

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: 190, 200 COLUMBUS AVENUE, 161 LIBERTY STREET, Variances to permit 36% lot coverage where 30% is allowed; side yard of 0' where 5' is required for a garage; garage height of 19.93' where 12' is permitted; bldg. wall height of 46.23' where 35' is permitted at 200 Columbus; 400' walking distance to off-site parking; and to approve proposed lot split. Special Exception to permit 12 parking spaces where 156 are required for church and residential use in the former rectory at 190 Columbus Ave. & 161 Liberty St.; joint use of parking with #210 Columbus Ave. in a RM-2 zone (Owner: Church of the Sacred Heart; Applicant/Attorney: Anthony V. Avallone, [BZA 11-12-V; 11-13-S]).

REPORT: 1450-16

ADVICE: Approval

BACKGROUND

Church of the Sacred Heart seeks a Variances and Special Exceptions to permit subdivision and sale of parcel I and retain ownership of parcel II within the church campus at 190, 200 Columbus Avenue, 161 Liberty Street. A recent site visit shows the four structures compound bounded by Columbus Avenue, Cedar, Portsea, and Liberty Streets in the Hill neighborhood. Five structures comprised compound they include the St. Martin de Porres Academy (204 Columbus Ave), the former convent (200 Columbus Ave), rectory (74 Liberty Street) and Sacred Heart Church 190 Columbus Avenue). The fifth structure is a 13,000 S.F. garage.

At the March 15, 2011 Board of Zoning Appeals hearing Atty. Anthony V. Avallone and Atty. Michael G. Milazzo presented the applications. Mr. Avallone began by noting the catalyst for the zoning relief is the planned subdivision between the St. Martin de Porres Academy and the remaining church structures. No building additions are planned, rather renovation of the church in conjunction with conversion to apartments with off street parking. Attorney Milazzo stated the proposed church is currently located in West Haven, CT and they are seeking financing for the proposed church purchase. Mr. Milazzo also submitted into the record the proposed church office and worship schedules along with a mission statement. Three people endorsed the applications.

Alderwoman Dolores Colon spoke in favor of the church sub-division and submitted a letter into the record. During her testimony she noted that church parishioners are welcome to park around towbridge square where there is ample on street spaces available. Moreover, she noted they would be doing the neighborhood a favor by becoming be a deterrent to questionable activity at the park. Mr. John Bose said he is in favor however he noted the academy staff would use their parking spaces from 7:00 to 5:30 during the day sessions. Lastly Ms. Helen Martin Dawson echoed alderwoman's Colon's comment that the proposed church is an anchor presents in the neighborhood that would deter crime.

PLANNING CONSIDERATIONS

Staff notes that although a Bulk and yard Variance were filed the central issues before the Commission are the Special Exceptions to permit 12 parking spaces where 156 are required and joint use parking. Therefore, the additional information noted in this report is for contextual purposes only.

Review of the submitted A-2 Class survey shows the proposed property line bisecting the church block into 2 large parcels. Said property line will partition the existing driveway and extend to the existing play ground 173.59 feet. Said line will then extend crossways East 59.08 feet then South 116.54 feet to Portsea Street boundary. The result is the playground will remain integral to the school site known as Parcel II. Parcel I will contain all other church related structures. As noted in the application *Comunidad Cristiana de Restauracion a Las Naciones (CCRN)* will purchase all remaining structures within parcel I. All buildings will be used in conjunction with the new church. Likewise, the former rectory will be converted into 6-dwelling units.

Because all existing structures predate current zoning and as the proposed property line will alter the bulk and yard conditions on site, the various special exceptions and variances are warranted.

Variances:

In a RM-2 zone the maximum building coverage is 30 percent. However the new site configuration reduces the church lot size (parcel I) and thus increases the building coverage by 6 percent. Staff notes no additional building construction is planned on site; rather, all existing building will be renovated to in conjunction with the church.

Most effected by the new property line is the existing garage, which is adjacent to the rectory. As planned the new property line will directly abut that garage and thus require the 0 Side Yard where 5 ' is required. Moreover the garage is 19 feet tall well above the average of 12 feet that is permitted for an accessory structure in the RM-2 zone. Lastly, the building wall height of the existing convent building is 46.23' where 35-foot maximum is permitted. This height ratio is a direct effect of the new property line that will yield a 17' side yard setback.

The Commission notes each variance meets the requirements of Section 63.C concerning unreasonable hardship as all subject structures were constructed well before current zoning of 1963. Although the proposed property line is the catalyst, the intent of the variances is to recognize the existing bulk and yard conditions. That is to say the lot areas of each proposed parcel (54,851 S.F. Parcel 1 and 44,137 S.F. Parcel 2) well exceeds the minimum lot size of the RM-2 zones As a result the variances are minor in scope and each is in harmony with the general purpose and intent of the ordinance.

Special Exceptions:

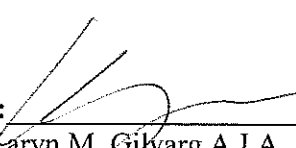
Because St. Martin de Porres Academy (210 Columbus Ave.) will remain and as 74 Liberty Street will be converted into 6-dwelling units, the applicant seeks Joint Use Parking of the existing parking lot. Of the 26 parking spaces 11 are designated for school staff and faculty. Currently there are 30 employees at the academy. The school hours are 7:30 am to 5:30 p.m. 5 days a week. In contrast, CCRN offices hours are 9:00 am to 3:00 p.m. Tuesday through Friday. The also plan church related activities Tuesday, Wednesday and Thursday evenings beginning at 7:00 p.m. to 9:00 p.m. Therefore the Commission notes the conflict is minimized concerning all on site parking spaces during the week unless the academy has a special event. Staff notes however that the church would have sole access to the neighboring surface parking lot at 240 Columbus Street see CPC report 1450-17).

