

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **77-S. 742 Chapel Street; 754 Chapel Street; 756 Chapel Street; 760 Chapel Street; 294 State Street; 300 State Street; 310 State Street** (MBLU: 240 0236 01500; 240 0236 01400; 240 0236 01300; 240 0236 01200; 240 0236 01600; 240 0236 01700; 240 0236 01201). Special Exception to allow 3 on-site parking spaces where 36 spaces are required and 1 on-site loading space where 2 spaces are required for 79 dwelling units. Owner/Applicant: BC Chapel Street, LLC. Zone: BD-1

REPORT: **1593-10**

ADVICE: **Special Exception: Approve**

PRINCIPAL APPLICABLE REGULATIONS

In accordance with Section 63(d)(6) of the Zoning Ordinance, **“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.”**

Accordingly, Section 63(d)(6)(f) of the zoning ordinance requires the Planning Commission’s recommendation regarding **“Adjustments for parking and loading requirements: Section 45(a)(6)(b) and Section 45(a)(7) of the Zoning Ordinance”**

BACKGROUND

The applicant seeks to convert the upper stories of the existing structures to residential dwelling units and construct a mixed-use building with 3 on-site parking spaces and 1 loading space on a site which is currently a surface level parking lot. While the use (mixed-use) is permitted, the application requires 36 off-street parking spaces and 2 loading spaces. In accordance with Section 45(a)(6)(b) of the Zoning Ordinance, **“A special exception is granted under the provisions of subsection 63(d), upon a finding, among other things, that the proposed joint use of parking or loading will meet the requirements of this ordinance for the two or more uses involved at the time when such uses are in operation.”** Consequently, the applicant seeks a special exception in the BD-1 Zone.

Accordingly, the Board of Zoning Appeals must take into consideration the Planning Commission’s advisory report as part of the Board of Zoning Appeals decision. The Board of Zoning Appeals seeks guidance as to:

- Whether the special exception for off-street loading will have a significant impact on the surrounding area;
- Whether the special exception for off-street parking will have a significant impact on the surrounding area; and
- Whether the request for special exception is aligned with City’s Comprehensive Plan.

THE BOARD OF ZONING APPEALS SEPTEMBER 22, 2021 PUBLIC HEARING

Attorney Muccilli presented the item stating the applicant seeks to convert existing upper story space to residential and create a mixed-use building along State Street. The applicant emphasized that they will provide 48 bicycle parking spaces; 1 loading space and 3 parking spaces on-site. The site is across from the State Street Train Station. The applicant indicates that there are multiple bus lines in the area. The site lies within the heart of the City's walkable downtown. The applicant will also provide pedestrian walkway to connecting State Street to Orange Street.

- Two members of the public spoke in favor and no one spoke in opposition of this application.

PLANNING CONSIDERATIONS:

Special Exception Considerations

1. Loading.

The City's Comprehensive Plan states, **"The design and placement of transportation facilities [loading spaces] is an important factor in New Haven's urban form."**

- The applicant is required to have 2 off-street loading spaces in accordance with Section 45(a)(1)(b) of the Zoning Ordinance.
- The applicant is requesting a special exception to allow 1 off-street loading space; where two are required.

The Board of Zoning Appeals seeks guidance regarding the following:

- Staff found that the surrounding streets can support on-street deliveries and the resulting traffic patterns and adequacy of proposed on-street loading (deliveries) is appropriate. (Section 63(d)(6)(b) of the Zoning Ordinance)
- Staff found that the loading space although not on the same lot is an area immediately adjacent to lot because there is a commercial loading zone along Chapel Street in accordance with 45(a)(1)(b)(2) of the Zoning Ordinance.
- The City's Transportation, Traffic and Parking Department states, "There are also on-street commercial loading spaces on Chapel Street, directly in front of 760 Chapel Street."

2. Parking.

The City's Comprehensive Plan states, **"Encourage shared parking options within mixed-use developments to reduce the need for creating new parking facilities and shared driveways for parking in medium- and high-density residential areas."**

- The applicant is requesting a special exception to allow 3 off-street parking spaces, where 36 required.

The Board of Zoning Appeals seeks guidance regarding the following:

- Staff has found that the surrounding streets can accommodate the parking demand, there is public transit (Ct Transit Bus, rail and Shuttle) within walking distance, and there is adequate sidewalk and pedestrian infrastructure (such as pedestrian signals) within the area.
- Staff found that there are public parking garages, private parking garages and surface parking lots within the immediate vicinity.
- The City's Comprehensive Plan states, **"Facilitate increased public transit use in the city through increased densities, reduced parking requirements, and integrated pedestrian and bicycle network, wherever appropriate."**

- The resulting traffic patterns and adequacy of proposed off-street parking and loading are appropriate. (Section 63(d)(6)(b) of the Zoning Ordinance)
- The nature of the surrounding area is appropriate and the extent to which the proposed use or feature might impair parking regarding its present and future development is minimal. (Section 63(d)(6)(c) of the Zoning Ordinance)
- The City’s Comprehensive Plan states, to build “**Transit-oriented developments with reduced parking requirements and appropriate densities in suitable locations to facilitate further transit use.**” The special exception accomplishes this goal of the Comprehensive Plan by reducing parking requirements.
- The Transportation, Traffic and Parking states, “This is a dense, downtown area where there are both ample, proximate off-street parking options and plenty of access to transit and walkable retail.”

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, the City’s Comprehensive Plan and that the public health, safety, and general welfare will be served based on the location of this site and the surrounding infrastructure to support the granting of the special exception. Accordingly, the Commission recommends approval.

ADOPTED: October 6, 2021

Leslie Radcliffe
Chair

ATTEST: _____ *Aicha Woods*

Aicha Woods
Executive Director, City Plan Department