



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2012-94
Date: December 6, 2012
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 0 Crown Street

Applicant Name: Zipcar, Inc.
Applicant Address: 25 First Street, 4th Floor, Cambridge, MA 02141
Property Owner Name: Somerville Hospital c/o C.H.A. Accting Dept. - D. Gasual
Property Owner Address: 10 President's Landing, Medford, MA 02155
Agent Name: Richard G. Di Girolamo, Esq.
Agent Address: 424 Broadway, Somerville MA 02145
Alderman: Tom Taylor

Legal Notice: Applicant Zipcar, Inc. and Owner Somerville Hospital, seek a Special Permit under SZO §4.5.3 in order to expand an existing nonconforming use, a hospital (SZO §7.11.5.B.3.b), to a hospital use with one (1) parking space for car-sharing or flex-car spaces (SZO §7.11.11.14.a). RA zone. Ward 3.

Zoning District/Ward: RA zone / Ward 3

Zoning Approval Sought: Special Permit under SZO §4.5.3

Date of Application: October 22, 2012

Date of Public Hearing: Zoning Board of Appeals – **December 12, 2012**

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 21,584 square foot lot located between Crown Street and Brastow Avenue behind the Somerville Hospital at the intersections of Crown Street and Crocker and Tower Streets. The property is a surface level parking lot that contains 58 parking spaces which service the Somerville Hospital. This is one of two parking lots which services the hospital, the other being located directly off of Highland Avenue. There is a parking attendant booth at the eastern end of the lot. One (1) of the 58 parking spaces on the property is currently being used as car-share or flex-car space by Zipcar.



There are no records of zoning approval for the initial construction of the hospital; however, there have been several Special Permits and two Variances issued since 1989.

In 1989, the Somerville Hospital received a Special Permit for an expansion to allow for additional medical services. The permit included remodeling office space in the South Building, expanding physicians' office/examination space in the basement of the Medical Arts Building, and the addition of physicians' office space, a stair link and vestibule in the area adjacent to the Medical Arts Building. The expansion required a Variance for eight parking spaces.

In 2002, the Hospital received a Special Permit to replace a cooling tower on the roof of the building and add screening around the tower.

In 2003, the Hospital received a Special Permit to add a new rooftop mechanical unit, an enclosed outdoor recreation area, a bicycle storage facility, an exterior canopy, and an additional window to the Hospital.

In 2010, the Hospital received a Special Permit to construct an approximately 3,500 square foot addition to the Medical Arts Building, make façade alterations at the corner of Highland Avenue and Crocker Street, expand the office use within the existing building to approximately 45,000 square feet, and to modify parking requirements for 6 parking spaces.

The building has also received Special Permits for wireless equipment on the roof.

Most recently, in January of 2012, the hospital received a Variance for the replacement of the faces of an existing freestanding sign, installation of a second freestanding sign that is approximately 3 feet from the front property line, and for the installation of a façade mounted sign on Tower Street that is approximately 22 feet above grade.

2. Proposal: The Applicant is proposing to legalize the one (1) existing car-share or flex-car space that is being operated by Zipcar in the 58 space parking lot at 0 Crown Street. This parking lot is one of two lots (the other being located off of Highland Avenue) that services the Somerville Hospital. To do this the Applicant is seeking a Special Permit to expand the existing nonconforming use of the property as a hospital (Somerville Zoning Ordinance (SZO) §7.11.5.B.3.b). The car-share parking space in the lot is occupying a space very close to the parking attendant booth and Crown Street in the double loaded parking row as indicated on the site plan. The space is identified as a Zipcar space by a small sign on a post that is situated at the front end of the parking space.

3. Nature of Application: The Applicant is applying for a Special Permit to legalize the one (1) existing parking space as a car-share or flex-car space (SZO §7.11.11.14.a) at the property. A car-share or flex-car space use is not permitted in the RA district. The existing use of the property as a hospital (SZO §7.11.5.B.3.b) is also not permitted in the RA zoning district. Therefore, the Applicant is seeking to expand the existing nonconforming hospital use via a Special Permit from the Zoning Board of Appeals under SZO §4.5.3, to a hospital use with one (1) car-share or flex-car space at the property.

4. Surrounding Neighborhood: The Somerville Hospital is surrounded on three sides by the RA district and faces the RC district across Highland Avenue. Properties along Highland Avenue feature a variety of commercial and residential uses, with a convenient store, liquor store, and restaurant as ground floor uses topped by housing immediately facing the hospital block. Crocker and Tower Streets are

predominantly single- and two-family homes. To the south of the hospital site, across Crown Street, is the surface parking lot associated with the hospital where the Zipcar space is located.

