



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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PLANNING DIVISION

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**Case #: PB 2018-04-R1(11/2018)**

**Site:** 2 Earle Street

**Date of Decision:** December 13, 2018

**Decision:** *Petition Approved with Conditions*

**Date Filed with City Clerk:** December 21, 2018

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**PLANNING BOARD DECISION**

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**Applicant Name:** RECP V Boynton Yards Owner LLC  
**Applicant Address:** 1123 Broadway, Suite 201, New York, NY 10010  
**Owner Name:** RECP V Boynton Yards Owner LLC  
**Owner Address:** 1123 Broadway, Suite 201, New York, NY 10010  
**Agent Name:** Sean O'Donovan  
**Agent Address:** 741 Broadway, Somerville, MA 02143  
**Alderman:** J. T. Scott

**2 Earle Street (A.K.A. MBL 97-B-26 subplot of 153 South Street) – Building 2 (PB2018-04-R1(11/2018)):** Applicant & Owner, RECP V Boynton Yards Owner LLC, seeks a Revision to a Special Permit with Site Plan Review under SZO §5.2 to change the orientation, add a floor, and increase the building height for a 9-story commercial building containing 270,000sf of office/ R&D uses and 9,800sf of retail/arts-related uses with parking relief under §9.13. Zone TOD-135. Ward 2.

|                                   |   |
|-----------------------------------|---|
| <u>Zoning District/Ward:</u>      | Zone TOD-135. Ward 2.                   |
| <u>Zoning Approval Sought:</u>    | §5.2, §9.13                             |
| <u>Date of Application:</u>       | November 8, 2018                        |
| <u>Date(s) of Public Hearing:</u> | November 29, 2018 and December 13, 2018 |
| <u>Date of Decision:</u>          | December 13, 2018                       |
| <u>Vote:</u>                      | 5-0                                     |

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PB 2018-04-R1(11/2018) was opened before the Planning Board at Somerville City Hall in the 3<sup>rd</sup> Floor Conference Room on November 29, 2018. Notice of the Public Hearing was given to persons affected and was published and



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posted, all as required by M.G.L. c. 40A, sec. 11 and the Somerville Zoning Ordinance. On December 13, 2018, the Planning Board took a vote.

## **I. PROJECT DESCRIPTION**

1. **Subject Property:** Boynton Yards is bounded by the train tracks to the north, Medford Street to the east, the Cambridge city line, and Prospect and Webster Streets. The sub-area of the Union Square neighborhood plan is 34 acres. The majority of the land area is industrial including automotive uses, moving vehicle storage and dispatch, and commercial laundry services. The SomerVision map identified the vision for future development in Somerville and the entirety of Boynton Yards is in the transform area. The transform areas are anticipated to absorb 85% of new development. The Union Square Neighborhood Plan also anticipates a significant amount of development in this area to create an urban employment center.



This project will be the first step in transforming Boynton Yards. The buildings presented in the first applications will be 100% commercial – approximately 374,000 GSF of Class A lab and life sciences space, flexible, modern office space, and research/development spaces. This will provide a crucial first step towards achieving the 60/40 commercial/residential mix and the future development will involve residential uses. Both buildings will be within walking distance of the proposed Union Square Green Line Station. A four-level, below-grade parking garage will provide parking for approximately 301 vehicles and 140 bike spaces will be provided to serve Buildings 1 and 2.

This application is bound by Windsor Street, Windsor Place, Earle Street, Harding Street, and South Street. The 3.44 acres are currently home to surface parking, an unpermitted construction equipment storage lot, and two one- and two-story concrete block commercial buildings totaling 25,000 gross square feet (GSF).

2. **Proposal:** On April 18, 2018, the Zoning Board of Appeals approved the Applicant's request for a Variance to reduce the amount of parking provided for commercial office and lab or R&D uses. This approval permits the applicants to use the parking below this building as a commercial parking garage to serve this building, the adjacent building 1, and other uses now or in the future in Boynton Yards.

On May 3, 2018, the Planning Board approved a Special Permit with Site Plan Review for Building 2 as an eight-story lab building aggregating 235,000 GSF. The application included four levels of underground

parking providing approximately 233 parking spaces as well as approximately 98 bike parking spaces. The first floor accommodated 10,700 GSF of retail space, a mid-block pedestrian connection, three loading docks, tenant storage, a 1,500 GSF lobby, and utility connections. The goals of the Neighborhood Plan would not be compromised by this development under the existing zoning ordinance or the proposed overlay in the overhaul.

This request is a revision to the SPSR. The program has been further defined and the building design has been refined to 9 stories with a total size of 270,000 GSF. The building now includes 241,500 GSF of lab and office space with 12,500 GSF of active public arts and retail space and the underground parking garage is proposed to hold 250 vehicle parking spaces and 117 bicycle parking spaces. The building has also been re-oriented on the lot to now have the main entrance on the west façade and all vehicle access on the east side from Earle Street, which has been re-envisioned as a service corridor. The siting, height, and general massing remain the same.

