

PARKING CALCULATIONS-revd

CALCULATIONS:

A. Existing Parking Requirements

3 buildings constitute the church parish.

280 Eliot – the church:

400 fixed seats – this is prime determining factor $400 \div 3$ seats per space = 134 spaces req'd (note: 362 “fixed seats” on sheet A-1 and 50 “fixed” on sheet A-2 on plans assumes 1 seat / 2 foot width per person, but at maximum occupancy during festivals, functions such as funerals, and holy days such as Christmas, the capacity for 400 persons remains applicable and considered critical to the Petitioner.

3 employees – 1 space

Office space @ 1 space /250 gsf requires 1 space

Meeting & function rooms @ 1 space / 45 gsf do not count since used sequentially, not concurrently w/church sanctuary

Total required 136 Spaces

270 Eliot –Rectory/Office

Dwelling – requires 2 spaces

Meeting rooms - @ 1/space /45 gsf do not count since used sequentially, not concurrently w/church sanctuary

Office – 2 offices, in aggregate approx 675 gsf – requires 1 space/250 gsf or 2.7 rounded up to 3 spaces

Total Required 5 Spaces

260 Elliot – misc accessory uses as follows

Meeting, classroom and function rooms approx 2,071 gsf @ 1/45 requires 46 spaces – but not used concurrently w/church sanctuary

No office use for at least 5 years!

Total Required 0 spaces

TOTAL PARKING REQUIRED FOR EXISTING 3 FACILITIES:

(136) + (5) + (0)=141 SPACES

The primary generator is the capacity for 400 persons that controls the parking required.

NOTE ALSO THAT NONE OF THE PARKING CALCULATIONS USE THE DEFAULT GROSS FLOOR AREA OF THE BUILDINGS AS TO RELIGIOUS INSTITUTIONS AND PLACES OF PUBLIC ASSEMBLY BECAUSE AT THIS STAGE, THERE ARE NO PROPOSED CHANGES IN USES; BUT RATHER ONLY WHAT IS REQUIRED FOR PARKING FOR THE REMAINING TWO BUILDINGS WHICH WILL CONTINUE TO BE USED FOR RELIGIOUS PURPOSES/PLACE OF PUBLIC ASSEMBLY.

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B. Total parking provided:
128 spaces. Current shortfall of parking is 13 spaces.

Current parking facility is lawfully nonconforming as to number of spaces required for the 3 Parish buildings. It also is lawfully nonconforming as to the design, dimensional and layout provisions in the Zoning Ordinances.

Note that Shortfall would be greater if previous use of some portions as offices at #260 were in fact continuing to the present.

C. Impact of proposed re-subdivision of land removing #260 Elliot and 8 parking spaces

THE PROPOSAL IS TO REMOVE 8 SPACES FROM THE PARISH'S PARKING FACILITIES SUCH THAT THE REMAINING AGGREGATE SPACES SERVING #270 AND #280 WOULD BE 120 SPACES. THE SHORTFALL WOULD INCREASE FROM 13 TO 21 SPACES. ACCORDINGLY AS SET FORTH IN THE LIST OF SPECIFIC RELIEF A PARKING WAIVER FOR THE 21 SPACE SHORTFALL IS REQUIRED.

Note that removing #260 from the overall Parish buildings and the 8 parking spaces behind that building does not decrease the shortfall! This is because for at least the last 5 years or more the use of #260 has been for public assembly/classroom/function hall purposes with no fixed seating. The parking demand generated for #260 was at times when the primary parking generator, i.e., the church at #280 Elliot, was not in use! So essentially #260 has not triggered a parking requirement as presently used. The parking calculation is for the remaining buildings in the Parish complex, and the removal of #260 from the Parish does not provide any assistance in decreasing the shortfall.

