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ZONING REVIEW MEMORANDUM

Date: February 12, 2018

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Jennifer Caira, Chief Planner for Current Planning

Cc: Stephen Trotta, Applicant
Terrence Morris, Attorney
Barney S. Heath, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to allow for an 18-unit multi-family dwelling and associated parking waivers

Applicant: Stephen Trotta	
Site: 189-193 Adams Street and 19 Quirk Court	SBL: 14015 0039, 14015 0038 and 14015 0044
Zoning: BU2	Lot Area: 19,349 square feet (combined)
Current use: Mixed commercial and single-family dwelling	Proposed use: 18-unit multi-family dwelling

BACKGROUND:

The property located at 189-193 Adams Street consists of a 9,194 square foot lot improved with a mixed use structure constructed circa 1900, most recently containing a first floor fraternal organization with residential units above. The 4,350 square foot rear lot is improved with a commercial garage and contractor's yard. A third parcel containing 5,805 sq. ft., is included in the proposed project at 19 Quirk Court. This parcel is improved with a single-family dwelling constructed circa 1880 and a detached single-car garage. These parcels are bordered to the east and west by single-family dwellings also in the BU2 zoning district, as well as an apartment house, and to the north by single- and two-family dwellings in the MR2 zoning district. The petitioner proposes to combine the three lots, raze the existing buildings and construct an 18-unit multi-family dwelling with a first floor commercial space and accessory surface parking.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared by Terrence Morris, attorney, submitted 1/9/2018
- Existing Conditions Site Plan, signed and stamped by David Alves, surveyor, dated 11/14/2017
- Zoning Overview, signed and stamped by Martin A. Smargiassi, architect, dated 12/21/2017
- Zoning Plan, signed and stamped by Martin A. Smargiassi, architect, dated 12/21/2017
- Topographic Site Plan signed and stamped by Joseph Porter, PLS, dated 2/12/2018

ADMINISTRATIVE DETERMINATIONS:

1. The petitioner proposes to raze the existing structures and construct an 18-unit multi-family dwelling with 1,280 square feet of first floor commercial space. Per section 4.4.1, a special permit is required to construct a multi-family dwelling with ground floor units in the BU2 zoning district.
2. The proposed development will contain 25,375 square feet of new gross floor area, which requires a special permit per section 4.1.2.B.1.
3. The existing structure at 189-193 Adams Street is 41 feet in height. The petitioner requests to maintain that height in the new four-story structure. Per section 4.1.2.B.3 and section 4.1.3, a four-story building at 41 feet in height requires a special permit.
4. The proposed four-story building is 25,375 square feet, creating an FAR of 1.31, where 1.0 is the max allowed by right, and 2.0 is the max allowed by special permit for a four-story building per Section 4.1.3. To construct the project with an FAR of 1.31 requires a special permit. The density bonus provisions of Section 5.11.15.A allows also for a 25% increase in FAR, thereby increasing the allowable FAR from 1.0 to 1.25, which reduces the margin of relief but still requires a special permit.
5. The petitioner proposes to construct 23 surface parking stalls at the rear of the property to service the 18 dwelling units and 1,280 square feet of office space. The required number of parking stalls for a multi-family dwelling is two stalls per unit or 36 total. The office space fronting the building on Adams Street requires one parking stall per each 250 square feet per section 5.1.4, for a total of five stalls required. The total number of parking stalls required for the combined residential and office use is 41 stalls. Section 5.1.4 allows the City Council to grant a special permit to reduce the required number of parking stalls for a multi-family dwelling from two stalls per unit to 1.25 per unit. This waiver would reduce the parking requirement for the residential units from 36 stalls to 23. The petitioner also seeks a waiver for the remaining five stalls required for the office use, per section 5.1.4.
6. Section 5.1.8.A.1 requires that no parking locate within any required setback distances from a street or side lot line. Per section 1.5.3.B. no building need be set back more than the average of the buildings on either side, for a maximum of 10 feet in a Business district. The setback of the abutting property on Quirk Court was not supplied. To the extent that the first parking stall in the lot off of Quirk Court is within the required front setback, a special permit is required to waive the provisions of section 5.1.8.A.1.
7. Section 5.1.8.A.2 requires that no parking locate within five feet of a building or structure containing dwelling units. Two corners on the western side of the building are within five feet of the handicapped parking stall. A waiver from 5.1.8.A.2 is required.

