



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** ZBA 2013-91-R1(5/2015)  
**Date:** June 18, 2015  
**Recommendation:** Denial

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**PLANNING STAFF REPORT**

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**Site:** 318 Beacon Street

**Applicant Name:** Beacon Street Partners, LLC  
**Applicant Address:** PO Box 920757, 66 Cranberry Lane, Needham, MA 02492  
**Owner Name:** Beacon Street Partners, LLC  
**Owner Address:** PO Box 920757, 66 Cranberry Lane, Needham, MA 02492  
**Agent Name:** Richard G. Di Dirolamo  
**Agent Address:** 424 Broadway, Somerville, MA 02143  
**Alderman:** Maryann Heuston

Legal Notice: Applicant and Owner, Beacon Street Partners, LLC, seek a revision, SZO sec 5.3.8, to Case ZBA 2013-91 to modify portions of the building and provide 3 at grade parking spaces and a Variance for 4 additional parking spaces. The original approval was for a Special Permit with Site Review to established 7 residential units per SZO §7.11.1.c, a Special Permit per SZO §9.13 for modification of parking design standards and a Variance §9.13 for parking relief. RC Zone. Ward 2.

Dates of Public Hearing: June 24, 2015

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a 7,485 square foot lot with frontage on Beacon Street and Harris Street in Cambridge. There's an existing triple decker fronting Beacon Street with a wide sideyard. The rear yard is mostly grass but is also used as a parking area. Beacon Street will be going under major reconstruction in the next 12 months. This includes infrastructure work underneath the street and repaving/restriping to include a cycletrack. Harris Street is essentially a private way. The street is



narrow, quiet, and has no sidewalks or curbcuts. The Board has seen similar cases to establish units on the Harris Street frontage for 308 Beacon and 312 Beacon Street.



2. Proposal: The site has an approved project under Case # ZBA 2013-91. The approval is to build a second structure with 3 dwelling units facing Harris Street. There were 6 parking spaces underneath the building with 1 additional space on site, just outside of the garage entrance. The building will be zero-entry and 3 stories tall with a flat roof. Each unit has 2 bedrooms with a study.

The current application is to revise the approved project to omit the underground garage and provide a total of three at-grade parking spaces along Harris Street. The Applicants stated that they are not able to find a contractor that will take on the risk of digging down on this site because of the close proximity of adjacent structures. The parking area would be bluestone or concrete pavers.

Other changes to the building as a result of the parking location change include removing the projecting first floor entry that grounded the decks on the second and third floors, removing the extension of the side wall along the side of the front porches which provided privacy, removing a row of vertical windows on the right side elevation, and change in the dimension of the canopy of the third front floor porch.

3. Green Building Practices: None listed on the application form.

4. Comments related to the original application: *Updated comments from Traffic and Parking are forthcoming. Planning Staff also informed Alderman Heuston regarding the proposal.*

*Fire Prevention:* Fire prevention has been contacted but did not provide comments at the time of the original approval or revision.

*Traffic & Parking:* The applicant is proposing to modify the existing three family structure on 318 Beacon St by adding an additional four family structure to the rear of the property which is located on Harris St in Cambridge. Proposed off street parking includes seven parking spaces with six of the parking spaces located in a garage beneath the new dwelling which will have access to/from Harris St. in Cambridge. Per the Somerville Zoning Ordinance (SZO) twelve off street parking spaces are required. Obviously five parking spaces are not being provided per the SZO.

The applicant has hired a professional Transportation Consultant, Design Consultants Inc. to prepare a Parking Study. This Consulting Firm has submitted a well prepared and professional Parking Study.

Based on empirical data of available and occupied parking spaces during three distinct time periods on two days, the Parking Study states that there is available on-street parking spaces in the vicinity of 318 Beacon St. The Parking Study was conducted within a reasonable walking distance of the proposed project. The area which was surveyed for the availability of the on street parking spaces was a reasonable area to conduct a survey.

This Parking Study concludes that there is available on street parking spaces in the vicinity of 318 Beacon St. Based on the submitted Parking Memorandum, Traffic and Parking does not disagree with this assessment.

However and notwithstanding the above, it should be noted that vehicles will be circulating through this area of Beacon St. to locate these available parking spaces. The lack of providing all the required off-street parking spaces will result in an increase of vehicle queues and delays and a minor decrease in pedestrian safety in this area. Traffic mitigation to offset this lack of required parking spaces and decrease in pedestrian safety and increase in vehicle congestion and queues can be provided by the applicant purchasing and delivering to Traffic and Parking five Pedestrian Impact Recovery Systems which will be installed in the vicinity of 318 Beacon St to enhance pedestrian safety.

Provided the above traffic mitigation is provided, Traffic and Parking has no objections to this application.

*Engineering:* The project will need to comply with engineering policies including the site review checklist. Due to the activity surrounding the site, Applicant is encouraged to meet with Engineering Staff.

*Design Review Committee:* The project went before the Design Review Committee on two occasions. At the second meeting they reviewed the current design. The recommendations from the committee are below:

- The DRC inquired about the discontinuity of representation of materials on the elevations and perspectives presented. The perspectives implied the use of vertical and horizontal natural wood siding for the entirety of the exterior of the building. The elevations drawings implied the use of flat fiber cement paneling over certain areas of the exterior. The Applicant noted that the elevation drawings were inaccurate, and that the entirety of the building exterior would make use of the natural wood siding in various configurations.
- The condensing units required for air conditioning need to be incorporated into the site plan.
- The window pattern is busy on the side elevation, and a request was made to review potential options to simplify the organization. The sun shade located on the front corner of the building

should be moved down to the head of the window that it's shading. This shade should also be extended to align with the edges of the window.

