



City of Somerville

# PLANNING BOARD

City Hall 3<sup>rd</sup> Floor, 93 Highland Avenue, Somerville MA 02143

**TO:** Planning Board  
**FROM:** Planning & Zoning Staff  
**SUBJECT:** 153 South St, P&Z 21-098  
**POSTED:** September 21, 2021

**RECOMMENDATION:** Approve with Conditions (Subdivision)

Staff memos are used to communicate background information, analysis, responses to public comments, review of statutory requirements and other information from the Planning & Zoning staff to the Review Board members.

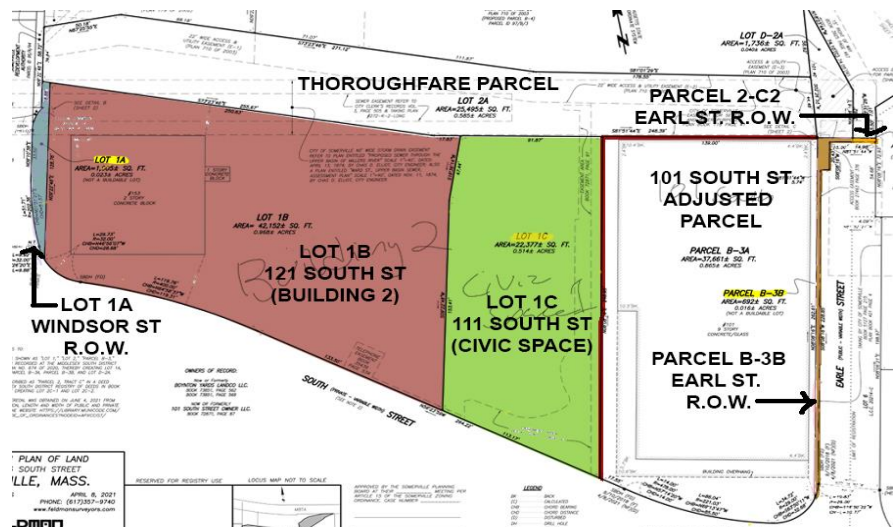
This memo summarizes the development review application submitted for 153 South St, identifies any additional discretionary or administrative development review that is required by the Somerville Zoning Ordinance, and provides related analysis or feedback as necessary. The application was deemed complete on August 11, 2021 and is scheduled for a public hearing on October 7, 2021. Any Staff recommended findings, conditions, and decisions in this memo are based on the information available to date prior to any public comment at the scheduled public hearing.

## LEGAL NOTICE

Boynton Yards LandCo LLC seeks approval of a plat plan establishing new rights of way for a thoroughfare, which requires subdivision plan approval.

## SUMMARY OF PROPOSAL

Boynton Yards LandCo LLC is proposing to subdivide 153 South St into five (5) parcels. The intent of the subdivision is to create separate lots for 121 South St (Building 2), 111 South St (Civic Space 1), part of Thoroughfare 1, and small slivers of land (Lot 2C-2, Parcel B-3B, and Lot 1A) that will eventually get conveyed to existing public rights-of-way (ROW) at Earle St and Windsor St. These lots are all in conformance with the preliminary lotting plan approved with the Master Plan Special Permit (February 4, 2021). The Master Plan Special Permit development covenant outlines the



timing for each lot that gets conveyed to the City (Civic Space 1, Thoroughfare 1, and the small slivers of land for the ROW).

### **ADDITIONAL REVIEW NECESSARY**

153 South Street is located in the High Rise (HR) zoning district in the Boynton Yards subarea master plan overlay district in the Boynton Yards neighborhood represented by Ward 2 Councilor JT Scott. The division of a lot, tract, or parcel into two (2) or more lots, where a new thoroughfare or way is needed to provide access to the lots requires subdivision plan approval. The Planning Board is the decision-making authority for all (non-Variance) discretionary or administrative permits required by the HR zoning district.

### **ANALYSIS**

111-153 South Street was subdivided into two parcels as approved on August 6, 2020 (DRA #2020-0272) which facilitated an enabling thoroughfare Minor Site Plan application. The enabling thoroughfare work facilitated the development of Building 1 at 101 South St. A waiver was also approved for the intersection requirements for Earle Street and Thoroughfare 1. A condition was made that the Applicant shall apply for a Subdivision Plan Approval to connect the enabling thoroughfare to Earle Street prior to any building permit issuance for a new building type of the approved Map Block Lot of the approved Master Plan Special Permit dated February 4, 2020. This will occur at a later point.

This subdivision plan dated 6/17/2021 will permit the creation of Lot 1B (Building 2), Lot 1C (Civic Space 1), Lot 1A, Lot 2C-2, and Parcel B-3B which are all slivers of land to make way for ROWs. A condition has been proposed to ensure a public right-of-way easement be provided in perpetuity by a covenant or other deed restriction for Lot 2C-2, Lot 1A, and Parcel B-3B unless the land is conveyed to the City of Somerville.

### **CONSIDERATIONS & FINDINGS**

The Planning Board is required by the Somerville Zoning Ordinance to deliberate each of the following considerations at the public hearing. The Board must discuss and draw conclusions for each consideration, but may make additional findings beyond this minimum statutory requirement.

#### Subdivision Plan Approval Considerations

1. The comprehensive plan and existing policy plans and standards established by the City.
2. The intent of the zoning district where the property is located.

Information relative to the required considerations is provided below:

1. The comprehensive plan and existing policy plans and standards established by the city.

Staff finds that the proposed subdivision is consistent with SomerVision, the comprehensive Master Plan, and the Union Square Neighborhood Plan (USNP). The USNP identifies Boynton Yards as a place for mixed-use development with an emphasis on commercial space. The proposal meets the standards for platting land and the submittal of plat plans for approval through SPA.

2. The intent of the zoning district where the property is located.

Staff find that the proposed subdivision meets the intent of the HR district because it upholds the *mix of multi-story, multi-unit, mixed-use, and commercial buildings; neighborhood-, community-, and region-serving uses; and a wide variety of employment opportunities.*

## PERMIT CONDITIONS

Should the Planning Board approve the subdivision Plan Approval, Planning & Zoning Staff recommends the following condition(s):

### Permit Validity

- This Decision and final subdivision plat must be recorded with the Middlesex South Registry of Deeds.

### Land Plat Documentation

- Final subdivision plat must be substantially equivalent to the approved preliminary plat plan.

### Legal Agreements

- A public right-of-way easement must be provided in perpetuity by a covenant or other deed restriction for Lot 2C-2, Lot 1A, and Parcel B-3B unless the land is conveyed to the City of Somerville. Final easement language must be approved by the City Solicitor.