

CITY OF SOMERVILLE, MASSACHUSETTS

MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT JOSEPH A. CURTATONE MAYOR

MICHAEL F. GLAVIN **EXECUTIVE DIRECTOR**

PLANNING DIVISION STAFF

GEORGE PROAKIS. DIRECTOR OF PLANNING SARAH LEWIS, SENIOR PLANNER SARAH WHITE, PLANNER / PRESERVATION PLANNER ALEX MELLO, PLANNER DAWN PEREIRA, ADMINISTRATIVE ASSISTANT

Case #: ZBA 2016-81 **Date**: March 1, 2017

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 45 Cameron Avenue

Applicant Name: Aroli Realty Trust, Menkiti Ifeanyi,

Trustee

Applicant Address: 45 Cameron Avenue, Somerville,

MA 02143

Owner Name: Aroli Realty Trust, Menkiti Ifeanyi,

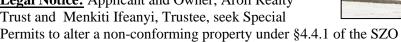
Trustee

Owner Address: 45 Cameron Avenue, Somerville,

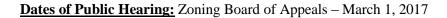
MA 02143

Alderman: Mark Niedergang

Legal Notice: Applicant and Owner, Aroli Realty Trust and Menkiti Ifeanyi, Trustee, seek Special



Permits to alter a non-conforming property under §4.4.1 of the SZO through an upward extension of the right side yard, left side yard, and front side yard setbacks, and an increase in square footage along with a Special Permit under Article 9 of the SZO for parking relief*. RB zone. Ward 5.



*Since the publication of the legal notice, it has been determined that no parking relief is needed as all parking spaces will be provided on-site. The explanation for this determination appears in the staff report below.

I. PROJECT DESCRIPTION

1. **Subject Property:** The subject property is a 930-square foot, single-story, legally-existing two-family residential structure on a corner lot. Though a legal two-family, it currently houses only one unit. The parcel is 3,049 square feet and located in the RB zoning district.

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Proposal: The Applicant proposes to enlarge the building while retaining the two-family use. To enlarge the structure, the Applicant proposes extending the right, left and front yard setbacks upward in order to gain additional living space. By doing so, the Applicant will also increase the overall square footage, thereby increasing the FAR from .32 to .92. The additional bedroom count will not trigger the need for parking relief as all required parking spaces will be accommodated on-site. The proposal also includes a location for a future lula.

- **3.** Green Building Practices: The application states that the project will not exceed the stretch code.
- 4. Comments:

II. FINDINGS FOR SPECIAL PERMIT (SZO §4.4.1):

In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.1 of the SZO. This section of the report goes through §5.1 in detail.

1. <u>Information Supplied:</u>

Staff finds that the information provided by the Applicant conforms to the requirements of §4.4.1 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits.

5. <u>Compliance with Standards:</u> The Applicant must comply "with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit."

Section 4.4.1 states that "[l]awfully existing one-and two-family dwellings which are only used as residences, which are non-conforming with respect to dimensional requirements, may be enlarged, extended, renovated or altered by special permit granted by the SPGA in accordance with the procedures of Article 5."

In order to gain additional living space and add a second unit, the Applicant proposes to increase the non-conforming right, left and front yard setbacks through an upward extension thereof. Currently, the left side yard setback is 4.6 feet, the right side yard setback is 1.1 feet and front yard setback is 1.3 feet from the property line. These dimensions will remain the same as the building itself rises from 11.25 feet to 39.3 feet.

The proposed plan improves the parking situation for the property. Currently, there are no parking spaces provided on site for the one unit on the property. The four required parking spaces needed under the proposal will be accommodated on the site itself.

Regarding Article 9 of the SZO

The current zoning code requires residential parking to be calculated based on bedroom count. Since the publication of the legal notice, it has been determined that the changes to the property do not trigger the need for parking relief. The explanation for this appears below:

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Unit #	Existing Bedrooms	Old Parking Req.	Proposed Bedrooms	New Parking Req.
1	1	1.5	3	2.0
2	Does not exist	n/a	3	2.0

Total Old Parking Requirement: 1.5 spaces Total New Parking Requirement: 4.0 spaces

Because all parking spaces will be provided on-site, no parking relief is needed.

