

NEW HAVEN CITY PLAN COMMISSION ACTION

RE: 34 FULTON STREET. Certificate of Approval of Location (CAL) for Used Car Dealer in an IH zone. (Owner: Pasquale Somma of JLS, LLC; Applicant/Agent: Richard Murphy for R.J. Shore Collision, LLC)

REPORT: 1524-01

ACTION: Approval with Conditions

Submission: CAL Application; \$180 cash; Site Plan based upon 2/21/05 survey; K-7 form

Previous Zoning History:

- **CPC 1270-01:** Certificate of Approval of Location for motor vehicle junkyard in a heavy industrial zone, May 19, 1999.
- **BZA 02-05-CAL:** Certificate of Approval of Location for used car dealer in an IH zone, April 9, 2002.
- **BZA 05-03-CAL and 05-12-CAM:** Certificate of Approval of Location for used car dealer in an IH zone, May 10, 2005.

BACKGROUND

Richard Murphy seeks a Certificate of Approval of Automotive Location (CAL) for a Used Car Dealer in a Heavy Industrial (IH) Zone at 34 Fulton Street. The applicant is seeking a CAL for a change in ownership of a previously operating use of the property.

PLANNING CONSIDERATIONS

The proposed car dealer would occupy the front portion of a larger multiple-bay building. This space is currently vacant, but has been occupied previously by a motor vehicle junkyard (before the building was constructed) and a prior used car dealer. The rear of the building is occupied by an oil services company.

The submitted site plan shows the leased area at the front of the building to be used for an office, display area, service area, and parts storage. The paved area immediately in front of the office and accessible via a curb cut on Fulton Street would have three parking spots, two for employees and one for vehicle display. A second curb cut on Fulton Street provides vehicular access to a much larger parking lot shared with multiple businesses. Seven parking spaces (four display, three customer, including one handicapped) alongside the building would be used by the applicant business. Hours of operation are proposed to be 8:00 AM-5:00 PM Monday through Friday and 8:00 AM-1:00 PM Saturday. All proposed uses are allowed by right in the IH zone.

Nature of the Proposed Site: The site is already developed and nearly completely impervious, consisting of an asphalt parking area and a multiple-bay warehouse-style building. The only exterior change proposed by the applicant is striping the parking lot to provide a handicapped space.

Resulting Traffic Patterns: No changes are proposed to the existing use or intensity of the business, and no significant changes to existing traffic patterns are expected.

Nature of the Surrounding Area: The site is surrounded by industrial properties to the south and west, including many other auto-oriented small businesses. Forbes Avenue (US Route 1) intersects Fulton Street approximately 300 feet to the south. A residential portion of the Annex neighborhood consisting of mostly one- and two-family homes lies to the northeast of the site.

Proximity to Public Buildings: None are in proximity.

The Comprehensive Plan: The 2015 Plan of Development calls for port use for the area. While this may be an ideal long-term use for the property due to its relative proximity to the waterfront, this site itself is not waterfront and none of the neighboring properties are used for port purposes. At this time it is impractical to expect a port-related use at this property, and the proposed use does not preclude future port-related development at this site.

FINDING AND RECOMMENDATION

Based on the above considerations, the Commission finds the location appropriate for the continuation of the existing use with the new tenant and approves the application with the **following conditions:**

1. Approval is for the sale of used cars and car repair;
2. Outside display of no more than five cars for sale at any one time; and
3. A van-accessible handicapped space must be added to the site using Americans with Disabilities Act (ADA) standard striping and signage.

ADOPTED: November 16, 2016
Edward Mattison
Chair

ATTEST: 
Karyn M. Gilvarg, AIA
Executive Director