D. Sequencing of Zoning Relief

Please Note that upon granting the special permit parking waiver, the Archdiocese would then transfer ownership of #260 to 260 Elliot LLC. At that time or at such time that 260 Elliot LLC transfers the property to a non-profit entity, a special permit application would be sought relating to the existing building, proposed uses thereof, and parking. The default scenario in order to facilitate the foregoing sequence is that the new Lot 2 on which #260 would be located together with 8 parking spaces can qualify as a by-right use of the building and land as a two-family house, but that is not the reuse which the Petitioner believes that the community and the Upper Falls Historic District Commission deem in their and the public interest.

RELIEF REQUESTED

The exceptions/waivers requested hereinbelow will be in the public interest by allowing the portion of the existing parking lot behind #260 Elliot, which portion contains 8 spaces, to be removed from the parking facilities, which had been serving #260, #270 and #280, and which 8 spaces are to be conveyed with #260 Elliot on a 15,000 square foot parcel to a new owner. The new owner, 260 Elliot LLC, plans to create a nonprofit entity to own the building and land at #260, and to return to the City of Newton for Special Permits and other approvals as may be needed for the preservation and reuse of that historical building. While 8 spaces are being moved from those serving the two buildings remaining in the Parish, they are most proximate to #260, which as eventually re-purposed will need its own parking spaces, and as previously part of the Parish also utilized the 8 parking spaces!

The parking lots all predate zoning requirements. The uses served by them have been the 3 buildings (#260, #270 and #280 Elliot) constituting the local Parish since the beginning of the twentieth century (note: #260 was moved to the present site and became part of the unified religious institution prior to 1920). The Parish uses for #260 have now significantly diminished, and the entire reason

Waivers requested:

1) Waiver from Sections 5.1.3B and 5.1.13 as to number of parking spaces required after the portion of land containing 8 spaces and the building #260 Elliot are to be transferred with

RELIEF REQUESTED

#260 to a new owner. Shortfall of parking spaces will be 23 for which the waiver is requested. See accompanying calculations.

2) Waivers from 5.1.A and 5.1.13 to allow a reduction in number of off-street parking stalls required under 5.1.3 by 8 spaces

4) Waivers from 5.3.A and 5.1.13 to allow a reduction of 8 existing off-street parking stalls serving #270 and #280 which parking already is below the number required.

5) Waivers under subsections below and 5.1.13 from the design requirements of 5.1.8 for parking facilities in excess of 5 stalls as to the following:

a) locating spaces within front & side setbacks under Section 5.1.8.A.1;

b locating spaces within 5 feet of a building containing dwelling units under section 5.1.8.A.2;

c) minimum dimensions of stalls to be 9 feet wide by 19 feet deep under section 5.1.13;

d) minimum width to be 24 feet for 2-way maneuvering aisles for 90 degree parking under sections 5.1.8.C.1 and 5.1.8.C.2 for parking area located immediately behind the church (22.1 feet provided);

e) Perimeter screening via landscaping and fencing under section 5.1.9.A;

f) interior landscaping under section 5.1.9.B;

RELIEF REQUESTED

g) adequate security lighting with shielded bulbs and not less than 1 footcandle lightfall under section 5.1.10;

h) bicycle parking facilities for parking facilities with more than 20 parking stalls under section 5.1.11

ATTACHMENT-NARRATIVE

1. Buildings that form the Parish of Mary Immaculate of Lourdes Parish

270 Eliot Street is the rectory. Father Higgins lives there on Floor 1 and 2. Floor one also has two offices with 1.5 employees. There is parking behind that building for the employees.

The basement has a meeting room and kitchen. Parish Council meetings are held there. These meetings do not take place during services.

280 Eliot Street is the Mary Immaculate of Lourdes Church. The building has two areas, the church with a pew capacity of 400 and a finished basement area used for coffee after church services with a capacity of about 75-100. The Church and the basement area would not be used at the same time as it is for Parishioner's meetings and get together's after some, but not all, services. The church has 165 registered parishioners as of October 21, 2015, with an attendance of 80-90 registered families spread over *four masses at 7:30AM, 9:00AM, 10:30AM and 5:30PM* each Sunday. Additionally there are typically about fifteen twenty guests each Sunday also over these four masses.

