

COMMUNITY AND ECONOMIC DEVELOPMENT CLINIC  
YALE LAW SCHOOL

SENT VIA ELECTRONIC MAIL

December 9, 2019

City of New Haven Board of Alders  
Legislation Committee  
165 Church Street  
New Haven, CT 06510  
Attn: Misty Maza (mmaza@newhavenct.gov)

Dear Chairman Santana and Honorable Members of the Legislation Committee of the Board of Alders:

On behalf of our client, St. Luke's Development Corporation (SLDC) we write to express SLDC's continued support for the Community Gateway District (CGD) zoning and its desire for the CGD zone's expedient implementation as it will replace the outdated and restrictive BB zoning along Whalley Avenue, allowing mixed-use, dense and diverse development that will strengthen our community.

SLDC would like to reiterate an earlier request that in conjunction with the text change a minor map adjustment, to fix a historic anomaly, should also be made to include SLDC's property at 12 Dickerman in the CGD district. The 12 Dickerman lot is currently zoned RM-2 district but it has historically been used in conjunction with the rest of the Nizen property, a former automotive repair shop, zoned BB and located at 34-36 Sperry Street & 10 Dickerman. We ask that 12 Dickerman be included and zoned as a CGD district.

In response to the most recently released draft of the CGD zoning regulations which were published on the Commercial Corridors website on November 15, 2019,<sup>1</sup> SLDC would like to request the following issues be considered and updates made to the draft.

The "FAR Bonuses in CGD" table was updated, among other things, to require higher levels of sustainability in order to gain points. Additionally, points offered in certain categories were capped at a lower point value. SLDC has already requested further discussion on these changes with City Plan staff but have not yet received a response. A full understanding of this table, and the potential effects the changes may have on SLDC utilizing sustainable strategies in its anticipated project, is not possible. SLDC respectfully requests that further discussion and potential updates to this part of the regulations be considered.

In "CGD Residential Density" at Section 43(c)(1), new language has been added that for mixed-use or residential developments within ¼ mile radius of a transit stop or smaller than 500,000 square feet, units must average 750 square feet. This adds to the existing density requirement of 35 units per acre. In order to best encourage affordable housing developments, it is recommended that this become more flexible through the addition of a second option to satisfy density through either meeting a bedrooms per acre or the units per acre. The current Qualified Allocation Plan published by the Department of Housing<sup>2</sup>, encourages and rewards developments that incorporate larger units with more bedrooms, suitable for low-income families. The addition

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<sup>1</sup> 11/15 Draft Zoning Regulations, available at <https://www.newhavencorridors.com/blog/2019/11/15/wpq7luasx1k47odshstvwxfot04agx> (last accessed November 20, 2019).

<sup>2</sup> CT Housing Finance Authority, 2019 Qualified Allocation Plan, available at [https://www.chfa.org/assets/1/6/QAP\\_Blackline\\_\(2019\\_vs\\_2018\).pdf](https://www.chfa.org/assets/1/6/QAP_Blackline_(2019_vs_2018).pdf) (last accessed November 20, 2019).

of a bedroom per acre to this would align these programs and provide developers the option to create dense projects through either having more units, designed as smaller studios or one-bedrooms, or having fewer units, designed as larger two- or three-bedrooms.

In “Yard Regulations” at Section 43(g), language that CGD zones were not subject to Section 47 of the existing New Haven Zoning Ordinance was removed. Section 47 requires transitions where business districts abut residential districts. This would subject projects that had abutting yards to a residential lot meet the residential yard minimum, instead of the CGD zone yard maximum. It is requested that, at least for the Whalley Avenue corridor, this exception from Section 47 be re-inserted. Due to the scale of Whalley Avenue and the anticipated developments to make this a thriving mixed-use landscape, the need to satisfy more restrictive requirements for a residential district could impede the optimal use of lots and is unnecessary.

Finally, recent discussions have led SLDC to believe removal of the “Affordability” language at Section 43(c)(2) is warranted. Although SLDC is fully supportive of inclusionary zoning requirements on a city-wide basis, it cannot support the imposition of this unique requirement in only the CGD zones. The inclusion of this requirement would place these historically disinvested-in corridors at a disadvantage, exactly what this CGD zoning hopes to alleviate.

Thank you for your ongoing work to thoughtfully rezone and revitalize these corridors in New Haven. SLDC is supportive of the effort and looks forward to the prompt implementation of the CGD zoning to help ensure the community along Whalley Avenue is no longer held back by outdated zoning.

If you have questions please contact me at [emilee.gaebler@ylsclinics.org](mailto:emilee.gaebler@ylsclinics.org) or by phone (203) 432-6127.

Best,



Emilee Gaebler

Ludwig Center for Community and Economic Development