



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: PB 2008-07-R4 (1/2013)
Date: January 17, 2013
Recommendation: Approval

PLANNING STAFF REPORT

Site: 56-61 Clyde Street (Maxwell's Green)

Applicant Name: Davis Square Partners
Applicant Address: 100 Franklin Street, Boston, MA 02110 c/o Gate Residential
Property Owner Name: VIF II \ Maxpac Square Owner, LLC
Property Owner Address: 100 Franklin Street, Boston, MA 02110 c/o Gate Residential
Alderman: Sean O'Donovan

Legal Notice: Applicant Davis Square Partners and Owner VIF II \ Maxpac Square Owner, LLC, seek a revision to an approved Special Permit with Site Plan Review under §5.3.8 to construct an amenity space in Building A.

Zoning District/Ward: RB Zone/Planned Unit Development-B (PUD-B1) Overlay Zone/Ward 5

Zoning Approval Sought: Revision to Special Permit with Site Plan Review under SZO §5.3.8

Date of Application: December 2012

Dates of Public Hearing: Planning Board – January 24, 2013

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is trapezoidal in shape, bounded by Warwick Street and several residential properties to the northwest, the planned Somerville Community Path extension to the southwest (an inactive rail spur), Lowell Street to the southeast and the Lowell Branch commuter rail tracks to the northeast. The overall site contains approximately 237,480 square feet. The site features a number of grade changes, sloping downward from Lowell Street toward the northwest, and also downward toward the Community Path and Commuter Rail right-of-way. The underlying zoning district for the subject property is RB and there is a Planned Unit Development – B1 (PUD-B1) overlay district on the site as well.



2. Permitting and Review Process: On April 3, 2008, the Planning Board granted Planned Unit Development-Preliminary Master Plan (PUD-PMP) (case # PB 2008-01) approval for the MaxPak development is an approved residential development consisting of 199 residential units, with a mix of sizes and styles, including one- and two-bedroom units. The units are located in seven separate building areas surrounding a central public green space. Four of the seven building areas will be comprised of single-building multi-unit structures (Buildings A through C and E) and one area will contain a cluster of fifteen townhouse units in three separate buildings (Buildings D1, D2, and D3). Of the 199 units, 25 units will be made available to qualified buyers/tenants under the City's Inclusionary Housing Ordinance. The Board approved waivers under Somerville Zoning Ordinance (SZO) §16.5.4 (waiver of dimensional standards) for §16.5.1.g (setbacks), subject to certain conditions, for the subject property. On December 18, 2008, the Planning Board granted conditional approval (case # PB 2008-07) of:

- o Special Permit with Site Plan Review (SPSR) for final level approval of the PUD (§16.8); and,
- o Waivers from the Somerville Zoning Ordinance under §16.5.5 (waiver of standards of Article 9) from the requirements of §9.5.1.a (number of parking spaces) and §9.11.a (dimensions of parking spaces).

On April 15, 2010, the Planning Board granted a minor amendment (case # PB 2008-07-MA-0410) to reconfigure the site into seven parcels to align more closely with the approved buildings and community space for conveyance and finance purposes. At this meeting the Planning Board also granted a revision to the SPSR to incorporate design changes to the approved Building "D" (aka "townhouse") portion of the development (15 units) and alter the grading and utilities plans in the immediate area surrounding the Building "D" complex.

In January of 2011, the Planning Board granted a revision to the original SPSR approval (case # PB 2008-07-R-1110) to revise the approved plans to incorporate additional changes to the design of the buildings and site plan. Specifically, the approved revision made alterations to the design of buildings A, B, C and E and elements of the site surrounding these buildings. The changes were based upon the enhancement of the design, constructability, compliance with MAAB requirements and MBTA and MassDOT requirements. The amended plan adjusted site grading and landscaping, reduced overall building height, modified windows, changed building elevations, reduced the total square footage, reduced the total floor-area-ratio, reduced the total lot coverage, reduced the number of parking garage entries, increased the number of parking spaces and changed the total number of bedrooms, but did not change the total unit count.