260 Elliot Street 2 is a majestic, columned building also owned by the Archdiocese of Boston. The building is currently in a Multi-Residence 1 District and in the Newton Upper Falls Historic District. The building was constructed in the early 1800's as a two-family dwelling. In 1909, the building and land were acquired by the Archdiocese of Boston. This became part of the parish known as Mary Immaculate of Lourdes Church.

There are three rooms each on the first and second floor that can be used for meetings. The large room in the front on both floors has a form of room divider that one can pull across. The first and second floor total approximately 3000 sq. ft. and marble fireplaces beautify almost every room. There is one room that goes across the back of the building (you can see from the attached floor plans) that on the first floor houses the kitchen and two half baths, and an identical space on the second floor that is just an empty room. There is a basement and an attic space - neither one is currently used. The other rooms along with the front rooms on both the first and second floor have been used by children in the parish summer camps, local sports teams for events, and school rooms for Sunday School. There are meetings now held in St. Elizabeth's by Mary Immaculate Church and St. Mary's Cemetery office staff. 260 Elliot for at least the last 5 years does not have rooms regularly used as offices and with office staff regularly using the building.

The Church has used 260 Elliot to host Church bake sales, Church rummage sales, picnics, and Halloween "Haunted House" parties. Dinners and sporting award events have been held there as well. The building currently is used occasionally for meetings, which are usually only on the first floor. These meetings are usually for such purposes as planning for picnics, public functions, or any other church celebrations such as confirmations. The Church staff has cemetery meetings occasionally, and especially during the summer that just use the front large room.

The kitchen has been actively used for functions as have the front rooms on both floors. The kitchen not only served as the center for cooking and food preparation for the children using the center for Sunday School, it also served as the area for food preparation for church picnics and get-togethers on the grounds. For the last three years, the use of the kitchen has continued but at a reduced level. The kitchen currently is used for coffee and dessert service for meetings.

Both historically and currently, activities in the building have not been taking place during church services as the meetings etc. are all related to parishioners or the employees. As an example, a Church

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picnic would not take place during a service. The volunteers/parishioners delivering and setting up supplies would either park in the 260 Elliot drive or the lot behind 260, or behind the rectory.

2. Parking

Total onsite parking consists of **126** parking spaces. These are in two parking lots owned by the Archdiocese of Boston Mary Immaculate Church. The lots predate 1963. One lot ("west ") is located directly behind the church and the second lot ("east") is directly behind 260 Elliot. Both lots were recently repaved and restriped pursuant to a permit in 2014-2015, and the repaving and restriping of both lots per the permit condition reflected the pre-existing size and location of the paved surfaces and the locations of the parking spaces. The lot behind 280 Elliot lot has 63 spaces including 4 ADA accessible spaces. The lot behind 260 Elliot has 58 spaces. An additional 5 parking spaces ("rectory spaces") are also at 270 Elliot, the rectory, as follows: 2 garaged spaces at the rear, and per the existing and proposed conditions plans 3 unmarked outdoor spaces (2 tandem behind each garage door, and 1 space to the east of the building) at the rear which have been historically and continuously used by visitors to the rectory as well as by employees of the church. These spaces have been continuously used for the buildings constituting the Mary Immaculate of Lourdes Parish.

The special permit being sought is for such parking waivers to the parking lots serving the Parish as necessary to allow the 8 spaces immediately behind 260 Elliot to be deeded to the buyer of 260 Elliot (see notations on Existing and Proposed Plan; see also Continuation Sheet for details of relief sought).

