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STAFF REPORT

ZONING BOARD OF APPEALS MEETING

MEETING DATE: July 18, 2019
STAFF REPORT DATE: July 5, 2019

Case #4383: Special Permit

Property: 2104-2110 Acushnet Avenue
859 Belleville Avenue
Map: 119 Lot: 258 & 46

Zoning: Mixed Use Business (MUB)
Residential B (RB)

Owner: Coastline Elderly Services, Inc.
1646 Purchase Street
New Bedford, MA 02740

Applicant: R.P. Valois & Co.
C/O Tim Howland
39 Russels Mill Road
South Dartmouth, MA 02748



2104-2110 Acushnet Avenue
Looking east from Acushnet Avenue

Overview of Request: The petitioner has submitted an application for a **Special Permit** relative to the subject property located within a Mixed Use Business [MUB] and a Residential B [RB] zoning districts. Notice is given of a public hearing on the petition of: **Coastline Elderly Services, Inc.** (1646 Purchase Street, New Bedford, MA 02740) and **R.P. Valois & Co., C/O Tim Howland** (39 Russells Mill Road, South Dartmouth, MA 02748) for a **Special Permit** under Chapter 9, Comprehensive Zoning Sections 3100 (parking and loading), 3110 (applicability), 3140 (location and layout of parking & loading facilities), 3149 (special permit for commercial parking in residential districts) and 5300-5330 & 5360-5390 (special permit); relative to property located at **2104-2110 Acushnet Avenue & 859 Belleville Avenue**, Assessors' map 119 lots 258 & 46 in a Mixed Used Business [MUB] & Residential B [RB] zoned district. The petitioners are proposing to open Coastline Elderly Services Headquarters with general office setting and conference meeting spaces and associated parking per plans filed.

As with all **Special Permits**, the ZBA must determine that the benefit to the City and the neighborhood outweighs the adverse effects of the proposed use. To this end the board shall consider each of the following in its determination:

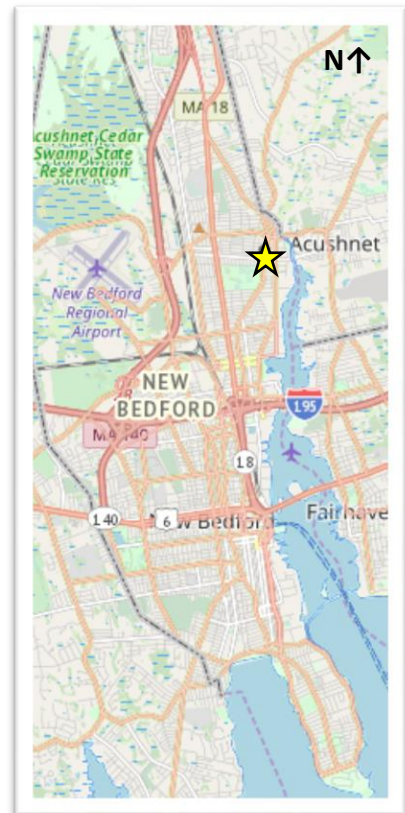
- a) social, economic, or community needs which are served by the proposal;
- b) traffic flow and safety, including parking and loading;
- c) adequacy of utilities and other public services;
- d) neighborhood character and social structures;
- e) impacts on the natural environment; and potential fiscal impact, including impact on city services, tax base, and employment.

Existing Conditions: The project site consists of two adjacent parcels with a combined total of 1.57 acres of land. The first parcel, located at 2104-2110 Acushnet Avenue, has a 38,300 SF vacant commercial office style building and is in a Mixed-Use Business Zoned District. The second parcel, located directly behind the first, is at 859 Belleville Avenue. This parcel has a 3,600 SF vacant residential dwelling and is in a Residential B zoned district.

The commercial office building is surrounded by a bituminous concrete parking area with eighty-eight (88) parking spaces. The property was an abandoned tax title property. Chain link fencing surrounds the building to keep people off the site. Vehicular access to the site is provided via easements across the adjoining parking lots of two other commercial properties (CVS Pharmacy and Wash World). The property therefore has driveway access from Acushnet Avenue and Harwich Street.

The residential property has 97'± of frontage along Belleville Avenue. The property currently has the dwelling, a driveway, two sheds, lawn areas, and fencing.

The surrounding neighborhood is a mixture of commercial and residential uses. Commercial uses are predominantly present on the Acushnet Avenue and Harwich Street side of the site. While, residential properties are predominant on the Belleville Avenue side of the site.



Note: The proposal requires Site Plan Review from the Planning Board. The initial hearing was held on June 12, 2019, due to insufficient easement and parking lot information the agenda item was continued to July 10, 2019.

Proposal: The proposal is to rehabilitate the existing commercial building into the headquarters for Coastline Elderly Services comprised of general office setting and conference meeting spaces with associated parking. According to their website: "Coastline Elderly Services, Inc. (Coastline) is a private, non-profit corporation which develops, provides, and coordinates a range of home care services designed to support and maintain the independent living of older adults within the community."¹

¹ *Who We Are*. Coastline website: <https://coastlinenb.org/about-us/>.

