

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **22-37-S. 30 Trumbull Street.** (MBLU 210 0383 01600)
Special Exception to allow for 0 off-street parking spaces where 1 is required for an additional dwelling unit. Zone: RO. Owner: Urbane Properties LLC. Applicant: Eric O'Brien.

REPORT: **1611-11**
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 21(i) of the Zoning Ordinance"**

BACKGROUND

The applicant is requesting a Special Exception to allow for 0 off-street parking spaces where 1 is required for the creation of an additional dwelling unit in an existing 2,668sf single-family structure situated on a 1,960sf parcel. The 1,960sf parcel is located to the East of the intersection at Trumbull and Orange Street. The subject property is attached to a "townhouse-style" row house that consists of 28, 32, 34, and 36 Trumbull Street, all of which currently have no off-street parking nor sufficient space to provide the required parking spaces.

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 RO 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 JUNE 14, 2022 PUBLIC HEARING

Ralph Sylvester (representing the applicant) presented the application stating that a Special Exception for 0 off-street spaces where 1 is required is needed for an additional dwelling unit. The additional dwelling unit is as-of-right, however because this is a townhouse, there is no room allocated on site for off-street parking. This application was approved previously but was not recorded on the land records which requires the applicant to go back before the board. The application is the same as what was previously approved on March 16, 2021.

**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 0 off-street parking spaces, where 1 is required.

The Board of Zoning Appeals seeks guidance regarding the following:

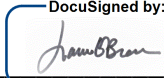
- The surrounding streets can accommodate the parking demand, there is public transit (Ct Transit Bus, rail and Shuttle) within walking distance, and there is adequate sidewalk and pedestrian infrastructure (such as pedestrian signals) within the area.
- There is on-street parking in the area.
- The 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: June 15, 2022
Leslie Radcliffe
Chair

ATTEST: 

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Laura E. Brown
Executive Director, City Plan Department