

DEPARTMENT OF PLANNING & LAND MANAGEMENT

Mobil Gas Station Parking
143 Sudbury Rd

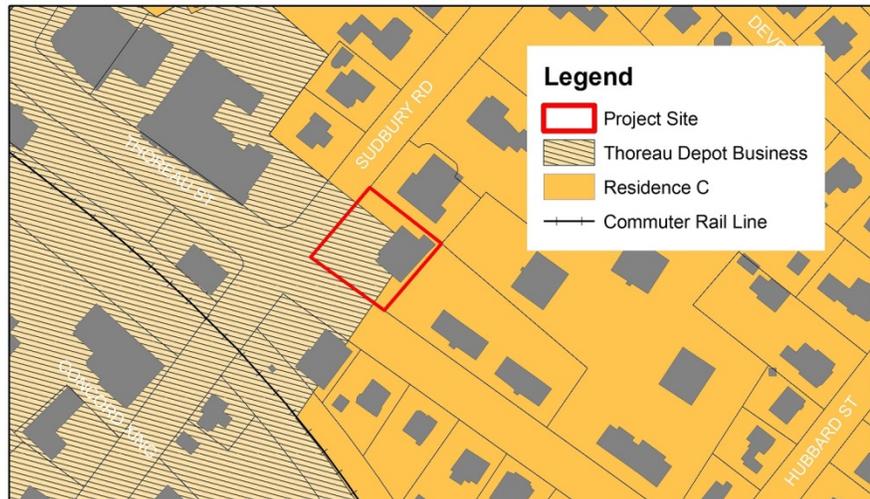
Report Date: January 6, 2020
Prepared by: Elizabeth Hughes, Town Planner

GENERAL INFORMATION

Owner/Applicant: Charlie Audi
143 Sudbury Road
Concord, MA

Requested Action: Recommendation to the ZBA for a Special Permit and Site Plan Approval, under Sections 7.7.3.4, 7.7.3.13, 11.6, and 11.8, to allow relief from the parking design requirements to allow stacked parking spaces in the existing parking lot.

**Location/Size/Utilities
Zoning/Existing Land Use:** The Site is located at the east corner of the intersection of Sudbury Road and Thoreau Street and is known as 143 Sudbury Road (Assessor Parcels # 0180). The Site is approximately 15,852 s.f. and located in the Thoreau Depot Business District and the Residence C Zoning District. The site is served by Town water, sewer, and electric.



**Surrounding Land
Uses/(Zoning):** To the northeast and southeast are existing residential uses (Residence C). To the northwest and southwest are existing commercial uses (Thoreau Depot Business District).

I. Proposed Project

The Applicant is requesting to amend an existing Special Permit and Site Plan Approval from the parking design requirements to allow the reconfiguration of an area currently used for 8 stacked vehicles so that it can accommodate up to 15 vehicles. The current layout is 4 vehicles wide by 2 vehicles deep. However, utilizing a parking space dimension of 8 ft. by 12 ft., it is possible to fit 15 vehicles in the area (5 wide by 3 deep). This will increase the number of parking spaces on the site from 16 to 21 spaces.

The Applicant proposes that an employee acting as a fulltime attendant shall only be allowed to park vehicles in this location and that placed behind the last row of vehicles will be cones with signs stating "Parking by attendant only".

The Applicant states that the need for the additional parking is due to the nature of the on-site auto repair business where customer's often drop a vehicle off for service on their way to work in the morning and then pick it up at the end of the day on their return home from work. This convenience to the customer results in some vehicles remaining during the day longer than is needed for the repair and therefor creating a need for the attendant parking area.

II. Zoning

7.7.3.4 Layout: *Required parking and loading facilities shall be laid out so that each vehicle may proceed to and from its parking space without requiring the movement of any other vehicle. The Planning Board may waive this requirement for parking facilities under full-time attendant supervision.*

In no case shall parking or loading spaces be so located as to require the backing or maneuvering of a vehicle onto the sidewalk or onto a public way in order to enter or leave the space.

The Applicant states that full time attendant will park vehicles in this area. Customers will not be permitted to park their own vehicle in this area and cones with signage will be located across the back stating this restriction. None of the vehicles require the backing or maneuvering onto the sidewalk or onto a public way in order to enter or leave the space.

7.7.3.13 Relief from design standards: *The Board may, upon advice of the Planning Board, grant relief from the design standards contained in section 7.7.3 where the variation in the standards can be supported by a study prepared by a qualified consultant and where the Board finds that the desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw.*

In 2012, the Applicant received a Special Permit and Site Plan Approval to allow the existing layout of 8 stacked spaces for employees. The current proposal will allow 7 additional parking spaces by reducing the size of the spaces from 9 ft. by 18 ft. to 8 ft. by 12 ft. This will allow employees to park in this location as well as customer vehicles that are be left for the entire day. Given the limited nature of the request, the Applicant has not submitted a study prepared by a qualified consultant. The Town Planner believes that the Applicant is providing a service that allows customers to leave their vehicle for service, walk to work in the area or catch the commuter rail train and then return at the end of the day and that increasing the stacked parking spaces from 8 to 15 may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw.

11.6 Special Permit

The Applicant is requesting an amendment to the previously approved Special Permit that allowed 8 stacked parking spaces.