The residential dwelling would be demolished, and the parcel would become an additional twenty (20) space parking area with an underground stormwater infiltration system and landscaped areas. There would also be new driveway access from Belleville Avenue to the site through this parcel. The existing parking area around the commercial building will be repaved with a new parking layout and added landscaped areas. The commercial building will be made handicapped accessible. The main entrance will be located on the south elevation.

The application states the proposal is to provide one hundred and thirteen (113) parking spaces; however, the site plan depicts one hundred and eleven (111) parking spaces. Under the zoning ordinance this proposal requires seventy-nine (79) parking spaces and one (1) loading space. The application meets and exceeds the parking requirements.

As shown on plans submitted, the applicant proposes fifty-seven (57), including five (5) handicapped accessible parking spaces on the west side of the building; sixteen (16) on the north side; eighteen (18) on the south side of the building; and twenty (20) in the new parking area proposed.

Due to split-zoning on site, (20) commercial parking spaces will be proposed in a residential zone district; located on 859 Belleville Avenue; adjacent from the subject property, therefore requiring a special permit.

Note: Section 3149. Special Permit for Commercial Parking in Residential Districts. Commercial parking may be allowed on residentially zoned property, held in common ownership and located immediately adjacent to the commercial business to which it is to serve, upon the issuance of a special permit by the Zoning Board of Appeals, if the Board finds that said parking is not detrimental to public health and safety, and that said parking promotes a public benefit.

Vehicles will access the site primarily via a proposed bi-directional driveway off Belleville Avenue. Additionally, vehicles will be able to access the site via easement access from driveways on adjacent properties at Harwich Street and Acushnet Avenue.

The proposed business is expected to have 113 employees, with hours of operation 8am-5pm, Monday-Friday. Regular deliveries are not anticipated for the office use. Representatives of the petitioner have informed staff that many of the client services are provided off-site. The nature of their work is often done through visiting clients at home. Many employees have varying schedules and visit headquarters at various times throughout their day. Therefore, there is no anticipated high demand vehicular entrance or exit periods as shifts change.

The proposal to rehabilitate the existing commercial building into the headquarters for Coastline Elderly Services comprised of general office setting and conference meeting spaces with associated parking requires a Special Permit from the Zoning Board of Appeals: in this particular case the petitioner is seeking relief for a special permit to allow commercial parking in a residential district, due to split-zoning on site.

In regard to the criteria necessary to grant the **Special Permit**, staff offers the following:

a.) Social, economic or community needs which are served by the proposal. The petitioner states that Coastline Elderly Services, Inc. is a private, nonprofit corporation which develops, provides and coordinates home care services to support the independent living of older adults and adults with disabilities. The proposed use would allow Coastline Elderly Services, Inc to grow and better serve the community. Staff acknowledges that the proposed use would offer a general office setting with conference meeting spaces on-site.

b.) Traffic flow and safety including parking/unloading. The petitioner states all parking will be onsite and the majority of employees work in the field and would not be at the office at the same time. Additionally, the petitioner states traffic to and from the proposed subject property would be intermittent and would not negatively impact the traffic flow. Staff acknowledges the proposal requires Site Plan Review from the Planning Board, the initial hearing was held on June 12th, due to insufficient information presented to the board regarding parking lot easements, the agenda item was continued to July 10th.

c.) Adequacy of utilities and other public services. The petitioner states the necessity for gas, electric, water and sewer. Additionally, the petitioner notes a utility plan for water & sewer was included with the Site Plan Review application submitted to the Planning Board. Staff notes that there are adequate utility services serving this area.

d.) Neighborhood character. The petitioner states the neighborhood is largely commercial with several commercial businesses abutting the proposed location. The petitioner also notes the proposal would improve the aesthetic of the neighborhood; by rehabilitating an existing, dilapidated commercial building back into use. Staff acknowledges that the surrounding area is predominately characterized by commercial uses along Acushnet Avenue side of the site. While, residential properties are predominant on the Belleville Avenue side of the site.



e.) Impacts on the natural environment. The petitioner states the proposal would have no adverse impact on the environment in the area. The petitioner notes the existing site is predominately comprised of building and pavement with 10% greenspace. Staff acknowledges the impacts on the natural environment are neutral as proposed. Staff does not anticipate a substantial change in the existing impacts on the natural environment at this site.

f.) Potential fiscal impact, etc. The application indicates the proposal is for commercial office space, therefore it will not introduce additional children into the school system or negatively impact the city's infrastructure or services. The petitioner states the proposal would allow for growth; enhancing the tax revenue as well as create new jobs and services for the city. Staff acknowledges the proposal could have the potential to add employment while providing services.

2104-2110 Acushnet Avenue & 859 Belleville Avenue

Map: 119 Lot: 258 & 46

NOTE: Property line is approximate; for discussion purposes, only.

