

From the Law Office of Terrence P. Morris, Esq.

Memorandum

To: Peter Matchak, Planning Director
From: Terrence P. Morris, Esquire
Date: September 22, 2023
Cc: Ashland Planning Board
Re: 9-15 Homer Avenue: Parking Requirements

This memo is being submitted in response to your discussion with Town Counsel in which it was determined that the parking requirements for the existing commercial block located immediately adjacent to the subject development site at 23-49 Homer Avenue, must be met in accordance with the Ashland Zoning Bylaw.

Accordingly, we are presenting the following information relative to the parking requirements for that space and the proposed means by which we intend to satisfy those requirements.

The subject block contains three commercial tenants with the following street addresses: Pizza Mine & NY Deli (#9); Chris' Barber Shop (#11); and Shear Perfection Hair Salon (#15) (collectively the "Commercial Block"). The pizza shop falls within the "Restaurant" category which requires one space for each of 4 seats. It is my understanding that the Town has granted a license to that tenant for 36 seats which would require nine (9) spaces. The requirements for both the barber shop and hair salon appear to fall within the category of "Offices or stores", for which the parking requirement is one space per 180 square feet (sf) of leasable floor space. Each of these spaces contains 300 sf of space which would require 2 spaces for each or a total of four (4) spaces.

The total number of spaces required above (13) may be reduced under the provisions in ADD-C zoning district, Section 8.5.13, which states, "*where there is a mixture of land uses on one lot, the number parking spaces required shall be only 75% of those stipulated above that is, where there is a mixture of land uses the parking requirement will be 56.25% (75% times 75%).*" Under that provision we are required to and will provide 8 parking spaces.

Section 5.1, titled, Off- Street Parking Requirements states, in relevant part, that the required parking. "*shall be either on-site the same premises as the activity it services or within 300 feet on a separate parcel which may be jointly used with other premises for this purpose.*" The petitioner on the application for development of 23-49 Avenue also owns the property directly across the street at 20 Homer Avenue (the "Station Property"), which is the site of a former train station now used as office space. The building contains 1,920 square feet of leasable space which is currently occupied by an accountant's office. The office space is subject to the same 180/sf set forth above, which would require 11 spaces (1,920 sf/180 sf = 10.67). The Station Property contains 24 parking spaces, which are more than enough to accommodate the requirements of both the Commercial Block and the Station Property.