

**NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT**

RE: **1041 STATE STREET.** Special Exception to allow 33 off-street parking spaces where 37 is required and 0 off-street loading spaces where 2 is required. Zone: IL. Owner: Bryan Smallman. Applicant: Post Road Residential. (21-73-S)  
 REPORT: **1589-18**  
 ADVICE: **Special Exception: Approve**

**PRINCIPAL APPLICABLE REGULATIONS**

<b>Section 45:</b>		
Key Letter	General Description of Uses	Quantity of parking spaces
c	Dwelling, Unit	One-half per dwelling unit, except for one per 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 seeking a Special Exception to allow 33 off-street parking spaces where 37 is required and 0 off-street loading spaces where 2 is required. The proposal seeks to construct a 6-story 88,460sf structure consisting of approximately 1,010sf of commercial area and 75 residential dwelling units. The applicant is proposing to preserve and incorporate the existing 2 and a half story commercial building by converting into townhouses with the new construction being proposed on the remainder of the lot.

**JULY 13 PUBLIC HEARING**

Attorney Muccilli, the project architect, and members of Post Road Residential presented the application stating that the proposal seeks to combine four separate parcels to create a residential structure as “cousin” of the Corsair building located directly across the street and also located within the IL (light industry) zone. The lot is currently utilized as a commercial structure and surface parking lot and will be developed into 75 residential units while preserving/converting the existing structure with the parking garage located on the ground level. The proposal seeks to provide 33 of the required 37 off-street parking spaces which due to the size and shape of the lot cannot be properly allocated elsewhere on the site. There is ample on-street parking available and alternative modes of transportation, and parking lots located nearby.

Two members of the public spoke in favor and one in opposition of this application. Five letters of support, one of which from the alder, were provided to City Plan staff prior to the hearing.

**PLANNING CONSIDERATIONS:**

**Special Exception Considerations:**

- Nature of the Proposed Site: The site consists of four separate parcels with a combined lot area of 17,645sf located on the corner of Mill River Street and State Street with a 9,167sf existing structure. The proposal seeks to include 33 off-street parking spaces on the street level of the structure along with secured indoor bicycle parking. The infrequency of residential uses needing the use of loading spaces, the ample amount of space available on Mill River Street, and the lack of a requirement for a loading space for the commercial use justify the adjustment of the off street parking and loading spaces requested.
- Resulting Traffic Patterns: Given the proximity of the subject parcel to the University, the applicant foresees several of the units will be occupied by students, faculty, and employees and therefor will utilize the shuttle system. The proposal provides much of the required amount of off-street parking spaces (four less than what is required) and with access to alternative modes of transportation, staff does not anticipate any adverse effects with respect to traffic patterns.
- Nature of the Surrounding Area: The subject parcel is located just North of Interstate 91 with both BA, IL, and RM-2 zones in the immediate vicinity. These contain a variety of commercial and residential uses with varying densities, most notably being the Corsair building located directly across State Street containing 238 residential dwelling units.
- The Comprehensive Plan: The portion of the Comprehensive Plan, Vision 2025 that deals with Traffic and Parking encourages residential development in Transit-Oriented areas which this proposal seeks to achieve.

**FINDINGS AND RECOMMENDATIONS**

Based on considerations discussed above, the Commission views the Special Exception is 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. Therefore, the Commission recommends approval.

**ADOPTED:** July 21, 2021  
Leslie Radcliffe  
Chair

**ATTEST:** Aicha Woods  
Aicha Woods  
Executive Director, City Plan Department