

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: 78 OLIVE STREET. MBLU: 225 0548 01100. (Owner/Applicant: 78 Olive Street Partners LLC; Agent: Christopher McKeon). Petition to Amend the New Haven Zoning Map (Grid #12) To Change the Designation of 2.487+/- Acres of land located at 78 Olive Street (Map 225- Block0548- Parcel -01100) From General Business (BA) to Central Business/Residence (BD-1) Zoning District Classification.

REPORT: 1599-03
ADVICE: Approval

BACKGROUND

The 2.53-acre property is the site of the Strouse Adler building located at Olive Street and Court Street, and currently contains 146 residential apartments and a surface parking lot containing 148 parking spaces. The proposed Map Amendment integrates the property into the adjacent BD-1 zoning district. The proposed amendment represents an expansion of the prior zone change from BA to BD-1 approved by the Board of Alders in 2014 for the parcels located at 630 Chapel Street (MBLU 225 0532 00600) and 673 Chapel Street (MBLU 225 0532 01300) (CPC report # 1493-01) and for the parcel located at 87 Union Street (MBLU 225 0532 00400) (CPC report # 1496-01). This expansion of the BD-1 to the east of the rail line represents an application of transit-oriented planning: based on adjacency to the State Street Station, State Street, and proximity to Union Station, a higher level of residential density is warranted and can be supported, beyond what is permissible in a BA district. The proposed map amendment and resulting development further facilitate the creation of a high density north/south corridor running along both sides of the tracks from Water Street up to Grove Street. The existing BA zoning has resulted in a variety of uses which appear to have limited connection to the Wooster Square and Ninth Square neighborhoods. The proposed map amendment would facilitate a stronger connection between Ninth Square and Wooster Square.

CURRENT 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.

PROPOSED ZONING:

Business D-1 Districts—Central Business/Residential. These districts include appropriate downtown areas which have concentrations of historic structures suitable for both residential and commercial use. This district concentrates residential uses at high density mixed with activities that have both a city-wide and district-wide function: small stores offering comparison shopper's goods, specialty stores, business services, offices, and entertainment uses. The use of land is intensive but respects the historic character of existing historic structures. It is the purpose of these regulations to encourage preservation of existing historic structures, conversion of existing structures to residential use, high intensity of use, and to exclude activities that have a negative effect upon the proper functioning of National Register Historic Districts or of the larger downtown.

ZONING TABLE-Listing some differences in bulk requirements between BA and BD-1

	BA-General Business	BD-1-Central Business/Residential
FAR	2.0	6.0 ** Where a lot in a BD-1 District abuts an RS-1, RS-2, RM-1 or RM-2

		Residence District, the maximum permitted FAR is 3.0.
Building height	No Direct Limit	No direct limit except where a lot in a BD-1 District abuts property in an RS-1, RS-2, RM-1 or RM-2 Residential District, a maximum building or structure height of 70 feet is permitted.
Usable Open Space	No minimum required	50ft/D.U. (25ft if the site is within 1,000 of public usable open space)
Common amenity space	No minimum required	50ft/D.U.
Parking	1 space per D.U.	½ space per D.U.

USE TABLE-Listing the differences in permitted uses between BA and BD-1

<p>Key: R - Permitted As-of-Right SP - Special Permit SE - Special Exception X - Not Permitted NA - Not Applicable In case of conflict between this Table and the text of the Zoning Ordinance, the text shall prevail. Uses not included in this table have the same permissions in BA and BD-1 zones.</p>		
Use	BA	BD-1
Rooming/boarding house	R	X
Motel	R	X
Poultry market	SE	X
Driving School	R	X
Gun/weapon repair, firearm training	SE	X
Pawn shop	SE	X
Restaurant with entertainment serving alcohol	SE	R
Drive-in restaurant 250 feet away from residential	R	X
Drive-in restaurant less than 250 feet from residential	SE	X
Vending machine	R	SE
Fair/Carnival	SE	X
Game room	SE	X
Mini golf	SE	X
Theater 251 seats or more	R	SE
Trampoline center	SE	X
Car wash	SE	X
Vehicle repair (no body work)	R	X
Vehicle repair (including body work)	SE	X
Vehicle rental	R	X
Vehicle sale at a shop or gas station with storage of 5 cars or fewer	SE	X
Offsite construction staging <1,000SF	R	SP
Monument sales establishment	R	X
Poster, bulletin, or spectator	R	X
Ambulance service	R	X
Cold storage facility with individual lockers for home customers	R	X
Commercial kennel	SE	X
Delivery service	R	X
Internal building cleaning/window cleaning	R	SE
News distribution enterprise	R	X
Printing, engraving, or reproduction services <2,000SF	R	SE

