

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **1083 WHALLEY AVENUE** Special Exception to allow for 10 off-street parking spaces where 14 are required and 0 loading spaces where 1 is required, and Coastal Site Plan Review. Zone: BA. (20-64-S, 20-65-CAM) (Owner: The Property Link LLC.; Applicant: Benjamin Trachten)

REPORT: **1577-04**

ADVICE: **Special Exception: Approve**
Coastal Site Plan: Approve

PRINCIPAL APPLICABLE REGULATIONS

Section 63 (d) Special Exceptions: 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): Referrals to City Plan Commission: 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 45(a)1: Parking

(c) Dwelling, Unit One-half per dwelling unit, except for one per dwelling unit in BA and BA-1 Districts

Section 55: Coastal Management District

BACKGROUND

The applicant is seeking a Special Exception to allow for 10 off-street parking spaces where 14 is required and 0 loading spaces where 1 is required, and Coastal Site Plan Review for the purpose of constructing 14 residential units. The existing building will be renovated to accommodate 11 residential units and a new construction of a structure to the rear which will accommodate the remaining 3 units in a townhouse style construction.

NOVEMBER 10 PUBLIC HEARING

Attorney Benjamin Trachten presented the application stating that the existing structure is non-conforming. The proposal will see that 10 of the required 14 spaces are provided on-site with ample public transportation options nearby with Whalley Avenue being one of the most heavily busse thoroughfares. The applicant predicts that, based on past practice, many of the tenants will not have vehicles. The rear of the lot has a massive change in elevation sloping down which will not be paved and will keep construction and impervious surface outside of the flood zone. The application also seeks to improve storm water management and enhance coastal resources.

No members of the public spoke either in support or opposition of this application.

PLANNING CONSIDERATIONS:

Special Exception Considerations:

Nature of the Proposed Site: The site is 15,633 sq. ft. It is an oddly shaped lot on which the applicant proposes 2 structures connected by drives and green space utilizing the existing driveway to the East of the structure.

Resulting Traffic Patterns: This proposal will see an increase in density at the subject lot. However, because of the site's proximity to alternative modes of transportation along Whitney Avenue and the applicant providing 10 of the required 14 spaces, staff feels there will be no adverse effects to current/future traffic patterns.

Nature of the Surrounding Area: The surrounding area is characterized mainly by abandoned commercial uses and lower density residential within the block bounded by Whalley, Emerson, and Dayton. As you move towards Westville Village there is a higher residential density and mixed-use.

COASTAL SITE PLAN REVIEW

The Board’s Coastal Site Plan Review, in accordance with Section 55.C of the New Haven Zoning Ordinance shall consider the characteristics of the site, including location and condition of any coastal resources; shall consider the potential effects, both beneficial and adverse, of the proposed activity on coastal resources and future water-dependent development opportunities; follow the goals and policies of the Connecticut Coastal Management Act, as amended, and identify conflicts between the proposed use and any goal or policy of the Act.

Characteristics and Condition of Coastal Resources at or Adjacent to the site:

Coastal Flood Hazard Area (Flood Zone): The property is within Flood Zone AE Special Flood Hazard Area and X Areas determined to be inside of the 0.2% annual chance (100-year) floodplain and located within the LOMR 18-01-0359P effective 6/22/2018. Map# 09009C0429J (July 8, 2013).

Nearshore Waters: The site is approximately 39ft to the South of the West River.

Shorelands: The site is within the coastal boundary on a previously developed non-waterfront or waterfront-adjacent site consisting of a paved parking lot and one building.

Coastal Program Criteria	Comments
1. Potential adverse impacts on coastal resources and mitigation of such impacts	None
2. Potential beneficial impacts	The project plans to improve the water quality treatment of the storm water runoff from the proposed development. A proposed drainage system is designed to treat the “first flush” of storm water run-off.
3. Identify any conflicts between the proposed activity and any goal or policy in the §22a-92, C.G.S. (CCMA)	None
4. Will the project preclude development of water dependent uses on or adjacent to this site in the future?	Not waterfront
5. Have efforts been made to preserve opportunities for future water-dependent development?	Not waterfront
6. Is public access provided to the adjacent waterbody or watercourse?	Not waterfront
7. Does this project include a shoreline flood and erosion control structure (i.e. breakwater, bulkhead, groin, jetty, revetment, riprap, seawall, placement of barriers to the flow of flood waters or movement of sediment along the shoreline)?	No
8. Does this project include work below the Coastal Jurisdiction Line (i.e. location of topographical elevation of the highest predictable tide from 1983 to 2001)? New Haven CJL elevation is 4.6’.	No

FINDINGS AND RECOMMENDATIONS

Based on considerations discussed above, the Commission views the Special Exception and Coastal Site Plan 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. Therefore, the Commission recommends approval.

ADOPTED: November 18, 2020
Ed Mattison
Chair

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