

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **455 GEORGE STREET.** Special Exception to allow for 0 off-street parking spaces where 1 is required for the creation of 2 dwelling units. Zone: BD-1. (20-36-S) (Owner: Saturn Properties LLC; Applicant: Benjamin Trachten).

REPORT: **1571-16**

ADVICE: **Special Exception: Approve**

PRINCIPAL APPLICABLE REGULATIONS

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

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 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 a variance to permit 862.8ft of gross floor area per dwelling unit where 1,000sf is required and Special Exception to allow for 0 off-street loading spaces where 1 is required for the creation of 2 dwelling units. There are currently 2 commercial spaces and 3 residential, this proposal is seeking to convert the commercial spaces into 2 dwelling units making the total number of dwellings 5.

JULY 21 PUBLIC HEARING

Attorney Benjamin Trachten presented the application stating that the space proposed to be converted to residential has been operating as such for at least the past 20 years (letter of testimony from the owner was included in the application) but there is no legal record within the building department to corroborate this. To make these 2 dwelling units legal ½ of an off-street parking space is required per dwelling unit (1 space total) and cannot be provided on the subject lot. There is ample neighborhood, on-street parking available.

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

PLANNING CONSIDERATIONS:

Special Exception Considerations

- Nature of the Proposed Site: The combined 4,352sf parcel is located on the North-East corner of Howe Street and George Street. There is currently a 4,314sf three-story structure being used as commercial on the first floor and residential on the upper floors.
- Resulting Traffic Patterns: The proposed change in use from commercial to residential will see a decrease in traffic and overall parking needs. There are ample parking areas within close proximity to the subject lot as well as access to public transportation.


- Nature of the Surrounding Area: The subject site abuts a Planned Development District (PDD10) across the street to the South-West and a General-High Density Residential District (RH-2) to the East. Nearly all nearby structures are residential in use with a variety of densities as well as mixed-use and commercial structures. The Town Green, City Hall, Train Station, shopping areas, Yale New Haven Hospital, and other modern conveniences are also located within walking distance.
- The Comprehensive Plan: The portion of the Comprehensive Plan, Vision 2025 specifically discourages off-street parking within the central business district, especially in areas within close proximity to public transportation.

It is also important to note that all parking requirements do not apply to any uses in the BD-1 zone with the exception of General and Special Hospitals, Health Care Clinics, Nursing Home or Recovery Care Centers, Dwellings, and any Establishment not meeting the definition of a restaurant selling or serving alcoholic beverages for immediate consumption.

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. Therefore, the Commission recommends approval.

ADOPTED: August 19, 2020
Edward Mattison
Chair

ATTEST: 

Aicha Woods
Executive Director, City Plan Department