

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **22-26-V; 22-27-S. 318 Edgewood Avenue** (MBLU: 337 0240 01500).
Use Variance to allow for a retail use (bookstore) with an accessory neighborhood convenience use (coffee shop including the sale of baked goods). Special Exception to allow for two off-street parking spaces where 5 is required. Zone: RM-2. Owner: Edgewood Holdings LLC. Applicant: Lauren Anderson

REPORT: **1606-06**
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) of the Zoning Ordinance”**

BACKGROUND

The applicant seeks to open and operate a bookstore with an accessory coffee shop in the RM-2 Zoning District. This type of operation/business is not permitted within this Zone. The site currently contains a mixed-used structure. Accordingly, the proposed use is required to have 5 off-street parking spaces. The applicant is proposing 2 off-street parking spaces and seeks a special exception with respect to this deviation in parking.

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 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 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 APRIL 12, 2022 PUBLIC HEARING

The applicant explained the scope of the application. The applicant stated that the previous use at the property was a religious institution. Parking for this use would mirror that with two off-street parking spaces located in the rear of the property. Not far away at a different location in the same zone a bookstore existed and has since been closed for several years so there is precedence there. The use is consistent with the neighborhood in this way and is intended to be a vibrant community space. The use of a Coffee shop would take up no more than 25% of the Gross Floor Area and would be utilized mainly by patrons of the bookstore itself. The subject parcel is located in a walkable neighborhood with a bike path nearby and alternative forms of transportation as well on-street spaces being available.

One member of the public spoke in favor of this application. Two letters of support were received prior to the hearing from the CMT and Alder.

PLANNING CONSIDERATIONS: Special Exception Considerations

1. Parking.

The City's Comprehensive Plan of Development recommends, **"Encourage shared parking options within mixed-use developments to reduce the need for creating new parking facilities an[d] 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 27 required.

The Board of Zoning Appeals seeks guidance regarding the following:

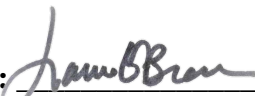
- The surrounding streets can accommodate the parking demand, there is public transit (Ct Transit Bus, rail and Shuttle) within walking distance, and there is adequate sidewalk and pedestrian infrastructure (such as pedestrian signals) within the area.
- There is on-street parking in the area.
- The intent is to have people from the neighborhood walking to this site.
- The City's Comprehensive Plan recommends, **"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)
- In accordance with Section 45(a)(5)(b) of the Zoning Ordinance, **"Any parking or loading space not located on the same lot as the structure or use to which it is assigned, in order to be credited to the quantity of parking or loading spaces required for such structure or use, must be either: Made available on a long-term basis by a public agency or agencies, with written certification from such public agency or agencies as to such availability."**
- The City's Comprehensive Plan recommends, 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 City’s Comprehensive recommends, “...**There has been a significant shift in the City’s transportation policy over the past decade, from promoting automobile mobility...**”
- The Transportation, Traffic and Parking states that the proposal will not have any adverse effects on traffic patterns.

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: April 27, 2022
Leslie Radcliffe
Chair

ATTEST: 

Laura E. Brown
Executive Director, City Plan Department