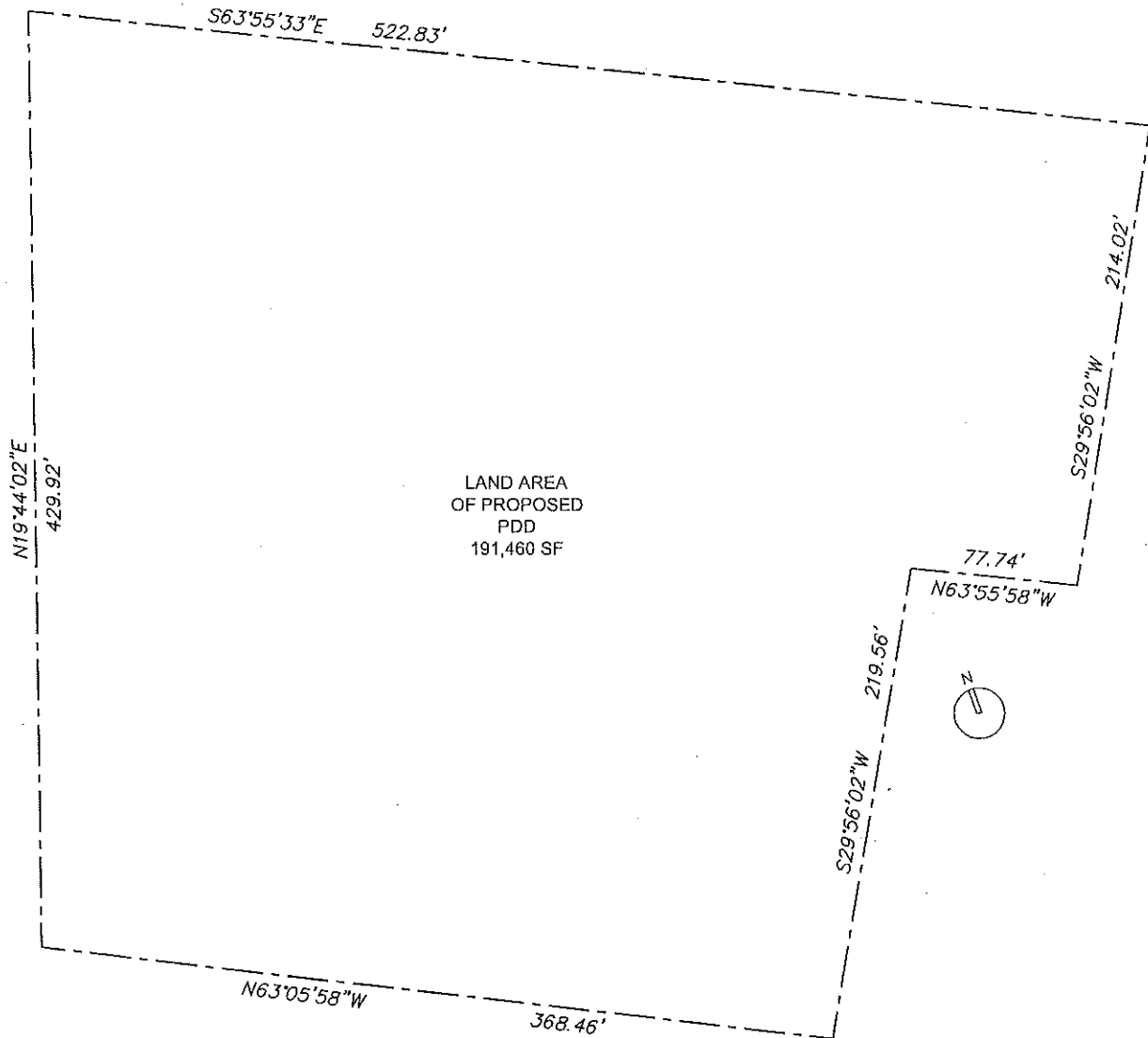
1. ***Detailed Utilities and Service Plan***, in accord with text, with:
 - Water Service, as approved by the South Central Regional Water Authority and the City Engineer.
 - Fire Apparatus access and fire hydrant locations, as approved by Fire Department, City Engineer.
 - Storm and Sanitary treatment, including flow calculations, as approved by Greater New Haven Water Pollution Control Authority, City Engineer.
 - Electric Service, including transformer and meter placement, as approved by United Illuminating.
 - Gas Service, including meter placement, as approved by Southern Connecticut Gas Company.
 - Telephone and Cable Service, including any equipment and wiring on the exterior of buildings, as approved by other providers.
 - Drive layouts and grades (including topo, cut and fill), as approved by State Traffic Commission, Transportation, Traffic and Parking Department, and City Engineer.
 - Schedule of roadway improvements, if any.
 - Schedule of on and off site work related to the project.
 - Trash Disposal Plan, in accord with State mandated separation and recycling requirements.
 - Mail Service Plan.
 - Snow Removal and Storage Plan.
2. ***Soil Erosion and Sediment Control Plan and narrative*** in conformance with State of Connecticut standards and New Haven Zoning Ordinance and Regulations.
3. ***Detailed Building Plans, including rendered elevations fully depicting the architectural character of the project, its materials, and its relationship to surrounding properties***
4. ***Detailed Site Plans and related details***, including all proposed site activity on and off site.
5. ***Landscaping Plan***, including site treatment in the immediate vicinity of the buildings and along property lines, including all street frontages, surface parking lots and private streets and drives. The planting plan shall include all locations, size and species of all plantings, including existing street trees to be retained, removed or added.
6. ***Master Signage Program***. A design handbook based on the standards of the General Plan application.
7. ***Operations Plan***, detailing methodology, days and times of demolition and blasting, if any, and notification procedures to affected parties.
8. ***Traffic Operations Plan for construction period***, detailing any street closures, detours, signage, lighting and other operational measures to minimize local traffic disruptions.
9. ***Phasing Plan***, with sub-phases of project and detailed construction schedule for each project element, if applicable. Detailed Plan Review Submissions for each phase not containing all of the required elements may incur substantial additional processing fees. At the time of approval of Detailed Plans City Plan staff may be delegated the power to authorize signoff of Temporary Certificates of Occupancy for the approved development phase.

