

## NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

**RE:** 3 Trumbull Street & 702 State Street, Variance to permit 0' side yard where 10' is required. Special Exception to permit zero parking spaces where 28 spaces are required and joint use parking. All to create a new lot and relocate a restaurant in a split (RO & BA) zone (Owner: Trumbull Suites, LLC. Applicant: John Parese, 0-67-V; 10-68-S).

**REPORT:** 1444-27

**ADVICE:** Approval

### BACKGROUND

Trumbull Suites, LLC seeks Variance to permit 0' side yard where 10' is required. Special Exception to permit zero parking spaces where 28 spaces are required and joint use parking at 3 Trumbull Street and 702 State Street in the both RO/BA zones. A recent site visit shows the subject site bounded by State and Trumbull Streets and the Trumbull Street I-91 connector. At present the single story office building at 702 State Street is vacant. The adjoining 3-story structure at 3 Trumbull Street is an office building. Off street parking is at the rear of 702 State Street.

During the July 13, 2010 Board of Zoning Appeals hearing Attorney John Parese made a very brief presentation. He submitted a letter to the Board granting an extension of time for the Board to hear both matters and vote at its September 14, 2010 meeting. Beyond that Mr. Parese made no further testimony concerning joint use parking or side yard variance. Likewise no one testified in opposition or endorsed the applications.

### Prior CPC Actions:

CPC report 1424-A, Administrative Site Plan Review for reversion to residential use (3 units).

### Prior BZA Actions:

#### 3 Trumbull Street

Granted: Variance (BZA 82-187-V) to permit 12' Rear Yard where 25' is required in order to build a fire stair in an RO zone.

Granted: Variance (BZA 92-72-V) to permit 0' Side Yard where 5' is permitted for handicapped ramp to existing office building in an RO zone.

Granted: Variance (BZA 08-111V) to permit zero feet of open space where 750 sq.ft. is required to convert the structure to three dwelling units in a RO Zone. (Owner: Trumbull Suites, LLC. Applicant: Michelle Guo. Attorney: Anthony V. Avallone).

#### 702-704 State Street

Granted: Special Exception (BZA 82-96-S) to permit 4 amusement devices in an area set aside for such use in existing café/night club (Blue Moon) in a BA zone.

### PLANNING CONSIDERATIONS

Submitted plans include two A2-class surveys (proposed/existing) showing a driveway access right-of-way, (prepared by URS Rocky Hill, CT); Site Plan page S-2, Proposed Floor Plans pages A-1 and A-2 (prepared by WMA/RPA/ Pozzi Associates LLC, New Haven). Review of the proposed survey shows 3 structures on commonly owned parcels at the intersection of State and Trumbull Streets.

The intent of the applicant is two fold. The primary objective is to provide off street parking for the proposed restaurant use (Goodfella's) and the secondary action is to adjust a property line that currently bisects the structure at 702 State Street. Said line intersects the building to the north at 3 Trumbull. To rectify the property line issue the side yard variance was filed. This matter is significant, as the shared boundary is the juncture of the RO and BA zones.

### Variance:

The proposed 0' side yard set back will simply recognize the existing site condition where the two neighboring structures abut. The hardship in this instance is the fact the structures pre-date current zoning and there is no means of avoiding the variance. Review of the site survey shows there is an attempt to

reconfigure and enlarge both 702 State and 3 Trumbull Street. Specifically, 3 Trumbull will increase to 4,985 from 2,695 S.F. and 702 will increase by 930 s.f. with a total lot area of 4,316 square feet. Furthermore a small building addition is planned at 702 State to allocate sufficient kitchen area. **The Commission therefore notes the 0 side yard is in compliance with Section 63.C.1 wherein the unreasonable hardship is the pre-existing site conditions. Moreover the variance will allow a property boundary correction which is in keeping with the general purpose and intent of the ordinance.**

**Special Exception:**


Currently the adjoining lots share an access easement behind which runs behind 714 State Street. However, the existing parking area is too small to accommodate 28 additional spaces. To address this issue the applicant seeks a special exception for joint use concerning the parking serving Jet Cleaners at 687 State Street. The parking lot is within the 300' walking distance as stipulated in Section 45.a.4 of the New Haven Zoning Ordinance (NHZO). As a result, the applicant has entered into a 10-year lease for 28 parking spaces. During the afternoon site visit the subject parking lot was at full capacity. The applicant asserts that there is ample off street in the State Street garage and a municipal parking lot. **Likewise review of the Transportation, Traffic and Parking Department report shows no transportation issues anticipated.**

The central issue before the Commission is to determine whether a parking conflict will remain. Due to the close proximity of the City parking lot on State Street (MBP 210-0595-01200) and a parking garage at 700 State Street, the Commission notes off street parking is available for restaurant patrons. The question is which source will the clientele likely use. It would seem the Jet Cleaners lot, across from the subject site would be the most popular given its nearness. However, the cleaners parking lot is at full capacity during the day.

The Commission notes Goodfellas's current hours of operation is Lunch, Monday –Friday 11:30-4:00p.m., Dinner Monday-Saturday 4:00 p.m. to 10:00 p.m. and Sunday 1:00 p.m. to 10:00 P.M. Consequently, Jet Cleaners parking lot is full during business hours from Monday to Friday. Specifically their business hours are 7:00 a.m. to 7:00 p.m. Monday to Friday. Still, staff has observed that parking availability within the Jet Cleaners parking lot is greater after 5:00 p.m. As a result, there may be a minor overlap; however, the probable parking conflict is minor.

Because of the wealth of parking choices within the immediate area and as the Jet Cleaners lot is within the 300' distance requirement and generally available during the evening hours, the Commission notes the proposed joint use parking is in accordance with Section 29.H.1 and therefore recommends approval.

**ADOPTED:** September 22, 2010  
Edward Mattison  
Chair

**ATTEST:**   
Karyn M. Gilvarg A.I.A.  
Executive Director