

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **8 Whalley Avenue.** Special Exception to permit 0 off-street parking spaces where 3 are required for the creation of 6 dwelling units. Zone. CGD. Owner: 8 Whalley Avenue LLC. Applicant: Benjamin Trachten. (22-70-S)

REPORT: **1620-05**

ADVICE: **Require more information from the applicant about alternate off-street parking resources potentially available to tenants**

PRINCIPAL APPLICABLE REGULATIONS

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).

Section 13(a)(1)g. Minimum parking: One parking space per dwelling unit (except that only one parking space shall be required for each two elderly housing units) located either on the same lot as the principal building or within 300 feet walking distance of an outside entrance to the dwelling unit to which such parking space is assigned, and conforming to section 29 and the remainder of the General Provisions for Residence Districts in Article IV.

BACKGROUND

The applicant is seeking a Variance to permit a rear yard of 5ft where 10ft is required and a Special Exception to permit 0 off-street parking spaces where 3 are required for the creation of 6 dwelling units above an existing 39 seat restaurant. The subject 1,856sf parcel is located on the corner of Howe Street and Whalley Avenue. The applicant states that the hardship is mainly due to the extreme narrowness and lack of depth of the lot (41.25ft by 50ft) which is unique to the CGD zone and makes development of the lot difficult.

THE BOARD OF ZONING APPEALS OCTOBER 18, 2022 PUBLIC HEARING

Attorney Benjamin Trachten presented the application stating that this is the first property in the CGD district in which development is proposed. Three additional stories are proposed above the existing structure to allow for the creation of 6 dwelling units while maintain the lower-level restaurant. The CGD requires a minimum density, not a maximum, which is met by this proposal but due to the existing structure covering the lot almost in its entirety, providing the required off-street parking spaces is not

viable. This is an area that is serviced by multiple modes of alternative transportation including the Yale Shuttle with public parking available on Broadway.
No members of the public spoke in favor or in opposition of this application.

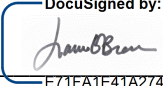
PLANNING CONSIDERATIONS:
Special Exception Considerations

- Nature of the Proposed Site: The 1,856sf corner lot consists of a 2,526sf, 2-story structure with its current use being that of a 39-seat restaurant. The existing structure comprises of almost the entire lot and therefor no off-street parking can be accommodated.
- Resulting Traffic Patterns: The proposal will not have an adverse effect on future traffic patterns. Extensive public transportation, alternative modes of transportation, and public street and lot parking are all available within close proximity of the subject lot.
- Nature of the Surrounding Area: The surrounding area consists of a variety of commercial uses, student housing, hotels, and university uses including the Shops at Yale.
- The Comprehensive Plan: The portion of the Comprehensive Plan, Vision 2025 encourages greater residential densities especially in areas within close proximity to public transportation or “transit oriented” areas.

FINDINGS AND RECOMMENDATIONS

The City Plan Commission notes that without additional information about parking options in the area for residents, it is difficult to evaluate the Special Exception request. Accordingly, the Commission recommends that the Board of Zoning Appeals require more information from the applicant about alternate off-street parking resources potentially available to tenants.

ADOPTED: November 2, 2022
Leslie Radcliffe
Chair

ATTEST:  November 9, 2022 | 4:14 P
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 Laura E. Brown
 Executive Director, City Plan Department