3. <u>Consistency with Purposes:</u> The Applicant has to ensure that the project "is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles."

The proposal, as conditioned by Staff, is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to promoting the health, safety, and welfare of the inhabitants of the City of Somerville; to secure safety from fire, panic and other dangers; and to encourage the most appropriate use of land throughout the City.

The proposal is also consistent with the purposes of the RB zoning district which are, as outlined in Section 6.1.1 of the SZO, "...to establish and preserve medium-density neighborhoods of one-, two-, and three-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts." The Applicant's proposal to overhaul the units, keeping the property a two-family, is in keeping with the RB zone.

4. <u>Site and Area Compatibility:</u> The Applicant has to ensure that the project ''(i)s designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses."

45 Cameron Avenue is the odd building in this neighborhood. It is the only single-story structure in the immediate area and clearly reads as a building that was not initially built to be a residential in nature. This property is surrounded by numerous 2 ¾ -story residential structures. These properties are largely uniform in their turn-of-the-20th century style: mostly gable-fronted two- and three-family buildings with a few triple-deckers dispersed among them and one very new, very modern-styled residential structure at 40 Cameron Avenue.

The proposed design differs from the architectural styles in the surrounding neighborhood. That being said, some of the forms presented on the proposed structure - such as the gabled rooflines – are somewhat reflective of the general gabled form in the neighborhood. The proposed design is seen as more in keeping with the overall architectural style of the neighborhood than the new construction located at 40 Cameron Avenue. In general, the proposal provides a much-needed overall for a property that is otherwise someone distressed.

5. <u>Housing Impact:</u> Will not create adverse impacts on the stock of existing affordable housing.

The proposal does not add to the City's affordable housing stock.

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6. SomerVision Plan: Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville's neighborhoods, transform key opportunity areas, preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs.

The proposal contributes to SomerVision in that it improves a property in this neighborhood.

III. RECOMMENDATION

Special Permit under §4.4.1

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT.**

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition		Timeframe for Compliance	Verified (initial)	Notes
	Approval is for the upward extension of the right, left and front yard non-conforming setbacks and for the increase in FAR.		BP/CO	ISD/ Plng.	
	Date (Stamp Date)	Submission			
	July 14, 2016	Initial application submitted to city clerk's office			
1	November 7, 2016	Updated plans received by OSPCD			
	ANY changes to the approved plans, other than those changes made specifically to conform with the conditions below, must first be submitted to the Planning Division to determine whether or not they are <i>de minimis</i> in nature or whether they require review by the SPGA.				
2	The Applicant must contact the coordinate the timeline for cut and/or sidewalk for utility corticles.	ne Engineering Department to tting or opening the street nections or other corium on opening streets from there is a list of streets that	ВР	Eng/ISD	

