

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **260 YORK STREET** Special Exception to permit 0 off-street parking spaces where 37 are required for the construction of a 17,040sf mixed-use structure. Zone: BA.
(Owner/Applicant: J Press Incorporated.)
REPORT: **1557-19**
ADVICE: **Special Exception: Approve**

PRINCIPAL APPLICABLE REGULATIONS

Section 45, Table 45(a)(1)a. *Parking and Loading.* Quantity of parking spaces required:

- | | |
|--|---|
| n. Retail sales and services | One per 400 sq. ft. of gross floor area |
| o. General office | One per 750 sq. ft. of gross floor area |
| p. Place of Assembly, eating and drinking places | One per four seats (total capacity) |

Section 45(a)(1)a.3. Where one *building* has two or more distinct *uses*, such *uses* shall be measured separately for the purpose of determining the quantity of spaces required.

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, J. Press Incorporated, a prominent men's clothier and New Haven retail institution for over a century, seeks to relocate its flagship store to its original site at 260 York Street. The site contained a three-story mixed-use building from 1907-2013 until damage and the needs of neighboring Yale University necessitated demolition.

MAY 14 PUBLIC HEARING

The attorney representing the client as well as the engineer, architect, and general contractor all factored in the presentation of this application. They stated that the site is vacant in a pedestrian orientated portion of the city and that given the size of the lot, construction of a practical building would not be possible without relief let alone one that includes parking. Not only is having on-site parking not feasible, but creating a curb cut to allow access to potential parking would create hazardous conditions and would be unsafe located so close to a busy intersection. There are bike racks and alternative modes of transportation located nearby. There are approximately 1,000 off-site parking spaces located in close proximity that could be leased by potential tenants if need be along with current parking areas being under-utilized.

No members of the public spoke in either support or opposition of this application.

PLANNING CONSIDERATIONS:

Special Exception

Nature of the Proposed Site: The applicant proposes a mixed-use building and restoring a vacant lot to its original historical use. Providing parking would severely limit the proposed footprint of the building, hinder productive development of the parcel, and negatively impact the urban fabric of the area.

Resulting Traffic Patterns: The businesses in this area are frequented by students and residents within the community, resulting in much less vehicular traffic than other commercial areas further away from downtown. Current development trends in this area support the lessening of dedicated parking requirements. Additionally, adding a curb cut so close to a busy intersection to provide off-street parking would have a negative impact on safety for motorists and pedestrians.

Nature of the Surrounding Area: Downtown New Haven is moving toward a more walkable development scheme. A visible parking lot would not be consistent with the character of the Shops at Yale and neighboring Davenport College. This project is consistent with neighboring projects, including those that have received similar relief, notably, 272-310 and 316 Elm Street (housing LL Bean).

Proximity of Dwellings, Churches, Schools, and Public Buildings: Not applicable; no impact is expected.

Consistency with the Comprehensive Plan: The City's Comprehensive Plan clearly articulates the desire to discourage large-scale surface parking and promote mixed-use environments where appropriate.

Other Mitigative Measures: The applicant provides a quantitative analysis of the available parking within walking distance, outlines the bus routes serving the area, and highlights bicycle racks that are available. The proposed design does not propose additional bicycle racks because there is no space on-site and the sidewalk is too narrow to provide a bicycle rack without obstructing pedestrian traffic.

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: May 15, 2019
Ed Mattison
Chair

ATTEST: 
Aicha Woods
Director, City Plan Department