ARTICLE 20: MICRO UNIT DWELLINGS IN G-1.75 (CC)

The Planning and Regulation Subcommittee held public hearings on WA 20 on September 25 and October 22, 2019. Present at the 9/25 meeting were petitioner Robert Zuker and his legal representative Jennifer Dopazo Gilbert. Also present were Linda Pehlke (TMM 2) and Jonathan Davis (TMM 10); Charlotte Leis and Maria Morelli (both of the Planning Department); and subcommittee members Steve Kanes (Chair), Ben Birnbaum, Carol Levin, Carlos Ridruejo, Lee Selwyn, and Neil Wishinsky. Present at the 10/22 meeting were Zuker, Kanes, Birnbaum, Ridruejo, Selwyn, Wishinsky, Carol Caro (TMM 10), and Kara Brewton and Polly Selkoe (both of the Planning Department).

WA 20 would permit the construction of micro-unit dwellings by special permit within the Coolidge Corner General Business District. Micro Unit dwellings are defined by the Zoning By-Law as living spaces no larger than 500 square feet in size. These had been permitted under Brookline zoning prior to the Fall of 2016, at which time Town Meeting approved the Emerald Isle Special Overlay District (EISD) and included special provisions for the development of Micro Unit Dwellings in that area. Town authorities have ruled that the language used in deliberately approving Micro Units in the EISD precluded—perhaps inadvertently—the development of similar units anywhere else in Brookline. It seems worth noting here that no Micro Units have to date been developed in the Town, including in the EISD, which comprises eight adjoining commercial properties between Brookline Avenue and River Road on Brookline’s eastern border.

Under WA 20, petitioner Zuker would seek to build a Micro Unit residential building on a 9,600 square-foot property at 25 Webster Street. The property currently serves as a parking lot. At least 75 percent of the area in the proposed structure would be devoted to residential units, with other space utilized for commons areas. No parking spaces would be provided, but each unit would have a parking space for one bicycle.

The building would be subject to current Zoning By-Laws pertaining to the Coolidge Corner General Business District.

**Discussion**

Views of Micro Unit buildings voiced at the meetings were generally positive, with such development seen as a sound way to bring elements of housing diversity and affordability to the Town. It was also noted that the addition of new (carless) residents to Coolidge Corner would benefit local businesses.
Concerns raised at the initial hearing (9/25), both from members of the public and members of the subcommittee, centered around special considerations the petitioner was then seeking, including exceptions for height, set-back, and FAR based on Public Benefit Incentives. The petitioner, however, later dropped his request for those exemptions and introduced a revised Warrant Article at the Subcommittee meeting on 10/22 that made no claim for zoning relief based on Public Benefit Incentives.

Other issues that emerged had to do with the following concerns:

1) That the opening of the Coolidge Corner Business District to Micro Unit construction could invite similar development projects in the District that would prove less appropriate, however, than the Webster Street proposal, which is likely to result in a 4.5 story building among structures of similar and greater size.

2) That prior to approval of any Micro Unit development, the Town would be wise to conduct a study of the benefits and challenges such housing presented, both in Coolidge Corner and in other suitable areas of the Town.

3) That Micro Unit developments could stress the urban ecology or character of Coolidge Corner, particularly given several other major projects that are currently being proposed or developed in the District.

In final analysis, however, the Subcommittee concluded that Micro Unit residences seemed to make sense in Coolidge Corner (and for Brookline’s urbanized areas more generally); that the Coolidge Corner Business District was sufficiently buttressed by zoning regulations to keep it from being “over-run” by Micro Unit projects; and that the proposed project would not only prove useful for Coolidge Corner businesses but would provide the Town with experience that would aid in the development, if required, of further policies on Micro Unit development in Coolidge Corner and elsewhere.

VOTE
The Planning and Regulation Subcommittee recommended Favorable Action on Article 20 by a vote of 5-0.
To see if the Town will amend the Zoning By-Law as follows (proposed new language is underlined and deletions are noted with a strike through):

1. By amending the Table of Use Regulations, Section 4.07, Principal Uses, Section 6D. Dwelling, Micro Unit as follows:

<table>
<thead>
<tr>
<th>Principal Uses</th>
<th>Residence</th>
<th>Business</th>
<th>Ind.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>S</td>
<td>SC</td>
<td>T</td>
</tr>
<tr>
<td><strong>RESIDENCE USES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6D. Dwelling, Micro Unit</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

*Permitted by Special Permit in the I-(EISD) District in accordance with 5.06.4.j.
**Permitted by Special Permit in the G-1.75(CC) in accordance with 5.06.4.b.