APPENDIX B

Proposed PDD, Sketch Nos. PDD-1, PDD-2 and PDD-3

A V E N U E

W H I T N E Y



PROPOSED PDD

Project

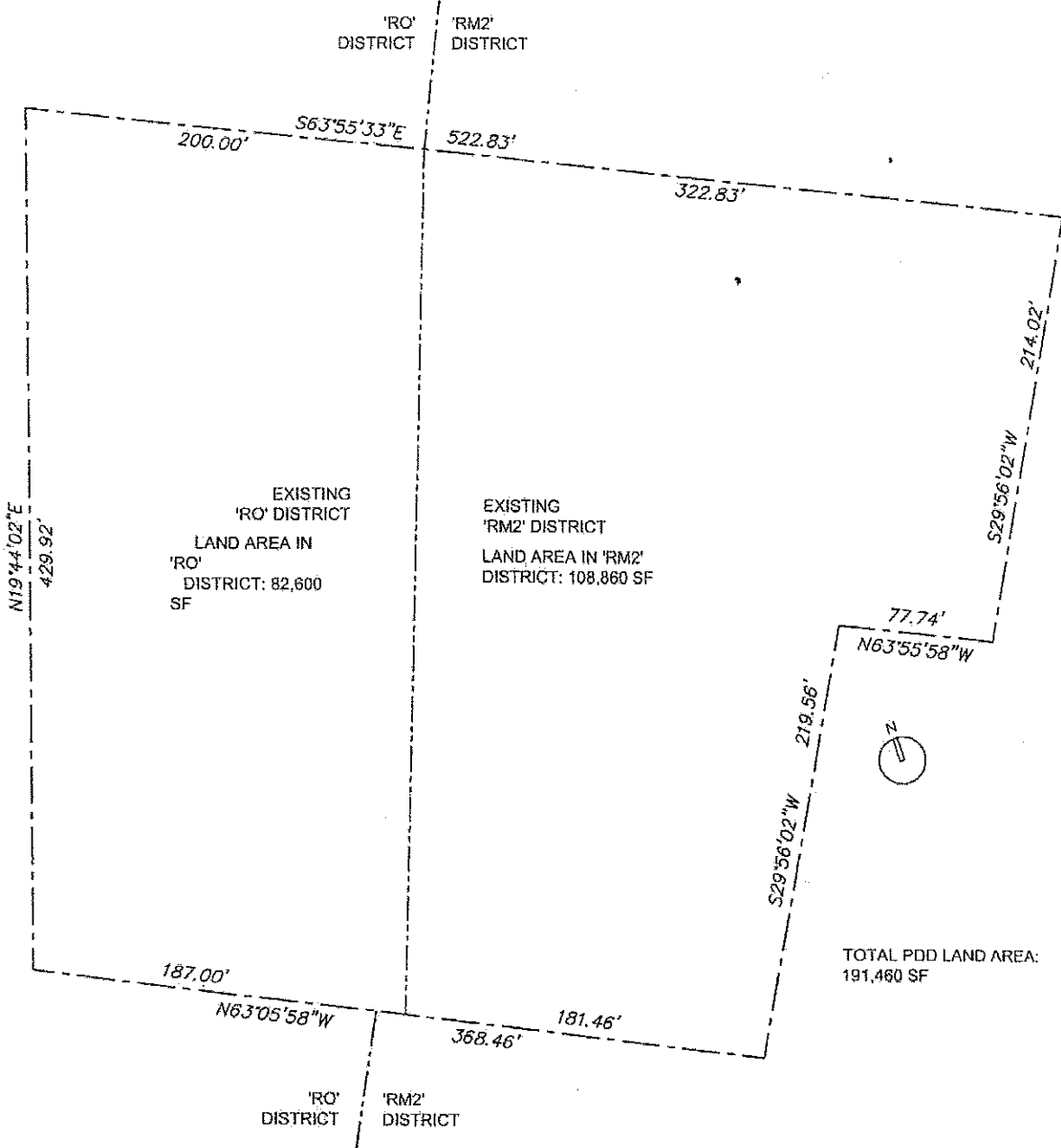
PDD APPLICATION
YALE SCHOOL OF MANAGEMENT
WHITNEY AVENUE
NEW HAVEN, CT

Sketch No. PDD-1

Architect of Record: GRUZEN SAMTON
Design Architect: Foster + Partners
Scale: NTS
Date: October 13, 2009

