

**DEVELOPMENT NARRATIVE
HARDSHIP VARIANCE FOR PRIMARY FRONT FAÇADE BUILD OUT**

Property: 6 Wheatland Street
Applicant: Nelson Group Construction Corp.
Owner: NPO Properties LLC
Agent: Adam Dash, Esq.
Zoning Designation: Mid-Rise 3 (“MR3”)
Not in a Transit Area
Not in a Pedestrian Street District

The Applicant and Owner of the Property at 6 Wheatland Street, being NPO Properties LLC, hereby seeks (i) Site Plan Approval for the development of an Apartment Building, (ii) a Special Permit to establish a Residential Housing use, (iii) a Hardship Variance for the primary front façade build out, (iv) a Hardship Variance for the landscape buffer, and (v) a Hardship Variance for the rear setback.

This Development Narrative only addresses the Hardship Variance for the primary front façade build out relief. The other relief is the subject of other applications.

Summary.

The Property is currently an approximately 4,250 sf lot with a two-and-one-half story, two-family structure on it. It is one property removed from Broadway and is one block away from the redevelopment of the old Star Market site. The Property has long been vacant and is in disrepair.

The lot at the Property is fairly narrow for the MR3 zoning district at 42.5 feet in width.

The abutter to the Property on the Southwesterly (left) side is a commercial structure at 273 Broadway in the MR3 zoning district. That abutting property has a blank, brick wall facing the Property.

The abutter to the Property on the Northeasterly (right) side is a residential condominium building in the Neighborhood Residence (“NR”) zoning district. The existing structure at the Property is only 2.3’ from that right side abutter’s property line.

The main abutter to the Northwest is the Elizabeth Peabody House facility at 275 Broadway in the MR3 zoning district, but there is also a small bit on that side which abuts the property at 9 Grant Street in the NR zoning district. The lot line of the Property facing the 275 Broadway lot is a side lot line because the Property abuts the side lot line of the abutter even though this lot line is parallel to the front lot line of the Property, per Somerville Zoning Ordinance (“SZO”) Section 2.1.1 (definition of “Lot Line, Rear”). The portion of that lot line which abuts 9 Grant Street is a rear lot line.

Applicant proposes to demolish the existing structure and to build a new three-story, five-unit Apartment Building with five motor vehicle parking spaces, five long-term bicycle parking spaces, in the rear (the “Project”), and two short-term bicycle parking spaces in the front. The new structure would be closer to the blank, brick, back wall of the left side abutting commercial building and would be further away from the residential condominium building on the right side.

The Property is located in the MR3 zoning district. It is not located in a Transit Area or in a Pedestrian Street District.

The Historic Preservation Commission found the existing structure not to be Significant, such that no demolition delay period was imposed.

The Urban Design Commission approved the façade option being presented in this Application and made certain recommendations which have been incorporated into the Project.

Relief Sought.

Applicant seeks the following relief for the Project:

- Site Plan Approval for an Apartment Building pursuant to SZO Section 4.1.6.b.i.
- Special Permit for a Residential Housing use pursuant to SZO Sections 4.1.13 and 9.1.1.
- Hardship Variance for primary front façade build out pursuant to SZO Section 4.1.7.c.
- Hardship Variance for landscape buffer pursuant to SZO Sections 10.3.6.a.i. and 10.3.6.b.
- Hardship Variance for minimum rear setback abutting an NR zone pursuant to SZO Section 4.1.7.b.d.

This Development Narrative addresses only the Hardship Variance for the primary front façade build out relief. The other relief is the subject of separate applications.

Argument.

Per SZO Section 15.2.3.e.i:

The Zoning Board of Appeals may only grant a Hardship Variance upon finding all of the following:

- a. *Special circumstances exist relating to the soil conditions, shape, or topography of a parcel of land or the unusual character of an existing structure but not affecting generally the zoning district in which the land or structure is located;*

- b. Literal enforcement of the provision of this Ordinance for the district where the subject land or structure is located would involve substantial hardship, financial or otherwise, to the petitioner or appellant due to said special circumstances; and*
- c. Desirable relief could be granted without causing substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of a specific district in this Ordinance or the Ordinance in general.*

a. Special Circumstances Exist.

