

**Department of Permitting & Inspections**

Zoning Division  
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**TO:** Development Review Board  
**FROM:** Garret King  
**DATE:** April 4, 2023  
**RE:** ZP-23-49; 21 Morse Place

=====  
**Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.**

Zone: RL                      Ward: 5S

Owner/Applicant: RIELEY PROPERTIES LLCC/Silken Kershner

**Request:** Construct a new parking lot off of Morse Place that consists of 6 standard and 1 ADA parking spaces along with the creation of a bio retention system. The current driveway/parking spaces will be removed along with some of the current concrete sidewalk. Several trees will also be removed with no current plans to replace them.

**Applicable Regulations:**

Article 4 (Maps & Districts), Article 6 (Development Review Standards), Article 8 (Parking)

**Background Information:**

The proposed plan is to remove the current parking area on the west side of the property and to create 7 new parking spaces with one being ADA compliant. To address stormwater from the new impervious surface coverage a bio-retention system will be located at the corner of Batchelder St. and Morse Place, and will discharge overflow into the nearby catch basin, draining to the combined city sewer and stormwater system. The current gravel driveway and some of the existing concrete sidewalk connecting the driveway to the house will be removed and converted to green space.

Prior zoning permit actions for this property.

- Zoning board of Adjustment 9/8/1967: the creation of a 4 apartment house and two separate driveways on the west and east side of the house.

**Recommendation: Consent approval** as per, and subject to, the following findings and conditions:

**I. Findings**

**Article 4: Maps & Districts**

**Sec. 4.4.5, Residential Districts:**

**(a) Purpose**

**(1) Residential Low Density (RL)**

The property is in the RL zone and is subject to the development standards of this zone. Primarily intended for low density single-family detached dwellings and duplexes. The 4-plex was permitted in 1967 and is an anomaly in this neighborhood. It will remain unchanged in this application.

**(Affirmative finding)**

***(b) Dimensional Standards & Density***

Residential density will remain unchanged.

Prior/Current lot coverage is 20.3% Proposed lot coverage will be 34.4% which will be conforming to the district standards 35% limit.

The minimum required yard setback is 5 feet as all proposed construction is accessory to the main building. The new construction is 7ft at the closest point, conforming to the 5ft minimum requirement.

Max height will not be an issue as all proposed construction will be at or near grade. **(Affirmative finding)**

***(c) Permitted & Conditional Uses***

The creation of the new driveway is an accessory use to the current home and building a stormwater bio-retention area for stormwater is permitted within the district. **(Affirmative finding)**

***(d) District Specific Regulations***

***1. Setbacks***

See Sec. 4.4.5 above

***2. Lot Coverage***

See Sec. 4.4.5 above

***3. Accessory Residential Structures and Uses***

No Accessory structures are proposed. **(Not applicable)**

***4. Residential Density***

The residential density of the current home will not change. **(Not Applicable)**

***5. Uses***

**(Not Applicable)**

***6. Residential Development Bonuses***

**(Not Applicable)**

**Article 5: Citywide General Regulations**

***Sec. 5.5.3, Stormwater and Erosion Control***

Over 400sf of land disturbance is proposed so EPSC plan is required. It has been submitted for review by the Stormwater Program. The proposed bio-retention area is also subject to review and approval by the Stormwater Program. **(Affirmative finding as conditioned)**

**Article 6: Development Review Standards**  
**Part 1, Land Division Design Standards**  
**(Not Applicable)**

**Part 2, Site Plan Design Standards**

**Sec. 6.2.2, Review Standards**

*(a) Protection of important natural features*

There are no significant natural features within the property. **(Not Applicable)**

*(b) Topographical alterations*

The lot is flat and will have minor grading to direct stormwater to the new bio-retention stormwater treatment area. **(Affirmative finding)**

*(c) Protection of important public views*

The property is not associated with any important public views. **(Affirmative finding)**

*(d) Protection of important cultural resources*

The property has is not listed on a state or national register of historic places or known to be an important archeological site. **(Affirmative finding)**

*(e) Supporting the use of alternative energy*

Not applicable. **(Affirmative finding)**

*(f) Brownfield sites*

The subject property is not an identified brownfield. **(Affirmative finding)**

*(g) Provide for nature's events*

**(Not Applicable)**

*(i) Vehicular access*

The current driveway is gravel and will be removed and replaced with paved asphalt that provides access to the property and 7 parking spaces. **(Affirmative finding)**

*(j) Pedestrian access*

The proposed construction will remove the current walkway to the existing parking area, and a new concrete pathway will connect building entries to the proposed parking area. **(Affirmative finding)**

*(k) Accessibility for the handicapped*

One of the new parking spaces will be ADA compliant. **(Affirmative finding)**

*(l) Parking and circulation*

A new 12ft wide driveway will connect the parking spaces to Morse Place. Circulation is provided within the parking area and includes compliant back-up distances. Curbing is required along the periphery of the new parking. The applicant has indicated intention to create barriers to prevent vehicles from encroaching into adjacent green space. **(Affirmative finding as conditioned)**

*(m) Landscaping, fences, and retaining walls*

The proposed plan does not show the addition of any new landscaping features. The plan does include the removal of three multi-stemmed trees/tree clusters along with one 12” ash to be removed. **(Affirmative finding as conditioned)**

*(n) Public plazas and open space*

**(Not Applicable)**

*(o) Outdoor lighting*

**(Not Applicable)**

*(p) Integrate infrastructure into the design*

Connections for the bio-retention stormwater area will be underground and will connect to city systems. **(Affirmative finding)**

### ***Part 3, Architectural Design Standards***

#### ***Sec. 6.3.2, Review Standards***

**(Not Applicable)**

### **Article 8: Parking**

#### ***Sec. 8.1.9, Maximum On-Site Parking Spaces***

The existing home has maximum limit of 3 parking spaces per dwelling unit in this neighborhood parking district. The proposed plan has 2 parking spaces per dwelling unit and is under the maximum allowed. The parking spaces will conform to the dimensional standards of Sec. 8.1.11, *Parking Dimensional Requirements*. **(Affirmative finding)**

## **II. Conditions of Approval**

1. **Prior to release of the zoning permit**, a revised site plan depicting curbing along the periphery of the new parking and screening (landscaping and/or fencing) between the street and the new parking area shall be submitted, subject to staff review and approval.
2. The EPSC and stormwater management plans are subject to review and approval by the Stormwater Program prior to construction.
3. The Applicant/Property Owner is responsible for obtaining all necessary Zoning Permits and Building Permits through the Department of Public Works as well as other permit(s) as may be required, and shall meet all energy efficiency codes of the city and state.
4. Standard permit conditions 1-15.