

## NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

**RE:** 493 WHITNEY AVENUE. Special Exception to allow for the substitution of an existing non-conforming use (funeral home) with another non-conforming use (health practitioner's offices). Zone: RH-1. (18-69-S) (Owner: Hawley Lincoln, Inc.; Applicant: Bernard Pellegrino)

**REPORT:** 1551-08

**ADVICE:** Special Exception: Approve

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### BACKGROUND

The applicant is seeking a Special Exception to allow for the substitution of an existing non-conforming use (funeral home) with another non-conforming use (health practitioners offices). The 4,992sf structure is located on a 7,695sf lot on the corner of Whitney Avenue and Willow Street. The site has been operating as a funeral home since 1956, with the basement, first floor, and second floor being utilized for this use and the 3<sup>rd</sup> floor being used as a residential dwelling.

### Prior Action:

None

### PUBLIC HEARING

At the November 13, 2018 meeting of the Board of Zoning Appeals, Bernard Pellegrino, the applicant, presented the application. Mr. Pellegrino explained the existing conditions of the site and compared it to the proposed use stating that the non-conforming commercial space is not to expand and that the interior of the building will be minimally affected. Dr. Freeman, who would be occupying the space, stated that her current area of operation has an equal number of parking spaces, and with the lot being shared by two other businesses, there are no problems and therefor doesn't foresee any issues with the property at 493 Whitney Avenue.

Two members of the public spoke in opposition of the application due to parking concerns.

### PLANNING CONSIDERATIONS:

#### Special Exception

A staff report accompanying the Board of Zoning Appeals application (BZA #18-69-S) contains the following information relative to these considerations:

Nature of the Proposed Site: The site as it operates now has the basement being used as storage and preparation of funeral services, the first floor is used for reception of visitors, the second floor is used as office space and other administrative functions and the third floor is a dwelling unit. The proposed use change will have the space used in a similar fashion with minimal alterations to the space in its existing form and will not expand the commercial/office aspect of the structure while retaining the residential dwelling unit located on the third floor. The proposed use of a health practitioners office would have 4 employees and operating hours of Monday-Friday 9am to 5pm, with patients being seen three of those day

Resulting Traffic Patterns: The current use of a funeral home generally operates on weekends and weekdays after normal working hours causing there to be an abundance of on-street parking and traffic during peak hours. The proposed use will see traffic during the day, but not during these peak hours or on weekends. The applicant will also be purchasing the adjacent property located at 501 Whitney Avenue which has 18 parking spaces available for both properties lessening the need for on-street parking.

Nature of the Surrounding Area: The property is located on a corner lot at the intersection of Willow Street and Whitney Avenue. The neighborhood has a mix of different uses with condominiums located across the street on

Whitney, an office building across the street on Willow, and both single and multi-family homes located throughout the neighboring properties.


Proximity to Public Buildings: The nearest public building is the Worthington Hooker Elementary School which is located approximately 495ft from this property. In addition, this site is located 1,218ft from the Foote School, 1,120ft from the Celentano Museum Academy (Pre-K-8), 1,588 from the Polly T McCabe Center, and 1,836ft from the Worthington Hooker Middle School (3-8).

The Comprehensive Plan: This application is in substantive compliance with New Haven Vision 2025 in that it encourages neighborhood-based economic development initiatives and promotes the revitalization of all the existing businesses in the city.

**Findings and Recommendations**

The Commission has reviewed the summary of the public hearing and the information of the BZA staff report and finds the request satisfies the Special Exception requirements of Section 63(d) and finds the application as proposed in accord with the public convenience and welfare and recommends approval.

**ADOPTED:** November 14, 2018  
Edward Mattison  
Chair

**ATTEST:**   
Michael Piscitelli, AICP  
Deputy Economic Development Administrator