11.8 Site Plan Review

11.8.6 Decision: Where a special permit from the Board is required or a variance from the Bylaw is requested in connection with any action subject to Site Plan Review, a site plan decision shall be made by the Board. In such case the Planning Board shall submit a report to the Board concerning the matters described in subsection 11.8.5 prior to any public hearing. In considering a site plan, the Board shall insure a reasonable use of the site consistent with the uses permitted in the district in which the site is located. The Board shall give due consideration to the report of the Planning Board and where the decision of the Board differs from the recommendations of the Planning Board the reasons therefore shall be stated in writing.

- a) *Protection of adjoining premises against seriously detrimental uses by provision for surface water drainage, sound and sight buffers, and preservation of views, light and air;*

The site is predominantly located in the Thoreau Depot Business District and at the corner of a busy commercial intersection. There is an existing four foot vinyl and chain link fence along the southeast property line to help screen the vehicles from the adjacent residential development. The site has adequate provision for surface water drainage. The Town Planner believes the proposed increase in the stacked parking spaces from 8 to 15 spaces in the current location will not be seriously detrimental to adjoining premises.

- b) *Convenience and safety of vehicular and pedestrian movement within the site, the location of driveway openings in relation to traffic or to adjacent streets and, when necessary, compliance with other regulations for the handicapped, minors and the elderly;*

The increase in the stacked parking spaces is accomplished by reducing the dimensions of the spaces from 9' x 18' to 8' x 12' and will not impede vehicular or pedestrian movement within the site or the location of driveway openings in relation to traffic or to adjacent streets. The 15 stacked parking spaces will be for employees and the parking of vehicles by a fulltime attendant that are left for repairs all day. The increase in the allowed staked parking does not trigger any required modifications to regulations for the handicapped, minors or the elderly.

- c) *Adequacy of the methods of disposal of refuse and other wastes resulting from the uses permitted on the site;*

The proposed increase in the stacked parking spaces from 8 to 15 spaces in the current location will not impact the site's current methods of disposal of refuse and waste, which is adequate for the existing use.

- d) *Adequacy of the arrangement of parking and loading spaces in relation to the proposed uses of the premises;*

The increase in the stacked parking spaces is accomplished by reducing the dimensions of the spaces from 9' x 18' to 8' x 12' and will be for employees and the parking of vehicles by a fulltime attendant that are left for repairs all day. This arrangement allows the Applicant to accommodate customers who need to leave their vehicles for repairs for the day, while still allowing adequate parking for customers with the existing 6 spaces along the northeast property boundary and the existing handicapped space at the corner of the site.

The Building Commissioner notes that the Applicant was granted a Special Permit and Site Plan Approval for relief from parking under Sections 7.7.2.12, 7.7.3.4, 7.7.3.12, 11.6 and 11.8 on February 22, 2012. The total required parking requirements for the site is 17 spaces. The Applicant provided 16 parking spaces and the Zoning Board of Appeal granted relief for 1 parking space. The proposed plan is to reconfigure the area currently used for 8 stacked spaces 2 cars deep so that it may be used for 15 stacked spaces 3 cars deep. If approved, the site will have a total of 21 parking spaces, 4 more than the required 17 spaces. The Building Commissioner has provided a copy of the 2012 parking analysis.

- e) *Adequacy of the method of exterior lighting for convenience, safety and security within the site and for protection of neighboring properties, roadways and the night sky;*

The increase in the allowed stacked parking does not require any modifications to the exterior lighting of the site, which is adequate for convenience, safety and security within the site and for protection of neighboring properties, roadways and the night sky.

- f) *Relationship of structures and open spaces to the natural landscape, existing buildings and other community assets in the area and compliance with other requirements of this Bylaw; and,*

The increase in the stacked parking is in a location that is currently paved and partially screened from the adjacent residential use and will not impact the relationship of the structure and open spaces to the natural landscape.

- g) *Impact on the Town's resources including the effect on the Town's water supply and distribution system, sewage collection and treatment, fire protection, and streets.*

The increase in the allowed staked parking from 8 to 15 spaces will not impact the Town's water supply and distribution system, sewage collection and treatment, or streets. The Assistant Fire Chief does not have any issues or concerns with the proposed stacked parking so long as it is by a fulltime attendant.

- h) *Incorporation of sustainability and resiliency principles into the site design that result in a plan that is responsive to the environment and actively contributes to the development of a more sustainable community.*

The increase in the allowed stacked parking does not require any modification to the site design. The Town Planner believes that the Applicant is providing a service that allows customers to leave their vehicle for service, walk to work in the area or catch the commuter rail train and then return at the end of the day thereby reducing the number of vehicles trips in the area.

III. Town Planner Recommendation

The Town Planner believes that the Planning Board can recommend that the Zoning Board of Appeals grant relief to the parking design standards based on the finding that an increase in the number of stacked parking spaces in the same location through the use of smaller dimensioned parking spaces and the use of a fulltime attendant will not be substantially detrimental to the neighborhood and does not derogate from the intent and purpose of this Bylaw and approve the Special Permit and Site Plan based on the items in this report and subject to the following conditions:

**143 Sudbury Rd. Parking Design Relief Special Permit Amendment
January 6, 2020**

1. Approval is based on the Parking Diagram Plan prepared for 143 Sudbury Road by Stamski and McNary, Inc. dated October 30, 2019.
2. **At all times**, an employee acting as a fulltime attendant shall only be allowed to park vehicles in the designated “Attendant Parking Area” and placed behind the last row of vehicles will be cones with signs stating “Parking by attendant only”.