

## NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

**RE:** 13, 17, 21 ELIZABETH STREET; 794, 808-812 DIXWELL AVENUE; 18 CHERRY ANN STREETS. Special Exception and variances to permit 24 parking spaces where 35 are required in a split zone (RM-1 & BA) (Owner: Elm City Preparatory, Inc. Applicant: Rebecca Good, 10-119-V; 10-120-S).

**REPORT:** 1446-12

**ADVICE:** Variance: Approval  
Special Exception: Approval with Condition

### BACKGROUND

Rebecca Good, on behalf of Elm City Preparatory, Inc. seeks a Variance to permit a 1' buffer between a parking lot and abutting residence district where 5' is required; to allow a parking space dimension of 9'x18' where 9'x20' is required and a Special Exception to permit 24 parking spaces where 35 are required in a split zone (RM-1 & BA).

Two existing buildings just to the north of the school (808-812 Dixwell) and inside the city limits will be demolished to provide new parking for the school. An additional property (18 Cherry Ann Street) has only a very small sliver of land inside New Haven. A map is attached showing the site area, zoning districts and town line.

At the Board of Zoning Appeals public hearing on November 9, 2010 the applicant described the project as outlined in the project summary. Architect Patrick Rose said the building has been renovated on the inside and that the next phase would address the outdoor needs. He described why the variances were sought and how the new play field and parking area would present a more attractive site.

Several persons had concerns mostly revolving around traffic. Alderman Blango spoke first saying he supported the plan but urged the project managers to meet with the neighborhood residents about some of the issues they had, specifically the congestion created on Elizabeth Street as students are dropped off and picked up. Several neighborhood residents echoed the same concerns. One person spoke about the noise caused by the renovation and that the workmen started too early in the morning.

The applicant's representative responded that they would meet with the residents to get their input on how to solve traffic problems caused by the busses. It was reiterated that the interior renovation is completed so noise caused by that portion of the project is over, but that the school would keep a watch on the noise level and starting hours when the next phase to construct the play field and new parking lot is started.

### PLANNING CONSIDERATIONS

Summary of Project. Elm City College Preparatory School (ECCP) owns 13, 17 and 21 Elizabeth Street and 794 Dixwell Avenue. ECCP also has an agreement to purchase 808-812 Dixwell Avenue and 18 Cherry Ann Street. The school plans to use the current parking area on Elizabeth Street as a playfield and move the parking to 808-812 Dixwell Avenue and 18 Cherry Ann Street. A small sliver of 18 Cherry Ann Street is in New Haven with the majority of the parcel in Hamden.

### Regulatory Considerations

Section 45(a)(3)(a). This regulation requires a buffer between a residence district and a business district. The parking has been placed in the BA zone just north of the school. In order to maintain a 24' travel lane – needed to ensure proper and safe site circulation – a waiver of the buffer regulation is requested. The Commission notes that on the northwest side of the project a 6' opaque fence will be installed to screen the lot from the abutting residence. And on the interior of the site six of the eight parking spaces directly abut the school and the other two spaces (although they abut a residence district) do not abut a home.

Section 45(a)(1)a.6. This regulation requires parking spaces to measure 9'x20' if located in business/industrial districts. The proposed spaces measure 9'x18'. This size is required to help maintain adequate travel lane width. The parking stall length of 18' is only marginally shorter than required. The Commission doesn't think this will cause any problems because access to the parking lot is tightly controlled with only one curb cut.

Section 45(a)(7). This regulation permits a reduction in the number of spaces but only if other pertinent standards are adequate. This proposal maintains a 24' parking isle width while reducing the stall length by a small margin. The Commission advises these standards to be more than adequate.