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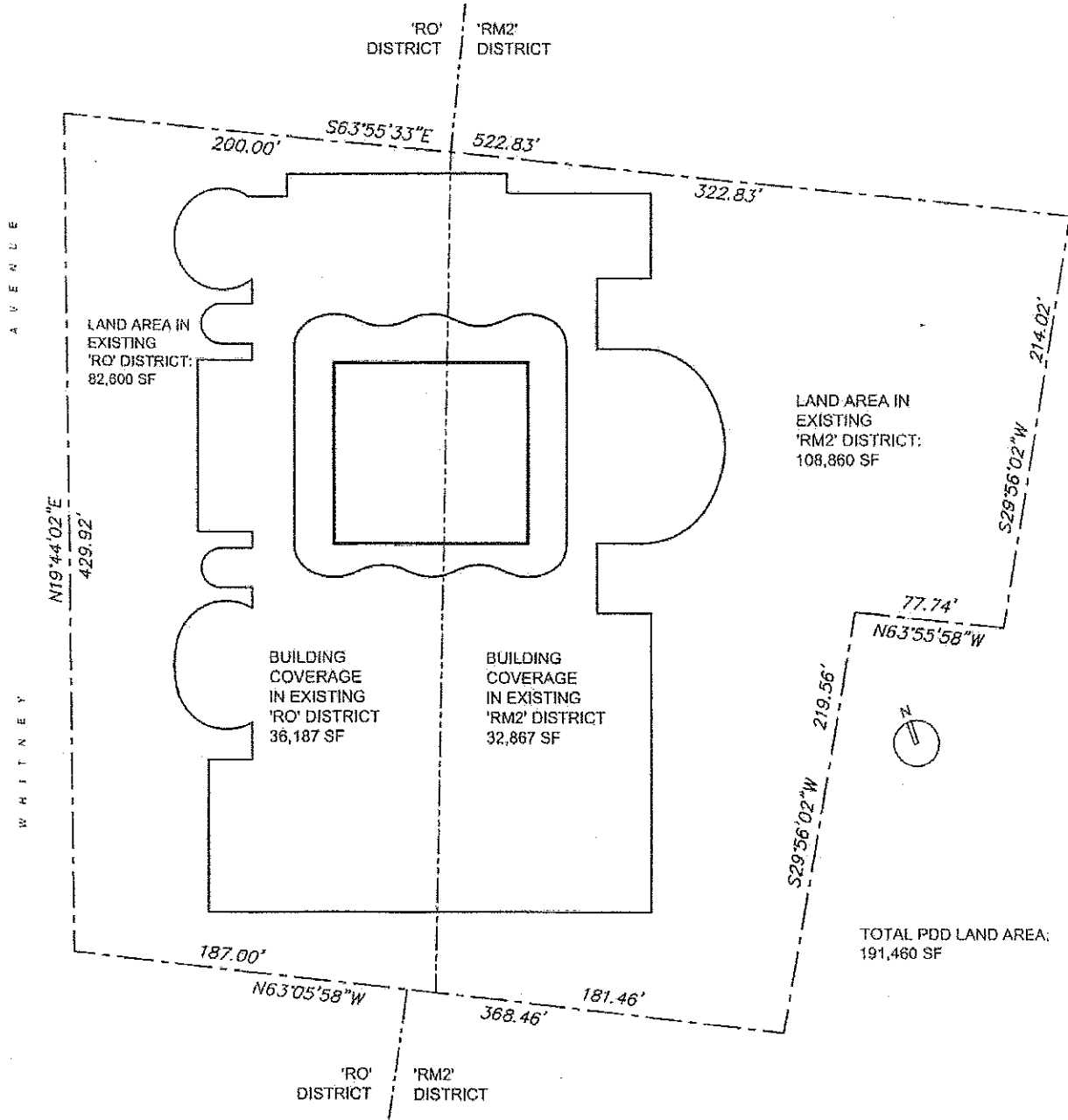
PROPOSED PDD
(WITH EXISTING ZONING DISTRICTS)

Project

PDD APPLICATION
YALE SCHOOL OF MANAGEMENT
WHITNEY AVENUE
NEW HAVEN, CT

Sketch No. PDD-2

Architect of Record: GRUZEN SAMTON
Design Architect: Foster + Partners
Scale: NTS
Date: October 13, 2009