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	The Applicant shall present their electrical plan to lights and	BP	Wiring/ISD	
3	lines/wiring for their review and approval prior to the			
	issuance of a Building Permit.			
	The Applicant shall provide the Traffic & Parking Division	BP	T&P / ISD	
	with a plan for construction traffic management for that			
4	division's review and approval prior to the issuance of a			
	building permit. This plan shall include delivery windows			
	for construction equipment and materials.			
	The Applicant shall present a demolition plan to the	BP	ISD	
5	Inspectional Services Division (ISD) and shall follow that			
	department's procedures for demolition and neighborhood			
	notification thereof exactly.			
	The entire property is being overhauled. ALL materials used	BP	Plng/ISD	
	on the exterior of the structure including, but not limited to,		i mg/isb	
	siding, windows, trim, fencing, hardscape, decking, etc.,			
6	shall be submitted to Planning Staff for their review and			
	approval PRIOR TO the issuance of a building permit and			
Con	prior to their installation. struction Impacts			
Coll	The applicant shall post the name and phone number of the	During	ISD	
7	general contractor and all sub-contractors at the site	Construction	13D	
/		Construction		
	entrance where it is visible to people passing by.	Desires	ISD	
	For the convenience of and respect for the neighborhood,	During	ISD	
0	during the construction phase, construction work shall not	Construction		
8	begin prior to 7:30am and shall finish no later than 5pm			
	Monday through Friday. <u>There shall be no construction</u> or construction-related work performed on weekends.			
	or construction-related work performed on weekends.			
		Desires	ICD/T %-D	
0	Deliveries to the construction site shall be limited to 9am to	During	ISD/T&P	
9	Deliveries to the construction site shall be limited to 9am to 3pm so as not to interfere with the comings and goings of	During Construction	ISD/T&P	
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	Windows shall be two-over two, with muntins applied to	СО	ICD/Dining
	the glass. No between-the-glass muntins shall be allowed.		ISD/Plning
14	No reflective or tinted glass shall be used. Dark spacers		
14	shall be used. Window sash, muntins, casing, stile and rail		
	shall be dark colored. Vinyl windows shall not be allowed.		
	All exterior lighting on the site shall be downcast and shall	Final sign off	Wiring
15	not, in any way, spill onto abutting properties.	/ Perpetual	Inspector
	Windows that are installed on any portion of the building	CO/Perpetual	ISD/Plng
	that is 3 feet or less from the lot line shall be inoperable,	CO/Ferpetual	ISD/Filig
16	fire-rated windows that comply exactly with ISD / building		
10	code requirements. The Applicant shall work directly and		
	closely with ISD to ensure compliance.		
	All venting shall be painted or wrapped to match the color	СО	ISD/Plng
17	of the portion of the building from which it exits.		13D/Fing
	The sides of the Mansard roof shall present historically-	CO	ICD/Dlng
18			ISD/Plng
G!4 -	appropriate proportions and curvature.		
Site		T 00	ICD /DI
19	Parking areas shall be made of grasscrete.	CO	ISD/Plng
	Because the entire property is being overhauled, the	CO	Plng/ISD
20	Applicant is required to submit a landscaping plan. Said		
20	plan must be submitted to Planning Staff for their review		
	and approval prior to its installation.		
	ALL landscaping materials, including hardscape, shall be	CO	ISD/Plng
21	submitted to Planning Staff for their review and approval		
	prior to installation		
	Since the entire property is being overhauled, a full	CO	ISD/Plng
22	landscaping plan must be submitted to Planning Staff for		
22	their review and approval prior to installation of plantings		
	and hardscape.		
	All at-grade mechanical equipment shall be screened with	CO/Perpetual	ISD/Planni
23	evergreen vegetation (<u>no arborvitae</u>). Planning Staff shall		ng
	approve vegetative screening prior to installation.		
	All trash and recycle areas shall be screened with cedar	CO/Perpetual	ISD/Planni
24	wood lattice or similar screening. Planning Staff shall		ng
24	approve such screening. No dumpsters shall be permitted		
	on site (after the construction period is complete).		
25	ATT stilities shall be busined undersound	CO/Perpetual	Lights &
23	ALL utilities shall be buried underground		Lines
Pub	lic Safety		
26	The Applicant and/or Owner(s) shall meet the Fire	CO	FP
26	Prevention Bureau's requirements.		
27	All smoke/fire detectors shall be hard-wired.	CO	FP/ISD
	As per Somerville regulations, no grills or similar	Perpetual	ISD/FP
28	cooking/heating apparatus shall be permitted on decks.	T	
20	Condo docs or rental agreements shall state as such.		
	All lighting on the property shall be downcast and shall not	CO/Perpetual	ISD/Fire
29	cast/spill onto abutting or nearby properties in any way.	o over experimen	Prevention
30	All fire/smoke detectors shall be hard-wired.	CO/Perpetual	ISD
	al Sign-Off		=
1.1115	The Applicant shall contact Planning Staff at least five (5)	Final sign off	ISD/Plng.
	working days in advance of a request for a final inspection	1 mai sigii oii	ISD/1 mg.
31	by Inspectional Services to ensure the proposal was		
31	constructed in accordance with the plans and information		
1	submitted and the conditions attached to this approval.		

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Date: March 1, 2017

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Site: 45 Cameron Avenue