This would allow a subdivision creating a separate 15,000 square foot lot containing the 8 spaces and the building #260 Elliot under different ownership than the Archdiocese of Boston, which would continue to own the two remaining buildings and land, constituting the Mary Immaculate of Lourdes Parish. The future use of 260 Elliot would be determined through subsequent zoning relief. The 8 spaces would be located on the new 15,000 square foot lot and would have the driveway access to those spaces altered so as to be located within the new 15,000 square foot parcel.

3. Requested Relief

The calculations for the number of parking spaces for the existing uses of the three buildings under the single Parish use and Archdiocese ownership reflect a shortfall, i.e., there are not enough parking spaces for the aggregate uses and 3 buildings as the current zoning ordinances would require; and so the parking is lawfully nonconforming with the current total of 126 spaces with a shortfall of 15 spaces. To create a separate lot containing #260 Elliot and 8 existing parking spaces which eventually would be under a different ownership results in an increase in the shortfall for #270 and #280 to 23 spaces. This requires a parking waiver.

As set forth in the accompanying Calculation Sheet, the current uses require 141 parking spaces, primarily dictated by the seating capacity for at least 400 people in the church building at 280 Elliot. Note that the Petitioner has determined that preservation of the right to have 400 people occupy #280 Elliot is critical to the continuing operation of the religious institution, most especially for highly attended religious holidays and festivals such as Christmas and Easter, but also for funeral masses and other gatherings deemed critical to Upper Falls Community and the continuing role of the Church in Newton Upper Falls. As part of the total parking demand for the 3 buildings, the rectory (#270) requires another 2 spaces as a dwelling and 3 spaces for offices.

In addition, as described in the attachments setting forth requested relief, waivers become necessary as to current requirements for the design, layout, lighting and landscaping of the parking lots. The 2014 permit for repaving (now completed) reflect paving and striping only for the pre-existing parking lot and pre-existing locations of parking spaces, which were created prior to the adoption of design standards in the 1970's.

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4. Relevant Title Information

The title materials enclosed reflect that the Assessors Parcel being section 51, block 37, lot 2 consists of 36,3050 sq. ft., and contains the building at 260 Elliot Street, and the large easterly parking lot. That land and building were used by the Church since the early part of the Twentieth Century but were not owned by the Church until the Plan 944 of 1940 dated October 3, 1940 was recorded with the deed (book 6701, page 161) on October 4, 1940, which described the 36,3050 sq. ft. parcel as Lot C-1 on the 1940 plan.

The titles for all the land constituting the Parish are in the common name for the Archdiocese of Boston. While the Assessors Records reflect 3 parcels, the Petitioner's Existing Conditions Plan reflects only a single one, Lot 1 for the entire Parish. If the City Council approves the requested parking waivers, an "approval not required" plan under GL ch 41, section 81P, would be created and recorded with only two lots, one being Lot 1 less the 15,000 square foot parcel, which would be reflected as Lot 2 on the plan. This would mirror the Proposed Conditions Plan. A deed out from the Petitioner for the 15,000 square foot parcel and #260 Elliot thereon would be recorded. Lot 1 would include #280 and #270 Elliot together with the large westerly parking lot, and the easterly parking lot sans the 8 parking spaces immediately behind #260 Elliot.

5. Re-Use of 260 Elliot Street

The reuse will be the subject of a subsequent special permit only after 1) the critical granting of special permit waivers requested by the Archdiocese which would be required triggered by removal of the 8 spaces from the ownership of and serving the church buildings; 2) transfer of the new 15,000 square foot lot with 260 Elliot and the 8 spaces to 260 Elliot Street LLC, of which the manager will be Karen Osborn, who grew up in the Upper Falls and has many long-standing personal ties to the Upper Falls, and ultimately creation of a nonprofit entity which would ultimately own that property; 3) meetings with Upper Falls residents as to reuses for the building; 4) review by the Upper Falls Historic District Commission of any proposals; and 5) seeking a special permit for the building as to reuses. The first critical step is this special permit which preserves the Parish's parking and thereby the capacity of its two remaining buildings and parking.