PROPOSED PDD
 (WITH BUILDING COVERAGE AND EXISTING ZONING DISTRICTS)

| | |
|---|---|
| Project | Sketch No. PDD-3 |
| PDD APPLICATION YALE SCHOOL OF MANAGEMENT WHITNEY AVENUE NEW HAVEN, CT | Architect of Record: GRUZEN SAMTON Design Architect: Foster + Partners Scale: NTS Date: October 13, 2009 |

APPENDIX C

PDD Application Zoning Summary

**Yale School of Management:
PDD Application Zoning Summary: 18 November 2009**

**FOSTER + PARTNERS
GRUZEN SAMTON**

| Criterion | Required/Permitted In underlying RM2/RO zones | | Proposed SOM Building | Notes |
|---|--|--|--------------------------|-------------|
| | RO District | RM2 District | | |
| A. Lot area (sf) | 7,500 sf minimum | 5,400 sf minimum | 191,460 sf | |
| B. Building coverage area (Max. horizontal cross section) (sf) | | | 69,054 sf | See note 1. |
| C. Building coverage (e.g., B+A) | 25% maximum (principal bldg.) 10% maximum (accessory bldg.) | 30% maximum (all bldgs. combined) | 36% | |
| D. Building gross floor area (sf) | | | 219,837 sf | See note 2. |
| E. Floor area ratio (FAR) (e.g., D+A) | Varies; see table below | No restriction | 1.15 | See note 3. |
| F. Building height: | | | | |
| Number of stories | No direct limit | 4 stories | 4 st | |
| Height in feet | No direct limit | 45 feet (average height) | 64.0 ft | See note 4. |
| Setbacks: | | | | See note 5. |
| G. Front yard | Greater of: 25 feet measured from property line to face of building, or 0.5 x avg. height of front wall from centerline of street to face of bldg. ^A | (Not applicable) | 56.3 ft | |
| H. Rear yard | (Not applicable) | Greater of: 25 feet ^E or 0.5 x bldg. height at perimeter. ^F | 77.7 ft | |
| J. Larger side yard | Greater of: 10 feet, ^B or 0.5 x bldg. height at perimeter. ^C | Greater of: 10 feet, ^D or 0.5 x bldg. height at perimeter. ^F | 28.7 ft | |
| K. Smaller side yard | Greater of: 10 feet, ^B or 0.5 x bldg. height at perimeter. ^C | Greater of: 8 feet, ^D or 0.5 x bldg. height at perimeter. ^F | 8.0 ft | |

Notes:

- Building coverage area (B) includes overhanging library but not roof or courtyard (e.g., enclosed space only).
- Occupied space at B1 Level more than half above grade is included in building coverage calculations.

3 Maximum Permissible Floor Area Ratio (FAR) (E) for Buildings in RO Zoning District:

| Building Coverage (pct.) | Permitted FAR |
|--------------------------|---------------|
| 25 | 0.5 |
| 24 | 0.6 |
| 23 | 0.7 |
| 22 | 0.8 |
| 21 | 0.9 |
| 20 | 1.0 |
| 19 | 1.1 |
| 18 | 1.2 |
| 17 | 1.3 |
| 16 | 1.4 |
| 15 | 1.5 |
| 14 | 1.6 |
| 13 or less | 1.7 |

Source: Art. III, Section 15(a)(1)(f) & table inset, as incorporated by Sect. 17(b) & 17(a)(1)

- Height determined per the volumetric method described in the Zoning Ordinance definition for "Height."
- Sources for setback requirements:

^A Art. III, Section 15(e)(1)(a) (RH-1 Special high density/residential uses/minimum yards/front), as incorporated by 17(a)(1) (RO Residence-office/residential uses/standards required), as incorporated by 17(b) (RO Residence-office/non residential uses/maximum building height).

^B Art. III, Section 15(a)(1)(e) (RH-1 Special high density/residential uses/minimum yards/rear), as incorporated by 17(a)(1) (RO Residence-office/residential uses/standards required), as incorporated by 17(b) (RO Residence-office/non residential uses/maximum building height).

^C Art. III, Section 15(e)(1)(d) (RH-1 Special high density/residential uses/maximum building height), as incorporated by 17(a)(1) (RO Residence-office/residential uses/standards required), as incorporated by 17(b) (RO Residence-office/non residential uses/maximum building height).

^D Reserved.

^E Art. III, Section 14(a)(1)(f) (RM-2 High-middle density/residential uses/minimum yards/rear) as incorporated by 14(b) (RM-2 High-middle density/non-residential uses/yards).

^F Art. III, Section 14(a)(1)(e) (RM-2 High-middle density/residential uses/max. bldg. height) as incorporated by 14(b) (RM-2 High-middle density/non-residential uses/max. bldg. height).

^G Art. III, Section 14(a)(1)(f) (RM-2 High-middle density/residential uses/minimum yards/side) as incorporated by 14(b) (RM-2 High-middle density/non-residential uses/yards).

APPENDIX D

Hearing Minutes

List of Hearing Exhibits

Report to Board of Aldermen from Director, Department of Transportation, Traffic and Parking

List of Materials submitted between hearing and December 11, 2009

APPENDIX D
NEW HAVEN CITY PLAN COMMISSION
Minutes of Meeting 1434
Wednesday, November 18, 2009
Meeting Rooms 1 & 2, 2nd Floor Atrium
New Haven City Hall, 165 Church Street, New Haven, CT

[Note: This hearing was recorded by Post Reporting Services.]