The next revision occurred in May of 2012 and this approval allowed for monument signage at the entrance to the development complex off of Lowell Street and an interpretive exhibit within the complex.

The site has been the subject of an extensive community process, which culminated in a signed "Development Covenant" between the City and the developer before the master plan approval; this also incorporated a "Memorandum of Agreement between Somerville Historic Preservation Commission and Clyde Street Acquisition, LLC". During the PMP and SPSR reviews of this proposal, conformance with these documents, as well as the standards of the SZO for PUDs, was reviewed, and specific requirements were reflected in conditions of the PMP and SPSR approvals and in any SPSR Revision approval.

3. Proposal: The application is to seek approval for an amenity space that was constructed on the second floor of Building A. This space is 472 square feet and functions as a living room/lounge with couches and tables for residents of Maxwell's Green. There is a roof deck surrounding much of the

amenity space. Part of the deck is only accessible from the club suite and the remaining portion is accessible from the amenity space.

The 2008 approval for Building A included four stories in this location and the total square footage of the building was 82,277 square feet. The revision in 2011 included reducing this portion of the building to one story and reducing the overall size of Building A to 70,482 square feet. The current application adds a small portion of the massing of the building back in this location.



4. Nature of Application: Revisions to Special Permits and Special Permits with Site Plan Review may be sought under §5.3.8 of the SZO before the final Certificate of Occupancy is issued for a project that received a Special Permit. The proposed revision is not deemed de minimis because the requested change, to add the amenity space to Building A, is significant enough that it may be noticeable to someone that is generally familiar with the original approval. Revisions to Special Permits that are not de minimis in nature are subject to the full notice and hearing provisions of the SZO.

5. Surrounding Neighborhood: The site is surrounded by a number of residential neighborhoods featuring a mixture of building types but typified by small-scale, predominantly 2½ story wood frame, two- or three-family structures. To the west is the neighborhood commonly known as “The Patch”, which features narrow one-way streets. Preservation of the character of this neighborhood was a driving force in the development of the Development Covenant. The right-of-way for the Commuter Rail to the north and the Community Path to the south converge to the southeast of the site, facing it across Lowell Street. The four-story, approximately 100-unit Visiting Nurse Association assisted living community is southeast of

the site, south of both rights-of-way. Other nearby residential neighborhoods lie on the opposite sides of the rail bed and the Community Path extension. The surrounding area also includes a mix of smaller masonry commercial structures. Due to the proximity of active and inactive rail lines, many surrounding neighborhoods are cut off from the site and one another.

6. Impacts of Proposal: There are no anticipated impacts from the addition of the amenity center. It has already been constructed and its design is compatible with the rest of the structure. The additional massing in this location was approved to be much larger and has since changed twice with a final product that is smaller and visually ties the one-story portion of the building to the four-story portion by providing a two-story step.

7. Green Building Practices: None indicated.

II. FINDINGS FOR SPECIAL PERMIT REVISION (SZO §5.3.8):

In order to grant a Special Permit with Site Plan Review, 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.

The following finding is relevant to the proposed revisions.

1. 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."

The floor area ratio will remain conforming with the increase of 472 square feet for the amenity space. The 2008 approval included a building that was much larger and was later reduced in size. This modest increase for the amenity space will not bring the project out of compliance with the floor area ratio or other dimensional requirements.

2. 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 amenity space has already been constructed and its design is compatible with the rest of the structure. The massing of Building A in this location was approved to be much larger. The building design has changed twice and the massing in this area is smaller and visually ties the one-story portion of the building to the four-story portion by providing a two-story step.

III. RECOMMENDATION

Revision to Special Permit under §5.3.8

Based on the materials submitted by the Applicant, the above findings, the Planning Staff recommends **APPROVAL** of the requested **REVISION TO SPECIAL PERMIT with SITE PLAN REVIEW**.

The following plans dated June 10, 2011 include the amenity space:

A-103B Building A Second Floor Plan North
A-201 Building A Elevations

A-202 Building A Elevations

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.



56-61 Clyde Street