

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **511 Dixwell Avenue.** Special Exception to allow for 1 off-street parking space where 2 are required. Zone: RM-2. Owner: Clinton Avenue Investments LLC. Applicant: Benjamin Trachten. (22-44-S)

REPORT: **1613-07**

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: subsections 29(c); 29(h)(2); 29(i); 45(a)(6)b,; 45(a)(7) of the Zoning Ordinance”**

BACKGROUND

The existing zero lot-line building burned down in 2010. The existing structure comprised of a commercial space and 7 residential apartments. The applicant proposes a minimalistic development in comparison from both what previously existed and previous applications denied by the board which is lower in density and in accordance with the size and scale of the surrounding neighborhood. Without the requested relief, the only possible development would be a single-family home, which would be undersized for the surrounding area.

In accordance with Section 29(i) of the Zoning Ordinance, **“The Board of Zoning Appeals shall have the power to lessen the requirements of this ordinance as to the number of parking spaces required and/or increase the maximum allowable walking distance to such parking spaces, but only upon a finding that either particular circumstance or mitigative measures qualify such action.”** Consequently, the applicant seeks a special exception in the RM-2 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 JULY 12, 2022 PUBLIC HEARING

Attorney Trachten presented the application stating that the proposal is in harmony with the surrounding area with respect to the density of the surrounding properties. The site would otherwise require a smaller structure, but it would not be harmony with the intent of the ordinance. Specifically, a smaller structure may create alleys or courtyards that are dangerous, which is generally disfavored in modern zoning practice. This property has gone before the BZA several times over the past year for larger developments (4 dwelling units) with no off-street parking being provided and received favorably recommendations but was ultimately denied. This proposal to construct a 2-family structure will provide one off-street parking space and does not foresee this “missing” space having any adverse effect on the existing or future traffic/parking conditions.

One letter of support was provided prior to the hearing from Alder Winter.

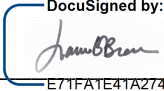
PLANNING CONSIDERATIONS:**Special Exception Considerations**

- Nature of the Proposed Site: This site is on the corner of Dixwell Avenue and Division Street. This site is irregular in terms of size and shape and significantly undersized. The site had previously supported a zero lot-line building comprised of a commercial space and 7 residential apartments.
- Resulting Traffic Patterns: The resulting traffic pattern is not anticipated to be significantly impacted. The applicant states that the surrounding area has ample street parking to support 4 residential units. This section of Dixwell has designated bicycle lanes for better multimodal transportation.
- Nature of the Surrounding Area: The surrounding area is comprised of commercial buildings and residential buildings ranging from single-family to large multi-family. The neighboring buildings on the same block of Dixwell are sizeable 3-story multi-family buildings. The opposite corner of Division and Dixwell is a convenience store.
- The Comprehensive Plan: The proposed relief is in harmony with the comprehensive plan because it proposes an infill development of a vacant parcel on a significant corridor.

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: July 20, 2022
Leslie Radcliffe
Chair

ATTEST:  September 1, 2022 | 3:26
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Laura E. Brown
Executive Director, City Plan Department