

Assessment of Compliance with the India Street Form Based Code Zone (IS-FBC)

Luminato Condominiums
169 Newbury Street
File: 15178

Luminato is located in the Urban Transitional (UT) Subdistrict of the IS-FBC.

General Development Standards.

Use. Luminato's multi-family residential use is an allowable use under the IS-FBC.

Building Length. Building length may be 200' under the Structured Parking Exception. 14-275.6(b)(2)(d)(and table). Luminato's length along Franklin Street is 121.21'.

Height. If principal frontage faces a UT street, then the building is eligible for a height bonus. 14-275.6(c)(1)(a)(1). One additional story of up to 12 feet in height is allowed for any development providing a GREEN ROOF, where at least 50% of the cumulative lot area is pervious; and at least 50% of the cumulative roof area is a GREEN ROOF. 14-275.6(c)(1)(b)(2). GREEN ROOF area may be applied towards the 50% lot area requirement. GREEN ROOF is defined as: *a roof of a building that is partially or completely covered with vegetation and designed to meet the Maine Stormwater Best Management Practices Manual standard and recommendation. A green roof installation must serve the purpose of reducing stormwater runoff through retention or slowing and consist of an assembly that at a minimum includes a root repellent system, a drainage system, a filtering layer, a growing medium and plants, and shall be installed on a waterproof membrane. The vegetated area of a green roof may be considered pervious for zoning impervious calculations.*

Luminato's roof meets the GREEN ROOF definition and meets the pervious percentage requirements as follows: The GREEN ROOF will be on two different levels providing more than 50% coverage.

The maximum height allowable for the Luminato building, with the height bonus, is 77' up to 7 stories. 14-275.6(c)(1)(b)(2)(see table). Luminato's height is 77'.

Parking. Parking in the IS-FBC refers to the Division 20 of the Land Use Code which, in turn, requires one parking space per dwelling unit. Luminato is providing 27 parking spaces for 26 dwelling units.

UT Subdistrict Dimensional Requirements (14-275.7(b)).

Lot Coverage: 90% maximum. Luminato's lot coverage = 76% (Building Only).

Building Length (with Structured Parking Exception): 200'. Luminato's length = 121.21'.

Setbacks.

Front Yard: 10' maximum. Luminato is situated on a corner lot and thus it has a "Front Yard" on both Franklin and Newbury [see Table 14.275.4(b); Definitions Illustrated]. Luminato's Front Yard setback on Franklin and Newbury does not exceed the 10' maximum.

Side Yard: 10' minimum. Luminato's side yard setbacks against 100 Federal Street and against 32 and 36 Hampshire Street meet or exceed 10.'

Rear Yard: 10' minimum. The jog in the building footprint near 96 Federal Street (treated as a "Rear Yard") is setback from 96 Federal Street by more than 10'.

There are building entrances on 3 sides of the building. The Franklin Street side does not have an entry. The internal layout and the adjacent grades prohibit and entry on that side of the building.

Height Standards

The allowable Building Height, with the bonus height, is 77'. Luminato's height is 77'.

Garage setback: 2nd Lot Layer. This dimensional standard does not require that the garage opening be recessed the full length of the 1st layer as that 1st lot layer can vary in depth [see Table 14.275.4(d); Definitions Illustrated; and the definition of a lot layer which refers to a "range of depth" of a lot]. This standard does required that the garage opening be recessed. Luminato's garage opening is recessed from the lot line with Newbury Street by a range of 4.5 feet closest to Franklin and 7.7 feet furthest from Franklin.

In summary, Luminato's building has been designed to comply with the Urban Transitional Subdistrict of the India Street Form Based Code.