RE: ZONING ORDINANCE MAP AND TEXT AMENDMENT, 155-181 WHITNEY AVENUE, Application and General Plans for Planned Development District (PDD) Designation of a ±4.39 acre tract for the proposed new Yale School of Management in RO (Residence-Office) and RM-2 (Residential High-Middle Density) Zoning Districts (Yale University).

ITEM: 1434-05

Chair Mattison called the hearing to order on the above matter. Thomas Talbot, Deputy Director Zoning, reviewed the quantitative standards and objectives of Section 65 of the Zoning Ordinance. He then reviewed CT Statute 8-2m. and showed a flow chart of how the PDD approval process worked in New Haven.

Mr. Mattison noted for the record that his son is an employee of the publications division of the School of Management.

Mr. Lemar clarified for the record that he had had conversations with the applicant about what might happen on the site in the past.

Members of the presenting team introduced themselves: Michael Morand, Associate Vice President of Yale University, 433 Temple Street; Laura Cruickshank, University Planner, 2 Whitney Avenue and Joseph Hammer of the law firm Day Pitney, 1 Audubon Street. Will Smith, Project Manager, was also at the table.

Mr. Morand put the application for the new facility in context, noting there would be an increase from 400 to 600 students with the objective of becoming more competitive nationally and globally and also consolidating the campus of the School of Management onto one site. Sir Norman Foster of Foster and Partners, world renowned architect and graduate of Yale School of Architecture, had designed the building. The site would be dramatically improved by replacing the sea of parking and exposed loading with a building which internalized these features. Green space was optimized, designed by Olin Partnership, to be an attribute to its back door neighbors on Lincoln and Bradley Streets. There had been more than a dozen meetings with members of the Lincoln-Bradley Association beginning in March 2006, as well as with individual neighbors on various sides of the site. The project had been internally reviewed for a number of years with university officials and faculty from the School of Management. The project would be a huge benefit to the City in a number of ways.

Joseph Hammer gave a brief introduction, noting the PDD process was well suited for the project. He showed the site was intersected by a zone line which split the property in two in a north-south direction between RO and RM2. The proposed PDD would eliminate the conflict. The site at 4.39 acres was far in excess of the minimum lot size for a PDD. The PDD process met the needs of the School of Management while allowing something far superior to what would be permitted in the existing zones.

In regard to testimony given at a recent City Plan hearing for a proposed PDD, speakers who raised the legal status of PDDs in New Haven, he noted in the Campion decision by the CT Supreme Court (278 Ct Reports p. 500 decision of 2006) the court recognized the usefulness of as well as the legal authority for the PDD process. The City had turned to outside counsel Robinson and Cole which rendered the opinion that supported the PDD process as it now stands. This was the subject of discussion in the fall 2008 with the Commission. In Campion Section 65 of the Zoning Ordinance contained adequate standards for the PDD.

Mr. Hammer submitted for the record the July 16, 2009 opinion of Robinson & Cole and a transcript of the September 17, 2008 dialogue the Commission had with a representative of Robinson & Cole on the opinion.

He noted the applicant had submitted several revised sketches replacing several in the application and an updated zoning table.

Laura Cruickshank, University Planner, delivered a PowerPoint presentation beginning with aerial/birds eye views of the site and existing buildings and conditions putting them in context with other buildings on Whitney

Avenue and in the neighborhood. She demonstrated several variations of what could be built as of right on the site in the two zones, and then showed what the proposed building envelope would look like in comparison. The building would house a team teaching concept for up to 600 students with classroom pods (16 classrooms), a center courtyard, library, auditorium into the rear grade with public functions towards Whitney Avenue and private functions towards the rear. They had paid attention to setbacks from Whitney Avenue (prox. 65') in the front yard and also the setback to the rear property line. Parking and loading were below grade out of sight and the pedestrian experience was celebrated with an interior courtyard visible from Whitney Avenue. Regarding sustainability, the building was seeking a LEED gold certification. There was significant planting along the south perimeter and in the rear yard. She showed the turnaround/pedestrian drop-off with a drive south of the Lawn Club driveway. There would be an emergency & service vehicle drive which would exit to Pearl Street. She read into the record letters of support from Robert Stern and Cesar Pelli, two members of the three member architect committee which reviewed all Yale projects. (Thomas Beebe was the third.)

Mr. Hammer mentioned the parking under the building plus what was supplied in the overall Yale parking plan provided ample parking for the project. A Traffic Report from Tighe and Bond (part of the PDD application) concluded that the project would not adversely impact the traffic situation in the area.

Mr. Hammer next reviewed how the proposed project met all the applicable standards of a PDD. First, the split zone situation favored the creation of a PDD. It was suitable for the SOM program. The tracts to be redeveloped as harmonious units of outstanding design. The comprehensive plan noted college and university uses were allowed as of right in the RO and RM2 zones. There was a concentration of facilities in one location with pedestrian advantages. The design was "green" including a 25% reduction in stormwater discharged from the site, and an increase in green space to 40% and was of unusual merit per Section 65. The proposed development would promote the betterment of the City and the neighborhood.