2. By amending Section 5.01 – Table of Dimensional Requirements and the Footnotes to the Table by adding a footnote 21 as follows (new language is underlined):

<table>
<thead>
<tr>
<th>DISTRICT</th>
<th>USE</th>
<th>LOT SIZE MINIMUM (sq. ft.)</th>
<th>FLOOR AREA RATIO MAXIMUM</th>
<th>PBI NB ONL Y</th>
<th>LOT WIDTH MINIMUM (feet)</th>
<th>MAXIMUM HEIGHT</th>
<th>PBI MINIMUM YARD</th>
<th>MINIMUM YARD</th>
<th>OPEN SPACE (% of gross floor area)</th>
</tr>
</thead>
<tbody>
<tr>
<td>G-1.75CC</td>
<td>Any structure or principal use (dwell ing – footnote 5)</td>
<td>None*</td>
<td>1.75</td>
<td>2.25</td>
<td>none</td>
<td>45</td>
<td>NA</td>
<td>70 (C C) * *</td>
<td>none</td>
</tr>
</tbody>
</table>

**FOOTNOTES:**
21. For property in the G-1.75 (CC) see also Section 5.06.4.b.

3. By amending Section 5.06.4.b Coolidge Corner General Business District paragraph 5 as follows (new language is underlined):

5) For such applications, residential development shall be permitted above the first floor. Notwithstanding anything to the contrary in this By-Law, common areas, lobby or amenity space for a building that contains seventy-five percent (75%) or more Micro Unit Dwellings shall be considered non-residential space for the purposes of complying with Section 4.07.6 with respect to the requirement that in L and G districts no more than 40% of frontage may be devoted to residential use, so long as such space does not front on Harvard or Beacon Street.

4. By amending Section 6.02, Paragraph 1, TABLE OF OFF-STREET PARKING SPACE REQUIREMENTS by adding another paragraph as Note #3 after Note #2 below the Table as follows (new language is underlined):

3. For Use 6D (Micro Unit Dwellings) the maximum number of spaces for each Micro Unit Dwelling shall be 0.5, and no additional spaces shall be required for floor areas used for common areas, lobby or amenity space.

5. By amending Section 6.02.2.i by adding language as follows:

i. Residential uses on any lot for which any portion of the lot is within the Transit Parking Overlay District, notwithstanding the requirements of §3.02 paragraph 4, must provide no fewer off-street parking spaces per dwelling unit than 1 for studio units, 1.4 for one-bedroom units, 2 for two bedroom units, 2 for dwelling units of three or more bedrooms. For Micro Unit Dwellings in a building with a minimum of seventy-five percent (75%) Micro Unit Dwellings no vehicular parking is required, however, space to park one bicycle shall be provided for each Micro Unit Dwelling.

or act upon anything else relative thereto.

EXPLANATION
Currently, Micro Unit Dwellings as defined in the Zoning By-Law are residential units no greater than 500 square feet in gross floor area per unit. See, Section 2.04 (3)(f) of the Brookline Zoning By-Law. Micro Unit Dwellings have been recognized by the town as a useful way to provide housing for individuals at a relatively affordable cost. In addition, because of the smaller size of these units they have a smaller ecological footprint than larger 1 bedroom units. Several years ago when the Town approved the Emerald Island Special Overlay District (EISD) Micro Unit Dwellings were allowed in the EISD. However, no other zoning district in town permits the development of Micro Unit Dwellings. To date, no Micro Unit Dwellings have been developed or proposed in the EISD. This article seeks to allow Micro Unit Dwellings in the G-1.75 (CC); the Coolidge Corner General Business District with a special permit from the Zoning Board of Appeals. This article also seeks to provide more flexibility for Micro Unit Dwellings to use Public Incentive Benefits by eliminating the requirement that the lot contain a minimum of 20,000 square feet. In addition to providing much needed housing to individuals, Micro Unit Dwellings can also provide a boost to the nearby retail businesses. The Coolidge Corner General Business District is a suitable spot for Micro Unit Dwellings due to the existing density, many nearby retail and civic establishments and public transit options.