

Statement in Support of Polar Views LLC
Application to City of Worcester Zoning Board of Appeals for Grant of Variance for
Noncompliance with Minimum Frontage Requirement for Mixed-Use Eligible
Development Project at 39 Lamartine Street, Worcester, Massachusetts

I. Background and Project Scope.

Polar Views LLC (“Polar Views”) is the owner of the property known and numbered as 39 Lamartine Street, Worcester, Massachusetts,¹ which contains approximately 18,154 square feet of land located at the corners of Lamartine Street, Grosvenor Street and Meade Street (the “Property”). The Property last contained a warehouse and office building that was unoccupied for years and was recently razed and removed.

The Property is located entirely within the Business, General (“BG-3.0”) zoning district and no overlay districts and is bounded by the Inspectional Services Department building to the south, a vacant parcel to the west, a municipal parking lot to the east and undeveloped commercial property to the north. The Property is located in close proximity to Polar Park and is surrounded by residential properties and various businesses and commercial uses, e.g., laundromat, storage, supply store, parking lots, etc.

Polar Views is seeking the grant of a variance from the minimum frontage requirement from the Worcester Zoning Board of Appeals (the “Board”), as more particularly described herein, in connection with the construction and development of a new 6-story building (the “New Building”) with approximately 48,613 gross square feet,² two levels of parking (one at the basement level and one at the ground floor), residential amenities, commercial retail space, 5 stories of multifamily Eligible Development³ which will include a mix of 1- and 2-bedroom apartments and a 6-bedroom penthouse suite on the top floor, as well as indoor and outdoor common areas, new landscaping and other site features (the “Project”). A total of 40 parking spaces will be provided to serve the occupants of the New Building. The Project also includes the construction and/or installation of related site improvements at the Property, including, but not limited to, new sidewalks and walkways (i.e., existing sidewalks will be replaced and/or repaired as needed, new walkways will be provided on-locus to provide access to entry doors), curb cuts (along Meade Street and Grosvenor Street), landscaped open spaces and indoor and outdoor amenity areas (e.g., fitness room, lounge, function room, dog park, second floor roof

¹ 39 Lamartine Street has a parcel identification of 05-014-0008.

² This excludes basement and garage areas.

³ An Eligible Development is defined in the Zoning Ordinance as “developments that include at least five percent (5%) of the units for the overall project with income restrictions at the sixty percent (60%) AMI limit.” The Project will contain 6 affordable units (4 units at 80% AMI and 2 units at 60% AMI) and will, therefore, constitute an Eligible Development.

garden, balconies, decks, etc.), electric vehicle (EV) charging stations,⁴ interior and exterior bicycle storage areas⁵ and other site features.

II. Requirement for Variance.

A variance is required to be granted by the Board⁶ for noncompliance with the minimum frontage requirement pursuant to Article IV, Table 4.2, which requires a minimum of 40 feet of frontage per dwelling unit, not to exceed 200 feet, for properties in the BG-3.0 zoning district. The Project will result in 36 dwelling units and will, therefore, require 200 feet of frontage, regardless of any Eligible Development entitlements. The Property contains approximately 159.28+/- feet of frontage and, accordingly, requires 40.72+/- feet of relief from the minimum frontage requirement.

In addition, the Project will also require the submission of applications to the Worcester Planning Board for site plan review approval and special permits for inclusionary zoning (IZ) incentives for noncompliance with parking (i.e., minimum count, dimensions, if required,) and loading requirements.

III. Reasons for Approval of Variance.

The Board should grant the requested variance for the reasons set forth below.

1. Describe how a literal enforcement of the provision of the City of Worcester Zoning Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant.

Polar Views would suffer substantial hardship if literal enforcement of the minimum frontage requirement of the Zoning Ordinance was to be enforced. Compliance with the minimum frontage would require Polar Views to acquire title to a portion of land from the City of Worcester where the Inspectional Services Department building is located to increase the frontage of the Property. Alternatively, Polar Views would be forced to significantly reduce the total number of units to only 3 units. Both options would make the Project financially infeasible.

⁴ 9 EV-“ready” charging (i.e., conduit run) spaces will be designated for future electric vehicle parking.

⁵ Two secure bicycle storage rooms will be provided, one on the first level to accommodate 9 bikes, and one that can be accessed from the interior at the below grade parking level to accommodate 21 bikes. Exterior bike racks for 14 bikes will also be provided.

⁶ The Board is the permit granting authority for issuance of variances pursuant to Article II, Section 6.A.3 of the Zoning Ordinance.

Denial of the requested variance would result in Polar Views being unable to develop the Property lot into its most beneficial use, thereby, depriving Polar Views from realizing the full economic value of the Property, which has been underutilized for years.

2. Describe how the hardship is owing to circumstances relating to the soil conditions, shape, and/or topography of the land or structures and how the hardship especially affects said land or structures, but does not affect generally the zoning district in which it is located.

There exist circumstances relating to shape and size of the lot that especially affect the Property, but do not affect generally properties in the BG-3.0 zoning district or the BG-6.0 zoning district located directly across the street. Unlike many other neighboring properties, the Property lot is surrounded by streets on three sides and is unusually square-shaped, rather than long and rectangular. Although the aggregation of the lot lines along the surrounding three streets would otherwise comply with the minimum frontage requirement, the Zoning Ordinance, unlike many other communities, does not allow such aggregation, and, therefore, the Property cannot comply with the minimum frontage requirement without acquiring additional land from the City of Worcester to the south, which is untenable. Many of the nearby lots along Lamartine Street are more rectangular in shape and/or have a lot line along a street that is longer relative to its other lot lines.

3. Describe how desirable relief may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the City of Worcester Zoning Ordinance.

The requested variance may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning Ordinance. The aggregate length of the lot lines along the surrounding three streets exceeds 200 feet, which is tantamount to satisfying the underlying purpose of the minimum frontage requirement. Granting this relief will promote the highest and best use of the Property, which has been underutilized for years. This Eligible Development Project will provide much-needed affordable housing with 15% of the units being comprised of affordable rate units, including 5% of the units being rented at rates as low as 60% of the area median income. The Project will promote economic vitality by creating construction-related jobs and generating new tax revenues and fees for the City. The proposed parking space to unit ratio for the Project of 1.11 is higher than the parking ratios of other similar high-rise multifamily projects that have been approved in the City. The Project will accommodate 1 to 1 residential parking for all 36 units while providing 4 spaces for the remaining commercial use at the New Building.

The Project is in conformance with the purposes and intent of the Zoning Ordinance, as it will encourage the most appropriate use of the land in a manner that protects natural resources as well as the architectural, scenic, and aesthetic qualities of the neighborhood and protects against the uses of land which are incompatible with nearby uses, undue intensity of noise and danger and congestion in travel and transportation.

4. Describe how the dimensional variance as it relates to floor space, bulk, number of occupants or other relevant measures, if granted, shall be no greater than the minimum necessary to provide relief from the statutory hardship.

The variance from the minimum frontage requirement as requested herein is no greater than the minimum necessary to provide relief from the statutory hardship.