Mr. Morand closed by submitting a copy of the visuals (PowerPoint) for the record as well as hard copies of the letters from Robert Stern and Cesar Pelli read into the record by Ms. Cruickshank. He noted that what could be done under existing zoning on the site would be awkward, and therefore the PDD was the right way to go.

Mrs. Ford then submitted for the record letters of support from Anthony Resigno of the Greater New Haven Chamber of Commerce, Michelle Whelley of the Economic Development Corporation, and Troy Resch of Elm Campus Partners.

She read into the record an advisory report from Michael Piscitelli, Director of the Department of Transportation, Traffic and Parking to Board of Aldermen Carl Goldfield, which encouraged the University to consolidate driveways with the Lawn Club to the north, raised concern over the driveway connecting with Pearl Street, urging a requirement to keep a pedestrian bike lane open from Pearl Street 24/7, and encouragement towards a more aggressive reduction in parking demand on site by promoting Yale's Transportation options program.

Mr. Mattison then asked for a sketch to be submitted of improved pedestrian and bike access from Pearl Street which Mr. Morand said they could accommodate, more likely at the detailed plan review stage. Ms. Cruickshank noted this had been in her presentation.

Mr. Mattison also asked for a plan or photos which showed the building in context with others in the block along Whitney Avenue including across the street. He also asked what Yale's plans were for the rest of the block. Mr. Morand says Yale would like to respond in a narrative form. Mr. Mattison asked if the glass building would have any effect on drivers coming south on Whitney Avenue. Ms. Cruickshank said they would look at this element. Mr. Mattison asked about the spread of the SOM campus. Ms. Cruickshank said the campus would be consolidated from ten buildings to this single site. Other smaller Yale departments might use the historic buildings on Hillhouse Avenue. Mr. Mattison asked about timing of the project. He was concerned there might be an extended period of time the site would be vacant. Mr. Morand said they hoped to be opening on September 2013 with site preparation in the next year.

Mr. Lemar complimented the applicant on the tightening of the building to Whitney Avenue, noted consolidation of driveways was good, but it was vital that there be pedestrian access through the site 24/7. The buffer between Lincoln Street and the building was impressive. He hoped there would be better screening of the building from Bradley Street properties. Mr. Morand said they planned to work with the Christ Presbyterian Church and other neighbors including the neighbor at 265 Bradley Street to use extensive plantings. He noted that the 24/7 access issue might be a tough.

Mr. Hammer said there would be a reduction in interference of cars along the south side of the site, with cars entering the garage rather than driving further east to the large paved lot as it is today.

[Commissioners took a brief break at 8:35 and resumed at 8:45 PM.]

Mr. Mattison expressed concern over left turns crossing traffic at the evening rush hour and how it would impact traffic flow. Mr. Morand there would be a reduction of traffic in general and a reduction in loading, due to the moving of university printing services to another location. There would not be a need to exit the campus at the rush hour moment

Mr. Mattison then took questions from the general public.

Ms. Shansky asked whether she could be assured there would be neither construction access nor egress from and to Pearl Street per the Soil Erosion and Sediment Control Plan. Ms. Cruickshank noted this would be addressed with City staff at the detailed plan review stage.

Attorney Ira Bloom, representing the New Haven Lawn Club, asked that the applicant confirm setback and height dimensions. Ms. Cruickshank replied at its closest point the building was 8 feet from the north property line and ranged in height from 64' to 41'.

Mr. Bloom asked for an explanation about the drop off area. Mr. Morand replied the drop-off spot would be very limited use for handicapped vans, taxis and the like.

Mr. Mattison then took speakers from the signup sheet.

Ira Bloom of Berchem, Moses Devlin, joining the case only yesterday, said the New Haven Lawn Club wanted to continue its good relationship with the University, but had two concerns. The side setback of 8' should be about 30' with the height calculation. Light was important for the outdoor facilities at the club. He believed the pedestrian drop-off needed further study particularly regarding site lines adjacent to the Lawn Club driveway. He learned of a 1995 suit that required that delivery traffic use the Whitney Avenue drive instead of the Humphrey Street drive. He suspected the traffic report did not take the legal document into consideration. He had recommended that the Club get a traffic consultant which they had not yet decided to do. He believed the traffic and access issues needed further study and asked that the hearing be continued to January to allow for more materials to be submitted. He did not believe that the applicant fully complied with the PDD requirements. He submitted a letter for the record.

Chet Chicowsky, Manager for the New Haven Lawn Club, said they had met on a number of occasions over the past three years with University representatives. He had a good relationship with Doug Rae, a Lawn Club member, neighbor and Yale professor, who had interacted in SOM's behalf. He noted the Lawn Club was an abutter and had rights. He was concerned for the safety of 80 year old members pulling out into Whitney Avenue traffic without good sightlines. In 1999 the Club gave an easement to Yale to maintain a landscaped lighted strip between the two driveways and that Yale should be responsible for continuing to provide the lights. Most of the issues were site plan issues. He thought the design of the building was awesome.

