



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2018-23
Date: August 22, 2018
Recommendation: Conditional approval

PLANNING STAFF REPORT

Site: 14 Pearl Street

Applicant / Owner Name: Adragna Dedic, LLC
Applicant / Owner Address: 100 Dartmouth Street,
Somerville, MA 02155
Agent Name: n/a
Agent Address: n/a
Alderman: Matthew McLaughlin



Legal Notice: Applicant and Owner, Adragna Dedic, LLC, seeks Special Permits under §4.4.1 of the SZO to substantially alter a non-conforming structure through additions and raising the roofline. GFA will increase by more than 25%. Number of units will increase from one to three. Parking relief requested under §9.13* of the SZO. RB zone. Ward 1.

Dates of Public Hearing: Zoning Board of Appeals – September 5, 2018

I. PROJECT DESCRIPTION

1. **Subject Property:** The locus presents a 1 ½-story, single-family residential structure sited on a 6,534 square foot lot in the RB zone.
2. **Proposal:** The Applicant proposes significant overhauling the property including expanding the existing structure, raising the roofline and re-landscaping. The footprint of the existing building will remain while the two additional units will be added to the front of the property. The two new front units meet all setbacks. The number of units will increase from one to three. The locus has the lot area per dwelling unit (lot area per d.u.) ratio to support three residential units. Three parking spaces will remain in the existing garage. This equates to one parking space per unit. Also proposed are six (6) bicycle spaces.

The components of the project requiring zoning relief under special permit are as follows:

Gross Floor Area (GFA)

Under §4.4.1 of the SZO, an Applicant must request a Special Permit in order to increase the GFA by more than 25%. The proposed addition of two more residential units on this parcel will increase the GFA by 45%.

Parking

The proposal requires parking relief for 1.0 space.

3. **Green Building Practices:** The application states the following: “*Project will meet or exceed stretch code.*”

4. **Comments:**

Historic Preservation Commission (HPC): Due to the substantial amount of demolition involved in this project, this locus was brought before the Somerville HPC. After two meetings of deliberation during which the structure was determined to be “historically significant” and “preferably preserved”, the 9-month demolition delay period was imposed. The demolition delay period has since expired and the Applicant is free to proceed with their project if approved by the ZBA.

II. FINDINGS FOR SPECIAL PERMIT (SZO §4.4.1 & §9.13):

In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.1.4 of the SZO. This section of the report goes through §5.1.4 in detail.

1. **Information Supplied:**

The Staff finds that the information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits.

2. **Compliance with Standards:** *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 nonconforming 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.”*

Section 4.4.1 of the SZO allows for legally-existing, non-conforming one- and two-family residences to be enlarged by Special Permit as long as the proposed changes do not create a situation that is more detrimental to the site or surrounding neighborhood than current conditions.

The need for the Special Permit arises in the case of 14 Pearl Street due to the proposed increase in GFA. As noted earlier in this report, GFA may be increased by more than 25% only under special permit. The proposal for 14 Pearl Street would increase the GFA by 45%. As proposed, the Applicant is able to increase the number of units on the property through the construction of a large addition that will comply with all setbacks and other zoning dimensions.

Section 9.13 of the SZO allows for applicants to request relief from full compliance with parking requirements. In the case of 14 Pearl Street, parking relief for one (1.0) parking space is requested. Under the current zoning ordinance, the amount of on-site parking required is tied to the number of bedrooms per unit. The calculation for 14 Pearl Street appears immediately below along with Staff’s findings regarding parking relief:

Existing			Proposed		
Unit	BDR	PKG	Unit	BDR	PKG
#1	2	1.5	#1	3	2.0
#2	n/a	n/a	#2	3	2.0
#3	n/a	n/a	#3	3	1.5
Total: 1.5			Total: 5.5		

Formula: *new parking requirement – old parking requirement = # of spaces needed*

$$5.5 - 1.5 = 4.0 \text{ new spaces needed}$$

However, three (3) parking spaces will be provided on-site. This further reduces the number of parking spaces needed to 1.0 space. Staff is supportive of this project only providing 3 on-site parking spaces (one per unit). This is consistent with the ZBA’s approach to not over-parking a site and providing more quality green space for the benefit of future residents in lieu of on-site vehicular parking.

