

## NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **230 NICOLL STREET.** Special Exceptions to permit 1 off-street parking space where 3 are required for an additional dwelling unit in an existing 2-family structure. Zone: RM-2. (19-86-S) (Owner/Applicant: Xinpeng Huang)

REPORT: **1561-14**

ADVICE: **Special Exception: Approval**

### 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 of parking and loading requirements: §29.C; §29.H.2; §29.I; §45.A.6.b; §45.A.7.

**Section 13(a)(1)g. *Minimum parking.*** 1 space per dwelling unit.

### BACKGROUND

The applicant is proposing to convert the existing 3,028sf residential structure with 2 residential dwelling units on a 3,711sf lot, into a structure consisting of 3 dwelling units. The applicant is able to provide 1 out of the 3 required off-street parking spaces with relief being sought for the remaining 2 spaces. The property has operated as a non-legal three family, with the applicant not proposing any changes to the interior and/or exterior of the structure but is rather going through the process of making this a legal three-family dwelling unit.

### SEPTEMBER 17 PUBLIC HEARING

The applicant stated that there is currently and never has been any on-site parking and that there is available street parking. This proposal would allow one of the on-street parking spaces to become available and with a bus stop located directly across the street there is an alternative means of transportation. No members of the public spoke in either support or opposition of this application.

### PLANNING CONSIDERATIONS:

#### Special Exception Considerations

Nature of the Proposed Site: The structure is located on a 3,711sf lot located on the corner of Nicoll Street and Willow Street.

Resulting Traffic Patterns: The property has been acting as a three-dwelling structure for over two years until it was recently discovered that the conversion from a two-family to a three-family structure was not done legally. Since the construction of the structure in 1920 there has not been any available off-street parking on the lot. The applicant noted that there is ample parking on-street with 150ft walking distance. Given this information staff concludes that this is more of a legal formality than a change in use and traffic patterns would not be adversely affected.

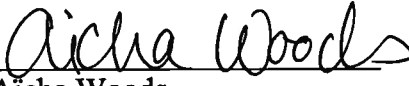
Nature of the Surrounding Area: The subject lot is predominately surrounded by multi-family homes, larger apartment complexes, and mixed use buildings. Most of the properties within the vicinity provide off-street parking.

Consistency with Comprehensive Plan: This application is in substantive compliance with New Haven Vision 2025 in that it is reflective of the recommendation found in the Transportation section of that document to “Facilitate increased public transit use in the city through increased densities, reduced parking requirements and integrated pedestrian and bicycle network wherever possible”.

#### **FINDINGS AND RECOMMENDATIONS**

Based on considerations discussed above, the Commission views the Special Exception to be 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 by its approval, and therefore, recommends approval.

**ADOPTED:** September 18, 2019  
Ed Mattison  
Chair

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