The existing Property is unusual in that it is a relatively narrow lot for the MR3 zoning district and it has a larger than normal side setback requirement on the right side due to the Property abutting the NR zoning district there.

The Hardship Variance would allow the primary front façade build out to be 76.5% instead of the required 80%, per SZO Section 4.1.7.c. This is due to the narrowness of the lot at the Property and the setback requirements for the building, especially with regard to the Property abutting the NR zoning district on the right side, which make it impossible to achieve the required 80% primary front façade build out while avoiding a setback variance. The primary front façade build out difference is a minor 3.5% which creates no impact and is not noticeable.

Most of the lots on Wheatland Street are in the NR zoning district, and not in the MR3 zoning district.

As such, the existing structures and layout of the Property are unusual and are not shared by district in general.

b. Substantial Hardship Exists.

Literal enforcement of the SZO would require Applicant to violate the setback requirements for the Project, which would have an actual impact on the right side abutter in the NR zoning district, as opposed to a de minimis Hardship Variance for 3.5% of the primary front façade build out which would not even be noticeable or have any impact on the neighbors or streetscape at all.

A new structure of this kind is going to require a Hardship Variance one way or the other due to the width of the lot and the requirements of the MR3 zoning district. A variance is being sought for minimum façade build out rather than minimum right side setback to provide adequate access to the parking at the rear of the site.

c. Substantial Detriment Does Not Exist.

The whole purpose of the Application, which is causing the need for this Hardship Variance, is to create more badly-needed housing in the City at this Property, which is abutting two commercial properties, is one property in from Broadway, is on a stretch of Wheatland Street which is in the MR3 zoning district and which is made up of structures of varying sizes and shapes, and is one block from the multi-use redevelopment of the old Star Market site. The Property is in the right location for an increase in size and number of residential units, and will not disrupt the evolving neighborhood context, however, the Project cannot happen without this Hardship Variance.

Per Section 4.1.3 of the SZO, the purpose of the MR3 district is:

- a. To permit the development of multi-unit and mixed-use buildings that do not exceed three (3) stories in height.*
- b. To provide quality commercial spaces and permit small-scale, neighborhood serving commercial uses.*
- c. To create dwelling unit types, sizes, and bedroom counts ideal for larger households in apartment buildings.*
- d. To create dwelling unit types, sizes, and bedroom counts ideal for smaller households in general buildings.*
- e. To permit increased residential density for buildings that meet the definition of a net zero ready building.*

The proposed Project is exactly what the MR3 asks for. It is a multi-unit, three-story Apartment Building structure providing quality residential space to serve the neighborhood, including one affordable unit; however, that building requires the Hardship Variance being requested.

The residential units will vary in size from 1,018 sf to 1,245 sf. There will be four 2-bedroom units and one 3-bedroom unit to accommodate larger households. The four 2-bedroom units will have two bathrooms, and the 3-bedroom unit will have 3 bathrooms, which families need.

Sustainability will be addressed in a number of ways, and the project will comply with the current specialized stretch energy code.

The Project will comply with the Green Score requirements.

The Project is not in a Transit Area and will have five motor vehicle parking spaces, and five long-term bicycle parking spaces, in the rear.

The project promotes the goals of the Somerville Pollinator Action Plan, as requested by the Urban Design Commission.

Granting the small requested Hardship Variance for the primary front façade build out causes no substantial detriment to the neighborhood or to the public good. In

fact, it is a public good by allowing more residential units at the Property and activating a currently abandoned site. The difference is so small as to not be noticeable.

The Project replaces a structure which is abandoned and is only 2.3' away from the right side abutter in the NR zoning district with a new structure that is the required 10' away from them.

Conclusion.

Applicant respectfully requests approval of the requested Hardship Variance for the primary front façade build out.

NARRATIVE SUPPLEMENT

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