

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **104 HOWE STREET.** Special Exceptions to permit 22 on-site parking spaces where 40 are required and 0 loading spaces where 1 is required for the construction of a structure consisting of 44 dwelling units. Zone: BA. (19-84-S) (Owner: Broadway Living LLC; Applicant: Nicholas Falker)

REPORT: **1561-13**

ADVICE: **Special Exception: Approval**

PRINCIPAL APPLICABLE REGULATIONS

Section 63 (d) - The Board of Zoning Appeals may grant a *Special Exception* if the proposed use is in accord with the public convenience and welfare, and may attach conditions and safeguards deemed necessary to protect the neighborhood.

Section 63. (d)(6) - In the following types of special exception cases, which involve more than conventional questions of *use* and may have a significant impact on surrounding areas and a substantial relationship to the comprehensive plan of the city, the Board of Zoning Appeals shall, following its hearing, refer the case including all exhibits to the City Plan Commission, which shall submit an advisory report, on such factors as it may deem relevant, to the Board within 30 days after receiving all records and documents in the case. This report of the City Plan Commission shall be taken into account in the decision of the Board.

f) Adjustment of parking and loading requirements: §29.C; §29.H.2; §29.I; §45.A.6.b; §45.A.7.

Section 45 (a) (1) c. *Parking:* Dwelling, Unit: One-half per dwelling unit, except for one per dwelling unit in BA and BA-1 Districts

Section 45 (b) *Loading Spaces:* 1 loading space for uses which is not primarily concerned with the handling of goods with a gross floor area of 2,400sf – 75,000sf.

BACKGROUND

The applicant is seeking a Special Exception to permit 22 on-site parking spaces where 40 parking spaces are required and to permit 0 loading spaces where 1 is required for the construction of a 44,000sf building on a 20,323sf lot. The proposed 6-story development consists of 44 dwelling units with the ground floor being primarily used for covered parking except for common amenity space.

SEPTEMBER 17 PUBLIC HEARING

The attorney representing the client (Ben Trachten) presented this application. He that the parcel is currently being used a surface parking lot consisting of 65-80 spaces with a recent site visit (Yale in session) showing that no more than 15 cars use the lot at peak times. The applicant has met with city staff, community managements teams, and the chapel special services district. An article was submitted by Attorney Trachten showing how surface parking lots hinder the city and that a transition to less parking requirements should be supported and given previous similar special exceptions that have been granted as well as the city leaning toward parking maximums as opposed to parking minimums, the city is moving away from these types of parking requirements. There is also alternative means of transportation nearby such as the Yale shuttle, and bus service. This is a walkable area and given that the site will be decreasing the amount of parking spaces overall this will lessen any current traffic issues. The site allows for loading truck access and turn around but there is also a no standing zone from Edgewood Avenue to the structure that could alternately be used for deliveries. 14 members of the public spoke in support of this application and 2 in opposition as well as staff receiving 2 letters of support prior to the meeting.

PLANNING CONSIDERATIONS:


Special Exception Considerations

- Nature of the Proposed Site: This lot is situated North of the intersection at Edgewood Avenue and Howe Street and is currently used as a parking lot consisting of approximately 65 spaces. The proposed plan is to construct a 6-story structure as mentioned above which can be built as of right (will need site plan approval via the City Plan Commission).
- Resulting Traffic Patterns: The applicant is proposing to provide parking for half of the potential tenants, since there is on-street parking provided on Howe Street and access to public transportation, staff feels there will not be an adverse effect to traffic patterns.
- Nature of the Surrounding Area: The surrounding area is made up of multiple zoning districts including BA (general business), BD-1 (central-business/residential), RM-2 (middle-high density residential) and is abutted by a Planned Development District (PDD 24). The PDD more commonly known as the Seabury Cooperative Housing development consists of 78 occupants. The structures located within the BA district are mostly high-density residential developments and mixed-use office and commercial buildings. The neighboring properties located in the BD-1 are mainly high-density residential, office, commercial and Yale owned structures. The RM-2 area which directly abuts the lot to the West consists of 2 to 3 dwelling residential structures.
- Proximity to Public Buildings: The nearest public building is the Amistad Academy which is located approximately 500ft away.
- The Comprehensive Plan: This application is in compliance with New Haven Vision 2025 in that it is reflective of the recommendation found in the Transportation section of that document to “Facilitate increased public transit use in the city through increased densities, reduced parking requirements and integrated pedestrian and bicycle network wherever possible”.

FINDINGS AND RECOMMENDATIONS

Based on considerations discussed above, the Commission views the Special Exception to be essentially in harmony with the general purpose and intent of the ordinance and that the public health, safety and general welfare will be served, and substantial justice done by its approval, and therefore, recommends approval.

ADOPTED: September 18, 2019
Ed Mattison
Chair

ATTEST: 
Aicha Woods
Executive Director, City Plan Department