

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: 223-225 East Grand Avenue. Use Variance to permit a child daycare center (up to 69 children) in a new building; Special Exception for joint use of parking spaces in a RS-2 zone (Owner: New Haven Monthly Meeting of the Religious Society of Friends. Applicant: Wendy Kravitz. Attorney: Scotia Ryer10-92-V, 10-93-S

REPORT: 1444-21

ADVICE: Approval

BACKGROUND

Wendy Kravitz seeks a Use Variance to permit a child daycare center (up to 69 children) in a new building and a Special Exception for joint use of parking spaces in an RS-2 zone. The proposal to increase enrollment to 69 children is a modification of the previous approval, which requires a Use Variance.

Public Hearing:

Ms. Scotia Ryer presented the application during the September 14, 2010 BZA public hearing. She noted the Society of Friends is a non-profit that has an existing daycare center and that is seeking to expand to 69 kids ages 3 months to 5 years. For clarification she added the daycare and the church don't share the same hours, therefore no conflict for joint use parking. The proposed hours of operation will be staggered at both ends of the day to minimize traffic concerns. Nine people attended the meeting in favor of the application. The owner of 228 East Grand Avenue opposed the applicant, as she is worried about forthcoming traffic congestion.

Prior CPC Actions:

- Approved (CPC File# 1251-06) Release of \$35,000 Bond, July 15, 1998.
- Approved (CPC File# 1180-01) SESC Review for construction of Church and Related Parking in a RS-2 zone. (New Haven Friends Meeting, Inc.) October 5, 1994.

Prior BZA Actions:

- Granted (BZA File# 10-62-V) Use Variance to permit a Child Daycare Center (16 Children) in an RS-2 zone. July 2010.
- Granted. (BZA File# 06-147-S). Special Exception to permit a Group Daycare Home (12 children).

PLANNING CONSIDERATIONS

The current daycare operates out of the lower level of the MeetingHouse. Approximately 1,145 square feet of area is devoted to the daycare. A fenced play area is located to the rear of the parking lot and is accessed via a wood sidewalk as the accompanying photos show.

The current daycare operates Monday – Friday from 7:30 am to 5:30 p.m., serves sixteen children. The hours will remain however; the daycare staff will increase to 16 given the expanded enrollment. As a result, 5 parking spaces are required concerning daycare staff. The regulations require one parking space for every three employees. Still, because the capacity is over twenty-four children additional drop-off spaces are required. Review of the revised site plans shows 4 drop-off parking spaces at the main entrance of the proposed daycare center.

Submitted plans include a Site Plan showing the proposed daycare center in conjunction with the existing meeting house and cottage; Building Elevations of the proposed structure and Floor Plans. Karin Patriquin, Architect, New Haven, Connecticut, prepared all plans. Review of the submitted site plan shows the proposed 2-story daycare center sited at the rear of the parking lot taking up the existing playspace. As an alternative the new L-shaped playground is intended behind the Center. Twenty-four parking spaces are planned including 2 tandem spaces at the caretaker's cottage.

PLANNING CONSIDERATIONS:

Use Variance Considerations:

- *The zoning regulations allow no reasonable use to be made of the property for reasons peculiar to the property and not applicable to the area as a whole.* This lot is unusually large for the area and has an equally unusual dogleg shape. At the rear lot line it borders open space owned by the City of New Haven. Across the street is a railroad right-of-way (a portion of which also runs underneath the subject property).

A daycare center is uniquely suited to this site and represents, effectively, only a change in the name of the use, not the substance. Additionally, the regulations permit schools and colleges, which are far more intensive uses than a 69-child daycare. In light of these facts, it is very reasonable to permit a Child Daycare Center at this location.

- *The use proposed is the minimum variance necessary in order to allow a reasonable use of the property.* Although an increase of 53 children is proposed, the enlarged capacity is within a purpose built facility designed to accommodate the volume with child safety at a premium. As a result the Friends Center will continue to offer its services.
- *The use will not impair the essential character of the area or the objectives of the comprehensive plan of the city.* This proposal will not impair the character of the area because there will be no substantial change in any of the uses. Furthermore the spacious site, buffered by the natural landscaping, will continue to minimize the impact of the uses.


Special Exception

As a new 7,000 S.F. daycare center is proposed and as the number of employees has increased to sixteen, the existing parking lot will serve in a dual capacity. Because two distinct uses plan to utilize the parking lot a Special Exception for joint use parking is required. The Commission must find that there is no conflict between the users and no adverse parking impact in the neighborhood. In this instance the complimentary uses are on the same lot and their hours of operation differ to lessen potential conflict. The applicant notes the drop-off and pick-up hours are 7:30 am-9:00 am and pick-up between 3:00 p.m. to 5:30 p.m. Monday through Friday. In contrast, the Quaker Meetinghouse is used primarily on evenings and weekends and therefore, the likelihood of traffic conflict is reduced. Moreover, child safety is assured.

FINDING & ADVICE:

For that reason the Commission finds the proposed Joint Use Parking is in accord with the public convenience and welfare of the neighborhood, and will meet the requirements of the New Haven Zoning Ordinance, the Commission recommends approval.

ADOPTED: September 22, 2010
Edward Mattison
Chair

ATTEST: 
Karyn M. Gilvarg A.I.A.
Executive Director