



## Legislation Text

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**File #:** OR-2021-0031, **Version:** 2

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### Ordinance #1919

Enacted on 11/15/2021

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ZONING ORDINANCE TEXT AMENDMENT AND ZONING ORDINANCE MAP AMENDMENT (PDD #53) OF THE PLANNED DEVELOPMENT DISTRICT #53 TO ALLOW FOR RESIDENTIAL AND RELATED USES OF UP TO 500 APARTMENTS LOCATED AT 501-585 LONG WHARF DRIVE.

WHEREAS, in accordance with the provisions of Article XIII, Sections 2A-2F of the Charter of the City of New Haven and Article VII, Sections 64(d)(1) and 65 of the New Haven Zoning Ordinance; and

WHEREAS, on petition of Fusco Harbor Associates LLC and Fusco Maritime Associates LLC (collectively "Fusco") to modify the existing Planned Development District (PDD) #53 at 501 - 585 Long Wharf Drive (Tax Map-Block-Parcel(s) 205 0529 00102, 205 0529 00202, 205 0529 00102, 205 0529 00300 and 080 0530 00101), as more particularly described in the and survey in Schedule A attached hereto; and

WHEREAS, Fusco submitted an application for Coastal Site Plan Review as required by Connecticut Coastal Management Act and the New Haven Coastal Program for review of the proposed zoning amendment;

WHEREAS, Fusco submitted sufficient plans, information, traffic studies, and related supporting materials;

WHEREAS, pursuant to Article XIII, Section 2E of the City of New Haven Charter, the Board of Alders referred Fusco's application to the New Haven City Plan Commission for a public hearing;

WHEREAS, on October 6, 2021, the City Plan Commission held a public hearing on Fusco's application after providing due notice of such hearing in accordance with the provisions of law;

WHEREAS, on November 4, 2021, the City Plan Commission rendered an advisory report to the Board of Alders after considering the factors set forth in Article VIII, Sections 64(d)(2) and 65 of the Zoning Ordinance, the Connecticut Coastal Management Act and the New Haven Coastal Program and recommending approval with conditions of Fusco's application, CPC Report No. 1593-02;

WHEREAS, the Legislation Committee of the Board of Alders, following its public hearing on the matter, accepted the recommendation of the City Plan Commission and on October 27, 2021, recommended to the full Board with Favorable report that the Zoning Amendments be adopted;

WHEREAS, the proposed modifications and general plans for PDD #53 are in accordance with the

Comprehensive Plan of Development of the City and is consistent with land uses and the zoning classifications of neighboring parcels and with the standards set forth in Article XIII, Sections 2B through 2E of the Charter of the City of New Haven; and

WHEREAS, the proposed modifications and general plans will not adversely impact coastal resources, are consistent with all applicable goals and conditions contained in § 22a-92 of the General Statutes, and incorporate all reasonable measures to mitigate the potential adverse impacts of the proposed activity on both coastal resources and future water-dependent development activities;

WHEREAS, after public notice, hearing, and due opportunity for comment from the public, interested parties, and the various agencies of the City of New Haven, including, without limitation, the Department of Transportation, Traffic and Parking and Department of Public Works; and

WHEREAS, the Fusco petition and plans meet the objectives set forth in Zoning Ordinance, Article VII, Section 65 and in § 8.2m of the General Statutes in that:

1. It is in accordance with the comprehensive plans of the City, including all plans for redevelopment and renewal; and
2. It is composed of such uses, and in such proportions, as are most appropriate and necessary for the integrated functioning of the planned development and the City; and
3. It is so designed in its space allocation, orientation, texture, materials, landscaping, and other features as to produce an environment of stable and desirable character, complementing the design and values of the surrounding neighborhood, and showing such unusual merit as to reflect credit upon the developer and upon the City; and
4. It is so arranged in accordance with Article VIII, Section 65(a)(4) as to provide in excess of 250 square feet of usable open space per dwelling unit and 125 square feet of usable open space per elderly dwelling unit, subject to the standards enumerated in Article VII, Section 15(a)(1)(g) of the New Haven Zoning Ordinance; and
5. It will not be less restrictive with respect to uses than the underlying existing zones, and will not authorize the expansion of any pre-existing nonconforming uses; and
6. A traffic impact study pursuant to Article VIII, Section 65(d) of the New Haven Zoning.

NOW, THEREFORE, BE IT ORDERED by the Board of Alders of the City of New Haven that the petition of Fusco for a zoning amendment petition to modify Planned Development District #53 to allow for residential and related uses of up to 500 apartments located at 501-585 Long Wharf Drive has been submitted and approved.