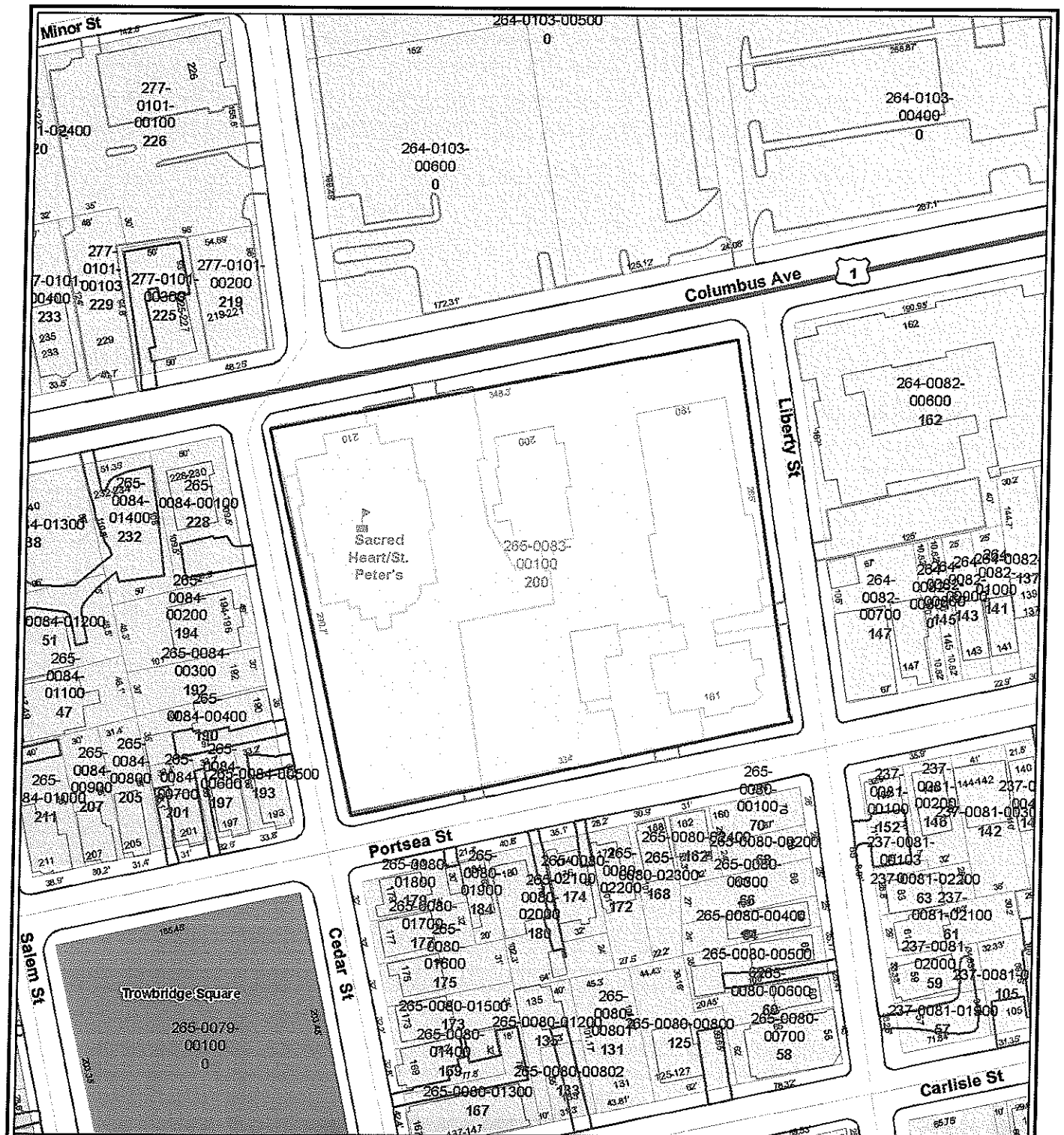
Overall CCRN is seeking to simply recognize the existing on site parking spaces that also served the former Sacred Heart Church for several years. Specifically, the parking impact shall remain similar to that of the former church. Still the Transportation, Traffic & Parking Department advisory report recommends CCRN should make arrangements with the abutting St. Martin de Porres Academy for use of their off street parking spaces for off-school hours. Genuinely the Commission notes the highest risk to the neighborhood would be during Sunday services that are scheduled at 10:30 am - 1:30 p.m. Still classes are not in session at St. Martins and on street parking is available within the neighborhood.

ADVICE

Because church expansion is planned and as the proposed dwelling units will utilize the existing garage and surface parking at 161 Liberty Street, furthermore as additional off street parking is planned at 240 Columbus Avenue, the Commission finds the reduction of parking and the proposed joint use parking in keeping with Sections 63.D and 29.h.1 of the New Haven zoning Ordinance, as the proposed parking arrangement will not significantly impact the surrounding neighborhood. As a result, the Commission recommends approval.

ADOPTED: March 16, 2011
Edward Mattison
Chair

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



City of New Haven, Connecticut
John DeStefano Jr., Mayor



190,200 Columbus Avenue

Produced by the
Office of Information Technology
Geographic Data Viewer

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| <ul style="list-style-type: none"> Waterway Lake - Pond River Shoreline Stream Wetland Parcel City Boundary Line Schools Administration Food Service Private School Public School Fire Station Police Station PD Headquarters Substation Health Centers Hospital Library | <ul style="list-style-type: none"> Railroad Railroad Track Abandoned Railroad Track Airport Runway Parcel Line_2005 Parks Park Triangle Golf Course Land Trust Preserves Airport boundary Shoreline |
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Scale: 1" = 100 ft

Created: February 17, 2011