Joe Taglierini, 265 Bradley Street, passed in a handout and photographs, expressed his concern that the project would have a decreasing impact on the value of his home. The interior court of the building stretched the building to its side property lines, on the south side to 50' where it had been 123'. An existing landscaped buffer would be removed and Yale had designed a new 5' landscaped strip to buffer the building from his home which would take its time to grow to its height. There would be a fishbowl effect of the wall of glass even with the trees.

Matt Nemerson, 35 Huntington Street, owner of the building at 245 Whitney Avenue, president of the CT Technology Council, spoke in favor of the proposal. He submitted a statement for the record, speaking of the advantage New Haven had in the world spectrum due to its great Yale University School of Management.

Edna Novak, 78 Olive Street, had submitted her statement of support for the record. She had departed the meeting.

Troy Resch, 109 Hemlock Road, a 1997 graduate of SOM and president of an entrepreneurial company in New Haven, spoke in favor (letter submitted for the record).

Nancy Ahern, 295 West Rock Avenue, read a letter from the New Haven Preservation Trust which opposed the demolition of the existing historic buildings on site but if the PDD were to be approved, urged the University to retain the front portion of 175 Whitney and incorporate it into the building design. Ms. Ahern representing herself submitted her own letter citing spot zoning and objecting to Yale's razing buildings prior to having completely raised the money to build the new school.

Marjorie Shansky submitted a letter from Anstress Farwell, the Urban Design League.

Ms. Shansky, 61 East Grand Avenue, speaking in behalf of the Urban Design League, urged the Commission to continue the hearing as it did not have sufficient information to make the findings required for a PDD. For example she said the Commission could not find the project integrated functioning of the PDD in the City without resolution of the New Haven Lawn Club driveway issue and drop off area. The Commission did not have views from the neighboring properties so how could they determine that the building fits. She said the use statement was woefully inadequate and lacking detail. She wondered whether the School would host conferences or conventions on the premises. There was a 350 seat place of assembly with unknown uses. This was a case of institutional sprawl, crossing over Whitney Avenue. She noted that by removing historic buildings, Yale was missing the opportunity to adaptively reuse the materials. She closed by saying the City was missing the opportunity to adopt genuine PDD standards having had narrow decisions (Campion) and opinions (Robinson & Cole) thereof.

Kevin McCarty, 171 Bradley Street, worked as the non-partisan staff to the State legislature and had been involved in the development of Section 8-2m. He noted Mr. Talbot had neglected to read the last sentence of the Section... "Notwithstanding the provisions of this section, no planned development district shall be approved which would permit a use or authorize the expansion of a pre-existing nonconforming use where the underlying zone is a residential zone".

In a concluding statement, to Mr. McCarty's point Mr. Morand noted the last sentence applied if there was a change in use and there was no change in use here. He said demolitions were not germane to the zoning hearing. He appreciated those commenting this evening on issues of concern and the University would respond to the issues. He appreciated the continued public process with a hearing before the Board of Aldermen and ultimately site plan review still to come.

Mr. Mattison asked if staff had any questions. Ms. Gilvarg asked if the University was seeking Energy Star status in addition to LEED Gold and whether they were looking at any renewable sources of energy for the energy needs of the building. Laura Cruickshank noted that as sustainable standards had been revised at Yale, they had required that projects take the energy reduction credits that are part of the LEED process rather some of the points that don't have to do with energy reduction. They were investigating geothermal and photovoltaic options. She would find out about the energy star.

Mr. Mattison asked staff for a recommendation as to how to proceed. Ms. Gilvarg said there were several options. He could close the hearing now, or he could leave the hearing record open for written materials to be submitted by a certain date, and then have a period of time thereafter to allow time for review and response to the materials submitted. Another option would be to continue the hearing to December 16 and take additional testimony then.

Mr. Lemar said he personally found it somewhat irresponsible to take down functional historic resources from a "green" point of view. He did not necessarily agree that steel and glass were appropriate for this section of Whitney Avenue and he understood there were some site considerations which needed to be resolved. However all of this could be best handled at the Board of Aldermen and at Site Plan Review. The PDD Report could address the concerns. The City Plan Commission had the responsibility to move the item forward. The Board does not always view the Commission's recommendation favorably. There was the opportunity for the public to again engage at the aldermanic public hearing in a less restrictive environment. As he chaired the Legislation Committee he would oversee the process and be sure the concerns raised here were answered. He recommended moving the item forward.

