

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **51 TRUMBULL STREET** Special Exception to allow 0 parking spaces where 6 are required. Zone: RO. (Owner: Aces/ECA. Applicant: Silver Petrucelli & Associates.)
REPORT: **1554-21**
ADVICE: **Special Exception: Approve**

PRINCIPAL APPLICABLE REGULATIONS

Section 17(b)(2): Minimum parking: Three *parking spaces* per practitioner in the case of doctors and dentists, and one *parking space* for each 600 square feet of *net floor area* used or intended to be used for offices in all other cases, located on the same *lot* or within 300 feet *walking distance*.

Section 45(a)(7) Board of Zoning Appeals shall have the power to lessen the requirements of this ordinance as to the number of parking or loading spaces required and/or increase the maximum allowable walking distance to such parking spaces, but only upon a finding that such other standards will be adequate. All deviations from normal requirements by means of this paragraph (7) shall be considered as special exceptions under subsection 63(d) of this ordinance, and the Board of Zoning Appeals may impose time limits where it finds that the continued adequacy of such other parking or loading standards cannot be fairly predicted.

Section 63(d) Special Exceptions. The development and execution of a comprehensive zoning ordinance is based upon the division of the city into districts, within which the use of land and structures and the bulk and location of structures in relation to the land are substantially uniform. It is recognized, however, that there are certain uses and features which, because of their unique characteristics, cannot be distinctly classified or regulated in a particular district or districts, without consideration, in each case, of the impact of such uses and features upon neighboring uses and the surrounding area, compared with the public need for them at particular locations. Such uses and features are therefore treated as special exceptions.

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 for parking and loading requirements: subsections 29(c); 29(h)(2); 29(i); 45(a)(6)b.; 45(a)(7).

BACKGROUND

The applicant is requesting Variances to permit a FAR of 1.29 where .5 is allowed and building lot coverage of 44% where 30% is allowed for a 3-story, 1,970sf (excluding the basement) addition on the rear of the building on the westerly portion of the structure for additional office space and a compliant means of egress. The site is currently being used as the Ely Center of Contemporary Art.

The applicant is also seeking a Special Exception to allow for 0 parking spaces where 6 is required based on the additional net floor area of the proposed addition.

FEBRUARY 19 PUBLIC HEARING

The applicant spoke in regard to the proposed addition being for an elevator and stairs, stating that the reason for the addition is that this could not be adequately done within the existing building while trying to maintain the historical preservation of the building. Nothing was presented regarding the special exception portion of this application.

Four members of the public spoke in opposition of this proposal, including an attorney and an architect accompanied by a petition with 45 signatures.

PLANNING CONSIDERATIONS:

Special Exception

- Nature of the Proposed Site: The site is located in a residence-office (RO) residential zoning district just west of the corner at Trumbull Street and Lincoln Street. The 6,651sf structure was built in 1890 and is situated on an 8,176sf lot, currently being used as the Ely Center of Contemporary Art.
- Resulting Traffic Patterns: While the proposed addition will provide additional net floor area, the density and use of the property isn't going to change and therefor would appear to have no adverse effects on traffic.
- Nature of the Surrounding Area: The are directly to the north of the property (abutting the rear) is a general single family (RS-2) residential zoning district, and high-middle density (RM-2) residential to the North-East and North-West. The properties nearby consist of a variety of uses including office, mixed-use, multi-family, and single-family structures.
- The Comprehensive Plan: There is nothing in this application that is substantially at odds with New Haven Vision 2025.

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.

ADOPTED: February 20, 2019
Edward Mattison
Chair

ATTEST: MPL.
Michael Piscitelli, AICP
Interim Economic Development Administrator