### Special Exception Considerations

- Nature of the Proposed Site: The entire site measures 42,696 square feet, just less than one acre. The school building occupies 74% of its lot. The proposed field measures 80'x109' (8,720 sq.ft.) and will be enclosed with a black vinyl fence. A small garden and picnic area is located between the field and school. The parking area will have decorative plantings to soften the pavement. The school's loading area is accessed from Cherry Ann Street through the parking lot to the rear of the building. The layout of the site seems to make full use of its limited size in a way that protects public safety.
- Resulting Traffic Patterns: At the moment school employees enter from Elizabeth Street and park in an ill-defined parking area. After the project is complete employees will enter the site from Cherry Ann Street, the northern side of the block. Twenty-four parking spaces are in New Haven, but the lot holds thirty-one spaces, only four less than required. If additional spaces are needed parking may be available on Cherry Ann Street. The first 1,000 feet of Cherry Ann Street is in Hamden. The applicants would have to review Hamden's Zoning code for guidance.
- Nature of the Surrounding Area: The site is unusual in that it not only is a split BA/RM-1 zone but it also crosses the town line which means that two sets of zoning ordinances must be consulted. The wider area sees a BA zone on the east side of Dixwell down to Dorman Street where it manifests itself on both sides of the street down to the Willis/Brewster intersection. The lots to the south and west of the site are residential.
- Proximity to Public Buildings: There are no nearby public buildings.
- The Comprehensive Plan: The project conforms to the Comprehensive Plan.

### Variance Considerations:

- Difficulty or Unreasonable Hardship: The school building at 794 Dixwell Avenue dates from 1937, long before the adoption of current zoning in New Haven. The building covers 74% of the lot; therefore there is no possibility to provide a field on site. Without zoning relief providing an adequate and organized parking area and a playfield, essential in modern education, is not possible. The Commission advises a hardship has been demonstrated due to the unusual lot and building configuration.
- Harmony with General Purpose and Intent of Ordinance: The intent of the ordinance in this instance is to A) Provide a buffer between parking lots and residential districts, and B) Ensure parking spaces have adequate dimensions. In this case six of the eight spaces on the interior of the lot abut the school while the other two do not abut a home. On the northwest corner all six spaces in New Haven will be screened by an opaque six foot high fence. The Commission advises the intent of the ordinance to soften the impact of parking lots on residential districts is respected.
- Public Health, Safety, and General Welfare: The existing parking lot and future parking lot are undefined and in very poor repair. The project will replace the Elizabeth Street parking area with green space while the balance of the site will be cleaned, paved and striped. The overall project represents and improvement in the public welfare.

### FINDING & ADVICE:

#### Variance Findings:

Section 45(a)(3)(a): The Commission notes the requirement for an adequate buffer has been satisfied because a substantial opaque fence will screen the northwest portion of the lot and that buffering is not necessary on the interior of the lot because the parking area does not abut a residence.

Section 45(a)(1)a.6: The Commission notes the proposed parking space size of 9'x18' is only marginally under the required size and that the proposed size is necessary to maintain proper parking aisle width.

Section 45(a)(7): The Commission notes the requested reduction in the number of parking spaces is very minimal and that additional parking, if needed, may be provided on Cherry Ann Street if Hamden officials permit.

#### Variance Advice:

The Commission advises the request satisfies the Variance requirements of Section 63(c)(1) and recommends approval as proposed.

**Special Exception Findings:**

Nature of the Proposed Site: The site is sufficient for the plan. Much needed green space is provided and the parking area will be cleaned and reorganized.

Resulting Traffic Patterns: Traffic patterns will not be disrupted. The entrance to the parking area is shifted to Cherry Ann Street from Elizabeth Street. In fact the impact to New Haven will diminish because the first 1,000 feet of Cherry Ann Street, well beyond the school entrance, is in Hamden.

Nature of the Surrounding Area: The broad area is a mix of residential and business. A school started operating here in 1937 and is well integrated into the fabric of the neighborhood.


Proximity to Public Buildings/The Comprehensive Plan: There are no nearby public buildings and the project respects the Comprehensive Plan.

**Special Exception Advice:**

The Commission advises the request satisfies the Special Exception requirements of Section 63(d) and recommends approval with condition:

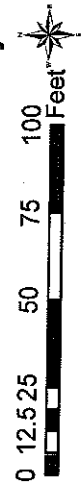
1. Application for Site Plan Review in accord with Section 64(f) of the New Haven Zoning Ordinance shall be submitted for review and approval by the City Plan Commission.

**ADOPTED:** November 17, 2010  
Edward Mattison  
Chair

**ATTEST:**   
Karyn M. Gilvarg AIA  
Executive Director

Project Site:

Dashed Line is Boundary



Hamden

New Haven