5. Impacts of Proposal: There does not appear to be any negative impacts of providing one (1) car-share space at this site. The existing hospital use for which this site is associated is mostly likely out of compliance with the required number of parking spaces according to the Somerville Zoning Ordinance which calls for 0.75 spaces per employee and one parking space per bed. However, the location of the hospital has extremely good access to public transportation as it is located on Highland Avenue which has a number of MBTA bus routes along it. Additionally, the positive impact is that Zipcar estimates that for every active Zipcar there are 15-20 fewer individually owned cars on the road. If the Zipcar space were to be legalized via this Special Permit, it would simply be a legalization of a use that has already been occurring at the property. The Zipcar space is already in this location and has been operating at the property for some time now. The legalization of this Zipcar space by expanding the existing nonconforming use to a hospital use with one (1) car-share or flex-car space at the property would not appear to be detrimental to property or the surrounding neighborhood.

6. Green Building Practices: None indicated by the Applicant, but car-sharing has been shown to reduce car ownership and therefore reduces the number of vehicles that are stored and driven in the City.

7. Comments:

Fire Prevention: Has been contacted but has not yet provided comments.

Ward Alderman: Alderman Taylor has been contacted but has not yet provided comments.

Traffic & Parking: Has been contacted but has not yet provided comments.



Existing/Proposed Location of Car-Share Space

II. FINDINGS FOR SPECIAL PERMIT (SZO §4.5.3, §5.1)

In order to grant a Special Permit, the SPGA must make certain findings and determinations as outlined in §5.1.4 of the SZO. This section of the report goes through §5.1.4 in detail.

1. Information Supplied: The Staff finds that the information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permit.
2. Compliance with Standards: The Applicant must comply "with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit."

While the number of existing parking spaces at the property are most likely short of the parking spaces required by the Somerville Zoning Ordinance (the property would then also be nonconforming with regard to parking as well as nonconforming with regard to the use), the legalization of the one (1) existing car-share space would not be detrimental to the property or the surrounding neighborhood. The Zipcar space has been operating in this location for some time now and it is active proof that the one (1) car-share space is not detrimental to the surrounding neighborhood. Zipcar estimates that for every active Zipcar there are 15-20 fewer individually owned cars on the road. By having this Zipcar space on site, it will encourage those who travel to the hospital or those who live in the surrounding residential neighborhood to not have a vehicle since they will have easy access to the Zipcar space. This is especially true when thinking about this location in combination with the easy access to public transportation along Highland Avenue.

3. Consistency with Purposes: The Applicant has to ensure that the project "is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles."

The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to promoting "the health, safety, and welfare of the inhabitants of the City of Somerville; to provide for and maintain the uniquely integrated structure of uses in the City; to lessen congestion in the streets; to facilitate the adequate provision of transportation; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality."

The proposal is also fairly consistent with the purpose of the district (6.1.1. RA - Residence Districts), which is, "To establish and preserve quiet neighborhoods of one- and two-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts." While the combined hospital and car-sharing use is a nonconforming use for this particular zoning district, the use is very compatible with the surrounding predominantly residential neighborhood. Many different users will have access to the Zipcar vehicle, which will provide more transportation options to residents in the area.

4. Site and Area Compatibility: The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses."

The one (1) Zipcar space is located in the double loaded parking row of the 58 space parking lot that that services the Somerville Hospital. This particular lot is located up the hill (south) from Highland Avenue and is set well

behind the Somerville Hospital building. This parking area is not visible from a major public way. The car-share space is a compatible use in this residential neighborhood as it will be easily accessible for a number of residents in the surrounding area. Staff find that the car-share space would have a minimal affect on the physical character of the area as the Zipcar space is already located, and would continue to be located, in the existing 58 space parking lot and the space holds the potential to reduce car ownership and the need for parking in the neighborhood.

5. Adverse Environmental Impacts: The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception.

The one (1) car-share space in this location should have a positive impact on the environment. Zipcar data shows that car-sharing services reduce the need for single-owner vehicles and therefore should reduce traffic congestion in the streets and increase the amenities of the municipality. Providing easier access to Zipcars will encourage residents in the surrounding neighborhood to reduce or eliminate their need to have their own personal vehicle.

6. Vehicular and Pedestrian Circulation: The circulation patterns for motor vehicles and pedestrians which would result from the use or structure will not result in conditions that create traffic congestion or the potential for traffic accidents on the site or in the surrounding area.

The car-share space will not change the circulation pattern at the site because it is already an existing parking space on the property.