Mr. Mattison asked if Mr. Lemar objected to the middle option, to leave the record open for more time to submit written materials. As Mr. Lemar did not object, Mr. Mattison said he would keep the record open until December 2 at 5:00 PM for submission of written materials, and then leave the record open further to December 11 at 5:00 PM to allow people to review the record and respond to any further submissions. These materials would be submitted to Commissioners with the intent of voting on December 16. Mr. Lemar clarified that this would not preclude the University or the Board of Aldermen from looking at further materials to be submitted prior to or at the Aldermanic hearing. He said it was unlikely a date would be set a hearing date prior to Commission action. Upon motion by Mr. Mattison, the Commission voted unanimously (5-0) to close the hearing (at 9:40 PM) and leave the record open for responses in accord with the above schedule. Voting in favor: Jordan, Lemar, Mattison, Smith, and Tyson. Participating: Miller.



Transportation, Traffic & Parking Department

City of New Haven

200 Orange Street G3
New Haven, CT 06510

John DeStefano, Jr.
Mayor

Michael Piscitelli, AICP
Director

BOA ADVISORY REPORT

To: Carl Goldfield, President, BOA
Roland Lemar, Chair, Legislation

FROM: Michael Piscitelli, AICP

RE: OR 09-0034
LM 09-0343
Yale School of Management

DATE: November 18, 2009

RECEIVED
NOV 18 2009
CITY PLAN DEPT
165 CHURCH ST
NEW HAVEN, CT 06510

Per your request, the Transportation, Traffic and Parking Department reviewed the above-referenced applications of Yale University for construction of the new School of Management building.

The proposed site plan includes a new parking structure as well as a separate drop-off driveway north of the Sachem Street intersection. The department encourages the university to work with the New Haven Lawn Club to consolidate driveways so that there will be just one driveway north of Sachem Street. To date, the applicant has stated that the Lawn Club is not interested in consolidating the driveways. This should be documented prior to approval of the new curb cut. The department also raises concerns about the proposed gate at the easterly side of the site and requests that the City Plan Commission and the Board of Aldermen specifically require public access for bicyclists and pedestrians 24/7. If the PDD is approved, the department will review technical standards (curb radius, sidewalks, etc.) at the City Plan Commission's follow-up detailed plan review. The department supports Yale's Transportation Options Program, which is intended to reduce vehicle trips to the new site or off-site parking. As proposed, on-site parking is reduced by just 10 cars, and the department believes a more aggressive reduction in parking demand can be achieved based on Yale's current mode splits.

Thank you for your consideration. If you have any questions, please do not hesitate to call me direct at (203) 946-8067.

TRANSPORTATION, TRAFFIC AND PARKING DEPARTMENT

MPL

Michael Piscitelli, AICP
Director

cc: Ed Mattison, Chair, City Plan Commission
Kelly Murphy, AICP, Economic Development Administrator
file

1434-05 Yale SOM PDD

Materials Received by December 2, 2009

Letter raising concerns from Preston Graham, Christ Presbyterian Church (abutter) 11/30/09

Yale's Responses to Questions Posed at the November 18, 2009 Hearing

Letter from Tighe & Bond re Traffic issues 12/02/09

Exhibit A: Whitney Avenue - East and West Elevations

Exhibit B: Aerial View - Bird's Eye View

Exhibit C: South Property Line Study

Exhibit D: North Property Line Study

Exhibit E: Building Shadow Study on properties to north

Exhibit F: Site Plan showing pedestrian/bike accessway

1434-05 Yale SOM PDD

Materials Received by December 11, 2009

E-mail of objection from Andrew Drabkin, 232 Bradley St. 12/9/09

E-mail of objection from Jennifer Briggs, 10 Lincoln St., Yale Peabody Museum 12/10/09

E-mail of support from Taylor & Richard Kane, 54 Lincoln St. 12/10/09

Letter raising two concerns from Attorney Marjorie Shansky representing the Urban Design League 12/11/09

Letter from David Dixon and Susan Hill, 266 Bradley St. raising a number of concerns 12/11/09

E-mail from Jane Jervis, 36 Lincoln St., President of Lincoln Bradley Association 12/11/09 raising a number of concerns & noting any petition is not an official action of the Association.

Letter from Attorney Ira Bloom, Berchem, Moser & Devlin, representing the New Haven Lawn Club stating NHLC interest in working out driveway configuration in response to M. Piscitelli letter to BOA 12/11/09.

Letter of objection from Andrew Drabkin, 232 Bradley St. 12/11/09

Petition from Lincoln-Bradley neighborhood residents (20 signatures) 12/11/09

Letter from David Dickson and Susan Hill, 266 Bradley St. 12/11/09

Letter from Sally and Cheever Tyler, 45 Lincoln St. 12/11/09

Letter from Joe Tagliarini, 265 Bradley St. 12/11/09

Letter from Norma Thompson, 244 Bradley St. 12/11/09

Letter from Charles Hill, 244 Bradley St. 12/11/09

Letter from Barbara Monahan, 27 Lincoln St. 12/11/09

Letter from Mark Previtt, 30 Lincoln St. 12/11/09

Letter from Brian Hughes, 232 Bradley St 12/11/09

Letter from Jenny Briggs, 10 Lincoln St. 12/11/09

Letter from Remy and Sal Amedeo, 245 Bradley St. 12/11/09

Letter from Noel Valis, 248 Bradley St. 12/11/09

Letter from Anstress Farwell, Urban Design League 12/11/09