Research or testing laboratory <2,000SF	X	R
Research or testing laboratory	X	SP
High technology uses	X	R
Self-storage facility	X	R
Vending machine operator or repair	R	X
Vet, pet daycare, or groomer	R	SE
Nursing home	R	SE
Out patient surgical facility	R	SE
Recovery care center	R	SE
Fraternities and Sororities not on university property	X	R

PUBLIC HEARING

A public hearing was held on January 19, 2022 at 7pm. One City Staff person and one member of the general public spoke in support of the petition. No individuals spoke in opposition to the proposal.

PLANNING CONSIDERATIONS

The proposed amendment follows a pattern of conversion of various parcels from BA to BD-1 in the same area on Chapel Street and Union Street, linking Wooster Square and Ninth Square. In the staff report for a previous BA to BD-1 Zoning Amendment (CPC report #1493-01), the commission recommended, “Inclusion of the Firestone property at 680 Chapel (and possibly the Strouse Adler property at 78 Olive Street)...to create the transit corridor between Wooster Square and Ninth Square described in the [report].”

The Comprehensive Plan of Development states that “the concept of transit-oriented development has not been fully developed in New Haven. The larger transportation facilities are bounded by incompatible land uses. State Street Station represents the first substantial connectivity among residential, office, and transportation land uses.” The 2015 Comprehensive Plan emphasizes the need to further develop transit-oriented development in New Haven, with a particular emphasis on neighborhoods adjacent to the train stations, including Wooster Square and Ninth Square.

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 comply 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 BD-1 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 construction, land-use, and other zoning amendments for this area. The applicant has demonstrated to the Commission that the property at issue, due primarily to its location, has the potential to play a unique functional role in the creation of a high-density transit-oriented corridor running along both sides of the Amtrak/Metro North rail line between Water and Grove Streets. Located between areas of relatively high density of commercial and residential uses and adjacent to a major transportation facility, the proposed expansion of the BD-1 District will serve as both a buffer between many of those uses in existing surrounding areas while at the same time creating a subdistrict where they can connect in a functional manner. Furthermore, this proposal, with its introduction of expanded use categories and more sustainable approaches to issues such as parking, mixed uses, and overall density, represents an appropriate response to “changes that have taken place in the City”.

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

The applicant has worked closely with City staff to determine 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 2.53-acre BD-1 property adjacent to both BD-1 and BA parcels.

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.

RECOMMENDATIONS

The City Plan Commission notes that inclusion of additional parcels, although not part of this application, would help to create the transit corridor between Wooster Square and Ninth Square and create a total contiguous area of BD-1 zoning of approximately 50 acres. This would allow the area to evolve more cohesively, further promoting the benefits described above for this application, including transit-oriented development, expanded use categories and more sustainable approaches to issues such as parking, mixed uses, and overall density. Adjacent parcels recommended by the Commission for conversion to BD-1 zoning include:

- 680 CHAPEL ST, MBLU: 225 0532 00500
- 98 OLIVE ST, MBLU: 224 0559 01300
- 92 OLIVE ST, MBLU: 224 0559 01500
- 88 OLIVE ST, MBLU: 225 0548 01200
- 721 CHAPEL ST, MBLU: 225 0548 01600
- STATE ST, MBLU: 225 0548 00801
- COURT ST, MBLU: 225 0548 01001

ADOPTED: January 19, 2022
Leslie Radcliffe
Chair

ATTEST: 
Aicha Woods
Executive Director, City Plan Department