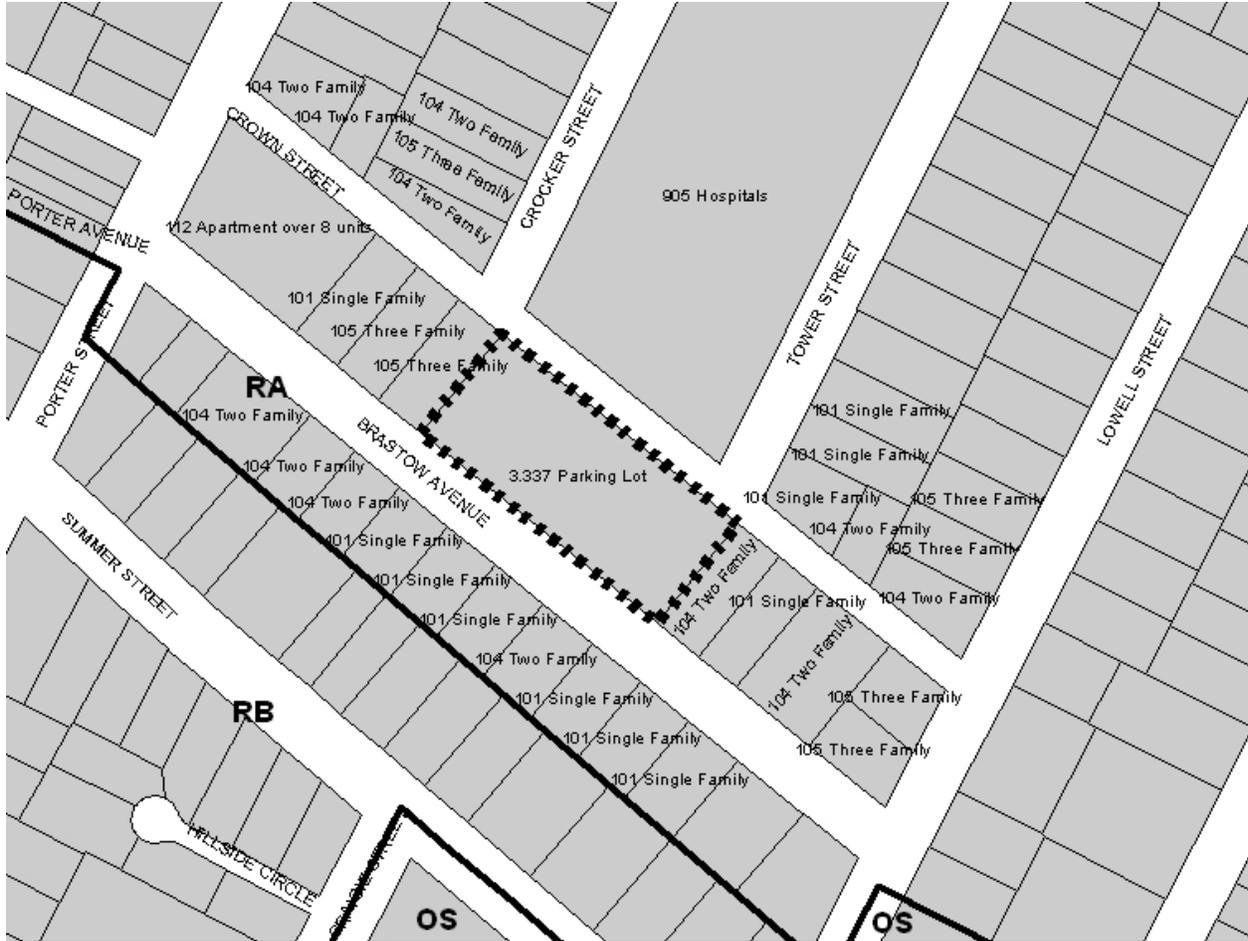
III. RECOMMENDATION

Special Permit under §4.5.3, §5.1, and §7.11.11.14.a

Based upon the materials submitted by the Applicant, the above findings, and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes								
1	<p>Approval is to expand an existing nonconforming use, a hospital (SZO §7.11.5.B.3.b), to a hospital use with one (1) parking space for car-sharing or flex-car spaces (SZO §7.11.11.14.a) in the location indicated on the site plan. This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table border="1" data-bbox="248 533 886 877"> <thead> <tr> <th data-bbox="248 533 566 569">Date (Stamp Date)</th> <th data-bbox="566 533 886 569">Submission</th> </tr> </thead> <tbody> <tr> <td data-bbox="248 569 566 674">(October 22, 2012)</td> <td data-bbox="566 569 886 674">Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td data-bbox="248 674 566 772">(November 27, 2012)</td> <td data-bbox="566 674 886 772">Site Plan</td> </tr> <tr> <td data-bbox="248 772 566 877">(November 27, 2012)</td> <td data-bbox="566 772 886 877">Signage</td> </tr> </tbody> </table> <p>Any changes to the approved use or site plan that are not <i>de minimis</i> must receive SPGA approval.</p>	Date (Stamp Date)	Submission	(October 22, 2012)	Initial application submitted to the City Clerk's Office	(November 27, 2012)	Site Plan	(November 27, 2012)	Signage	BP/CO	ISD/Plng.	
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2	<p>The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.</p>	Final Sign Off	Plng.									



0 Crown Street