3. Consistency with Purposes: *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."*

Staff finds that the proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to promote the health, safety, and welfare of the inhabitants of the City of Somerville; to provide for and maintain the uniquely integrated structure of uses in the City; to lessen congestion in the streets; to protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to conserve the value of land and buildings; to adequately protect the natural environment; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality.

Staff also finds that the proposal is consistent with the purpose of the RB district, which is, “[t]o 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.”

4. Site and Area Compatibility: *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."*

Surrounding Neighborhood: This portion of Pearl Street, along with the immediate surrounding streets, presents larger residential structures all set forward on their lots, close to the public way. The majority of the residential structures on this street contain two or more units.

Impacts of Proposal (Design and Compatibility): The proposed project will bring result in a larger structure on the site that is clearly newer in styling than many of the other residences on the street, but respectful of the gabled design seen in other extant buildings in the area. The proposal removes a significant amount of green space from the property, decreasing the amount of landscaped area from 49% to 31%, though this amount is still over the minimum required landscaping of 25% in the RB zone. The proposed addition to the existing structure will position the front façade of the building closer to the public way, which is consistent with the other residential structures on the street.

- 5. **Housing Impact:** Will not add to the City’s stock of affordable housing.

- 6. **SomerVision:** The proposal will add two (2) more residential units to the stock of available housing in the City.

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								
1	Approval is to increase the GFA by more than 25% through the construction of a large addition that will create two new residential units toward the front of the property.	BP/CO	ISD/Plng.									
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>February 5, 2018</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>January 22, 2018</td> <td>Revised plan set submitted to OSPCD</td> </tr> <tr> <td>May 24, 2018</td> <td>Revised plan set submitted to OSPCD</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	February 5, 2018	Initial application submitted to the City Clerk’s Office	January 22, 2018	Revised plan set submitted to OSPCD	May 24, 2018	Revised plan set submitted to OSPCD
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.												
Construction Impacts												

2	The applicant shall post the name and phone number of the general contractor at the site entrance where it is visible to people passing by.	During Construction	ISD	
3	All construction materials, construction equipment and construction-related shall be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained. Permits must be obtained for all dumpsters.	During Construction	T&P/ISD	
4	Construction shall occur from 7:30am – 5:00pm Monday-Friday <u>ONLY</u> . There shall be no construction or construction-related work allowed on the weekends or holidays.	During Construction	ISD	
5	The applicant shall comply with the: "Policy for new connections to and modifications to existing connections to the municipal sewer and drainage system stormwater management and infiltration/inflow mitigation." The Applicant shall work with Engineering to meet this condition and provide the required fees/mitigation.	BP	Engineering/ISD	
6	Complete engineering plans shall be submitted to Engineering for their review and approval prior to the issuance of a building permit.	BP	Engineering/ISD	
Design				
7	Applicant shall provide final material samples for siding, trim, windows, and doors to Planning Staff for review and approval prior to the issuance of a building permit. Vinyl siding, decking, and railings shall not be permitted	BP	Plng./ISD	
Site				
8	A landscaping plan shall be submitted to Planning Staff for their review and approval prior to the issuance of a building permit.	BP	Plng./ISD	
9	Planning Staff shall approve all plantings, including number and location, fencing, hardscape.	Prior to ordering/installation/CO	Plng./ISD	
10	All bituminous material/cement shall be removed from the property. Pervious material shall be used for all driving, walking, and parking areas (unless those parking areas are within a garage).	CO	Plng./ISD	
11	Planning Staff shall approve all pervious material to be used on the property along with its location	BP	Plng./ISD	
12	All trash and recycling areas shall be screened from public view and from abutting properties.	CO	Plng./ISD	
13	Location of trash/recycling areas and screening materials shall be submitted to and approved by Planning Staff prior to installation.	CO	Plng./ISD	
Miscellaneous				
14	Granting of the applied for use or alteration does <u>not</u> include the provision for short term rental uses, such as AirBnB, VRBO, or the like. Separate approvals are needed for the aforementioned uses.	Perpetual	ISD / Plng.	
Public Safety				

15	The Fire Prevention Bureau's requirements shall be met.	CO	FP	
16	Per Somerville fire safety regulations, grills, barbecues, chimineas and the like are NOT permitted on decks or porches.	Perpetual	FP/ISD	
Final Sign-Off				
17	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	Plng.	