

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT**RE: 175 WOOSTER STREET.**

MBLU: 207 0543 02400

Owner/Applicant: Zeneli Properties, LLC; **Agent:** R. Lemley**Petition to Amend the New Haven Zoning Map**

Change the Designation of 0.184 Acres of land located at 175 Wooster Street (Map 207-Block 0543- Parcel -02400) From Residential (RM-2) to General Business (BA) Zoning District Classification.

REPORT: 1618-08**ADVICE:** Approval**BACKGROUND**

The 0.184-acre property is the site of a commercial building and surface parking lot at Wooster Street and DePalma Center. The parcel is the only parcel zoned RM-2 on this block of Wooster Street, the remainder at zoned BA. The proposed Map Amendment integrates the property into the adjacent BA zoning district.

CURRENT ZONING:

RM-2 Districts: High-Middle Density. These districts exist for the protection of areas that have been and are being developed predominantly for high-middle density dwellings of various types. Accordingly, the use of land and *buildings* within these areas is limited in general to dwellings at a density of about 22 dwelling units per acre, and to such non-residential uses as generally support and harmonize with a middle density area. The non-residential uses permitted in RM-2 Districts, subject to adequate conditions and safeguards, are hereby found and declared to be the only appropriate such uses for such areas. It is hereby found and declared, further, that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

PROPOSED ZONING:

Business A Districts: General Business. These districts serve several functions. They provide central concentrations of convenience goods and services for one or more neighborhoods, supplemented by more scattered stores for such goods and services within the neighborhoods provided for under a special provision of the regulations for residence districts. They provide comparison shopper's goods, specialty goods, amusements, and numerous services for less than a citywide market. And they also provide locations for small businessmen with a city-wide market who cannot operate in the downtown area. The predominant purpose of all these functions is retail trade..

ZONING TABLE-Listing some differences in bulk requirements between RM-2 and BA.

	RM-2	BA-General Business
FAR	N/A	2.0
Building height	Either 45 feet or 4 stories	No Direct Limit
Usable Open Space/Maximum building coverage	Total coverage of principal and accessory buildings not to exceed 30% of lot area.	No minimum required
Common amenity space	N/A	No minimum required
Parking	1 space per D.U.	1 space per D.U.
Minimum yards	Front: 17ft Rear: 25 ft Side: one at least 8ft, one at least	Front: none Rear: There shall be a rear yard not less than ten feet for a

	10ft (8ft for corner lots)	building wall having an average height of 30 feet or less and not less than one foot for each three feet of average height for a building wall having an average height of more than 30 feet. Side: none required
--	----------------------------	--

Comparison of Permitted Uses

Uses permitted as-of-right in the RM-2 zone include residential use, home occupations and family daycares, some home-based office uses, religious institutions, schools and universities, cultural activities, agriculture, parks, public utilities, and healthcare uses. Uses permitted by Special Exception in the RM-2 Zone include fraternities and sororities, certain types of group homes, transition parking, temporary uses, recreation facilities, railroad and other rights-of-way, convenience stores, and group daycare homes.

The BA zone also permits residential use, with a Special Permit required for residential use on the ground floor. Many additional commercial uses are permitted as-of-right in the BA zone (for a full list, reference NHZO Article V, Section 42). A number of uses that may be less common for a General Business District, or that have the potential to create a nuisance for the surrounding area, are permitted only by Special Exception or by Special Permit.

In summary, the RM-2 zone provides very limited opportunities for the types of commercial uses found in the neighborhood (restaurants, specialty stores, cafes, etc.) Additionally, residential use on the ground floor is permitted as-of-right in the RM-2 zone, which, if created on this parcel, would create an incongruous deviation in the block of active storefronts.

PUBLIC HEARING

A public hearing was held on October 19, 2022. No members of the public gave testimony.

PLANNING CONSIDERATIONS

The proposed amendment essentially resolves an “error” in the zoning of the Wooster Square neighborhood. The section of Wooster Street where the parcel is located is one of the most well-known business districts in New Haven—known for its vibrant history and world-famous pizza restaurants. The 175 Wooster Street parcel is a key parcel in this district, serving as an “entry-way” to the business district for those traveling east along the street. The parcel has historically been used for commercial use but is limited in any changes of use by the current zoning. Rezoning the parcel to BA will allow the parcel to be integrated cohesively with the rest of the block, creating a dense, active commercial block.

Visions 2025, the Comprehensive Plan of Development, states that “general commercial mixed-use developments are encouraged between Olive Street and Interstate 91” and emphasizes the historic importance of Wooster Square as New Haven’s “Little Italy.”

The Commission notes that the parcel is within the Wooster Square Local Historic District. Any future development proposals for the parcel, or proposals impacting features of the site and building visible from the Right of Way, must be granted a Certificate of Appropriateness from the Historic District Commission.

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

The City Plan Commission finds 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 BA District and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City.

SECTION 64(d)(2)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;

The proposed Zoning Map Amendment is consistent with patterns of land-use for this area and will have a positive impact on the surrounding impact by better integrating the parcel with the rest of the block and business district. The proposed Zoning Map Amendment is consistent with the Comprehensive Plan of the City of New Haven which calls for mixed-use development in the area.

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

The Commission agrees that a Zoning Map Amendment is the most appropriate method to achieve objectives for this parcel.

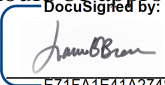
c. In the case of a map change, the size of the area involved. As a general policy, the City Plan Commission shall not consider favorably any petition which would result in a total contiguous area (separated only by streets, and excluding the area of streets) of less than two acres in the case of a residence 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 ~3.56-acre BA district adjacent to both RM-2 and Park zoned areas.

FINDINGS AND ADVICE

Based on 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: October 19, 2022
Leslie Radcliffe
Chair

ATTEST:  October 28, 2022 | 1:00 PM EDT
E71FA1E41A27483...
Laura E Brown
Executive Director, City Plan Department