- The window head heights along Harris St. should be dropped when they interfere physically and visually with the roof eaves.
- If the design will incorporate prominent street numbers located at the main building entrance they should complement the building design. To that end, a sans serif font should be used for the street number.
- The material palette is of high quality and the wood siding will be a beautiful feature.

**II. FINDINGS FOR SPECIAL PERMIT with SITE PLAN REVIEW REVISION (SZO §5.3.8):**

The following are the findings that relate to the proposed revisions.

1. Information Supplied:

The Staff finds that the information provided by the Applicant does NOT allow for a comprehensive analysis of the revisions proposed.

There have been below grade garages built in the City within close proximity to other structures without issues. For example 377 Summer Street, 52 Franklin Street, 97 Prospect Street, and the adjacent property at 19 Harris Street all have underground parking with other structures close by. The Applicants have not provided sufficient information to understand why this site cannot have underground parking as planned.



*Underground parking at 19 Harris Street*

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."*

A revision to a special permit is allowed if the final signoff and certificates of occupancy have not yet been issued which is the case for this project that is not yet under construction. Changes that are not de minimis must go back to the permit granting authority for approval. Staff deemed this revision to be greater than the de minimis requirements under §5.3.8 and the request is before the ZBA for a public hearing.

The revision changes the zoning requirements in the following way:

- Increase of landscaped area from 37% (2,840 sf) to 45%\* (3,367 sf) from approved plans. \* This figure appears to include more than the area that is allowed to count as landscaping. Landscaped area cannot include the area for parking or large areas of hardscape.
- Increase in the permeable area from 42% (3,197 sf) to 45% (3,367 sf) from approved plans.
- Decrease in parking from 7 to 3 from approved plans.
- Decrease in FAR from 1.159 (8,677 sf) to 1.141 (8,543 sf) from approved plans.

The existing 3-family building on the site requires 4.5 spaces (3 units x 1.5 spaces per unit) which is accommodated currently in the rear yard where the new building will be located. The additional units require an additional 4.5 spaces (3 units x 1.5 spaces per unit) plus a visitor's space which equals 10 spaces. A variance for 3 spaces was obtained. Now the total variance request is for 7 spaces. The variance findings are below.

Front yard parking in Somerville in the RA and RB districts is not allowed by SZO 9.8.d. The area on Harris Street is technically a rear yard; however, it functions as a front yard for Harris Street and the site is in the RC district. Despite meeting the code to allow for the ability to seek this parking situation by SPSR, it does not meet the spirit of the SZO to allow parking in the yard in front of a residential building.

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 revised site plan is not preferred over the approved plan. The change greatly reduces the number of parking spaces onsite from 7 to 3. It creates more of a hazard for pedestrians as there will be 3 cars pulling out from a curb cut that runs the entire width of the parcel instead of an eight foot wide curb cut for a driveway. Finally, the cars will not be enclosed within the building and will be visible along the street.

The changes to the aesthetics of the building as a result of needing the Harris Street yard for parking are not supported. The front entryway functioned as a base for the front porches and this is now recessed into the building. The front porches are no longer grounded. The solid wall along the side of the front porches incorporated the porches into the building and provided some privacy. Without this wall the porches appear tacked on. Removal of windows along the right side elevation create a situation where from Harris Street, the only visible windows are 4 small somewhat randomly placed windows.

### **III. FINDINGS FOR VARIANCE for PARKING:**

In order to grant a variance the Board must make certain findings and determinations as outlined in §5.5.3 of the SZO.

The building is currently conforming to the parking requirement. Although it doesn't have a driveway off of Beacon Street, the rear yard is accessed from Harris Street. On multiple occasions, Planning Staff have observed cars parked in the rear area (this is also reflected on Google Street View). It is our understanding that tenants of the building are allowed to park on site. The existing 3-family building on the site requires 4.5 spaces (3 units x 1.5 spaces per unit) which are located where the new building will be located. The additional units require an additional 4.5 spaces (3 units x 1.5 spaces per unit) plus a visitor's space which equals 10 spaces. A variance for 3 spaces was obtained. Now the total variance request is for 7 spaces.

Planning Staff are not supportive of the revised site plan for the reasons stated in the Special Permit with Site Plan Review findings. Considerations for a reduction in the number of parking spaces will not be evaluated until the issues related to the revised site plan are resolved. Additionally, information on what has changed since the approval to support the first variance finding is needed in order to fully evaluate the variance request. The first finding is:

*There are "special circumstances relating to soil conditions, shape or topography of land or structures which especially affect such land or structures but not affecting generally the zoning district in which it is located, causing substantial hardship, financial or otherwise."*

### **III. RECOMMENDATION**

#### **Revision to Special Permit with Site Plan Review and Variance from providing 4 additional (7 total) parking spaces**

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **DENIAL** of the requested **VARIANCE** and **REVISION TO THE SPECIAL PERMIT WITH SITE PLAN REVIEW**.

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.