8. There is a one-way vehicular aisle off Adams Street that is as wide as 15 feet and as narrow as 12 feet leading to a rear parking area. There are six parking stalls along this aisle. Section 5.1.8.C.1 requires an aisle width of 19 feet for parking angled at 60 degrees. The aisle is 15 feet wide at the point of the parking, requiring a waiver. To the extent that the Council determines a preference to make the proposed one-way entrance aisle two-way, a waiver from the 20 foot aisle width requirement for two-way traffic in section 5.1.8.C.2 is necessary.
9. The entrance from Adams Street is 12 feet wide and is proposed for one-way access. Per section 5.1.8.D.1, entrance and exit drives must be a minimum of 12 feet wide for one-way use, and a minimum of 20 feet wide for two-way use. To the extent that the Council determines a preference to make this entrance available for two-way traffic, a waiver from the provisions of 5.1.8.D.1 is required.
10. Section 5.1.10.A sets out lighting requirements for parking facilities with more than five stalls. To the extent that the proposed parking areas do not meet the requirements of section 5.1.10.A, a waiver is requested.
11. Section 5.11.15 states that a density bonus may be granted equal to one unit for each additional inclusionary unit provided above the number required by section 5.11.4, up to a limit where the lot area per unit required in section 4.1.2 is decreased by up to 25 percent, and is still consistent with the special permit requirements. Per the standards of section 4.1.2, the petitioner may construct one dwelling unit per 1,200 square feet of lot area, for a total of 16 units on the 19,381 square foot lot. Per section 5.11.4, the petitioner must provide at least 15 percent affordable units of those 16 units, which results in two affordable units (and 14 market rate). The petitioner seeks relief to utilize the density bonus provisions of section 5.11.15 to increase the number of dwelling units to 18, thus providing three affordable units and fifteen market rate units.

BU2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	19,349 square feet	No change
Frontage <ul style="list-style-type: none"> • Adams Street • Quirk Court 	Pre-existing Pre-existing	72.5 feet 49.6 feet	No change No change
Setbacks <ul style="list-style-type: none"> • Front • Side • Rear 	10 feet (Average) 4.1 feet (Abutting side setback) 20.5 feet (½ building height) 20.5 feet (½ building height)	3.1 feet 4.1 feet 75.4 feet	10 feet 5 feet 84.6 feet
Building Height	36 feet (by right) 48 feet (special permit)	40.27 feet	40.48 feet
Stories	3/4	3 stories	4 stories
Lot Area Per Unit	1,200 square feet	N/A	1,075 square feet
FAR	1.25 (by bonus) 2.0 (by Special Permit)		1.31

See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§4.4.1	Request to allow a multi-family dwelling with ground floor units	S.P. per §7.3.3
§4.1.2.B.1	To allow a development in a business district with more than 20,000 square feet of new gross floor area	S.P. per §7.3.3
§4.1.2.B.3 §4.1.3	To allow a four-story structure at 41 feet in height	S.P. per §7.3.3
§4.1.3	To allow an FAR of 1.31	S.P. per §7.3.3
§5.1.4 §5.1.13	To allow a reduction in required parking for a multi-family dwelling to 1.25 stalls per unit	S.P. per §7.3.3
§5.1.8.A.1 §5.1.13	To allow parking in the front setback	S.P. per §7.3.3
§5.1.8.A.2 §5.1.13	To allow parking within 5 feet of a building containing dwelling units	S.P. per §7.3.3
§5.1.8.C.1 §5.1.8.C.2 §5.1.13	To allow a reduction in the minimum width of maneuvering aisles	S.P. per §7.3.3
§5.1.8.D.1 §5.1.13	To allow a reduction in the minimum width of an entrance/exit drive	S.P. per §7.3.3
§5.1.10.A §5.1.13	To waive lighting requirements	S.P. per §7.3.3
§5.11.4 §5.11.15 §4.1.2	To allow a density bonus to reduce the lot area per unit and increase the number of inclusionary units	S.P. per §7.3.3