3. Green Building Practices: Building 2 is still requesting a density bonus as permitted in TOD-135 (1.0 FAR increase in the TOD135 and 15 foot increase in maximum height to 150 feet) with a building certifiable by the U.S. Green Building Council as LEED Gold or better. To reach the Gold level, a LEED Plan Review certification with a narrative explaining how the rating will be reached shall be required prior to issuance of a building permit. Post-construction commissioning at the certificate of occupancy for the final tenant space shall be the subject of a condition of approval to receive the incentive.

4. Comments:

As this application is a revision only, the package was not forwarded to other city departments.

*Design Review Committee:* The Applicant visited the Design Review Committee on November 15<sup>th</sup>, 2018 to present the edits to the plan and façade design. The committee felt that the design for Building 1 would have to be addressed so that it doesn't seem out of place with Building 2 and future developments in Boynton Yards. The DRC would like to see a wall section and materiality details and a night-time rendering to help understand the relationship between the retail and commercial components of the building Overall the DRC is supportive of the design changes and would like to see some additional detail before the issuance of a building permit. The current design appropriately reflects SomerVision's design intent, including the definition of a bottom, middle, and top articulation.

As with the original approval, conditions for further material review prior to Building Permit application (for any design changes during construction documents and material specification samples) and review of an on-site mock-up panel prior to ordering materials during construction are still in effect.

*Ward Alderman:* No additional comments were received at this time.

## **II. FINDINGS FOR SPECIAL PERMIT with SITE PLAN REVIEW (SZO §5.2):**

In order to grant a special permit with site plan review, the SPGA must make certain findings and determinations as outlined in §5.2.5 of the SZO. This section of the report goes through §5.2.5 in detail.

1. Information Supplied:



The Board finds that the information provided by the Applicant conforms to the requirements of §5.2.3 of the SZO and allows for a comprehensive analysis of the project.

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 with site plan review.”*

*Nature of Application: TOD-135*

“This higher-density, taller sub-district shall provide the largest economic development opportunities, while being strategically located to minimize impacts to existing neighborhoods. This sub-district is intended to promote those developments that further the City's stated goals of improving its commercial tax base and bringing good quality jobs to the City. To accomplish these goals, this sub-district should be predominantly dedicated to uses such as office, research and development, and life sciences. Residential development, however, may be allowed provided that it is secondary and complementary to commercial development. To offset higher density, increased provision of public open space is expected in this area.”

*TABLE 6.5.F—TOD Dimensional & Use Standards*

The structure is currently nonconforming with respect to the following dimensional requirements:

| Dimensional and Use Standards               | TOD-135                               | Existing             | Approved                  | Revised                   |
|---|---------------------------------------|----------------------|---------------------------|---------------------------|
| Minimum lot size (s.f.)                     | 50,000                                | 43,087               | 43,087                    | 43,087                    |
| Minimum lot area/dwelling unit (s.f.)       | 450                                   | n/a                  | n/a                       | n/a                       |
| Maximum ground coverage (%)                 | 80                                    | 0                    | 70                        | 70                        |
| Landscaped area, minimum percent of lot (%) | 20                                    | 6.2                  | 19.6                      | 30.9                      |
| Floor area ratio (FAR)                      |                                       |                      | 235,000sf                 | 270,000sf                 |
| Minimum FAR                                 | N/A                                   |                      | n/a                       | n/a                       |
| Maximum FAR                                 | 4.5<br>5.5 Green                      |                      | 5.5                       | 6.2                       |
| Maximum height (ft)                         | 120<br>135 Green                      | 0                    | 135                       | 150                       |
| Minimum front, side, rear yard (ft)         | 0                                     | n/a                  | 5', 3'/11',<br>12'        | 5', 3'/11',<br>12'        |
| Minimum frontage (ft)                       | 140                                   | ±250                 | ±250                      | ±250                      |
| Permitted Use Clusters                      | A, B, C, D,<br>E, F, G, H,<br>I, J, K | equipment<br>storage | A, B, C, D, G,<br>H, J, K | A, B, C, D, G,<br>H, J, K |
| Arts Related Uses Requirement               | 5% of gsf                             | 0                    |                           | 13,500                    |
| Inclusionary Housing Requirement            | 17.5%                                 | n/a                  | n/a                       | n/a                       |



|                                    |     |     |       |        |
|------------------------------------|-----|-----|-------|--------|
| Tapering Height (ft)               | NA  | n/a | n/a   | n/a    |
| Upper Level Setback (ft)           | NA  | n/a | n/a   | n/a    |
| Upper Level Maximum Floorplate (%) | NA  | n/a | n/a   | n/a    |
| Usable Open Space Requirement (%)  | 15% | 0   | ±6700 | 10,846 |

§ 6.5.G.18 - Reduction of Minimum Lot Area.

As previously approved, the parcel, 43,087sf, is an existing subplot (MBL 97-B-26) to the adjacent land at 153 South Street (MBL 97-B-23). As the master plan for the neighborhood is still under urban design development, the Board has requested that no subdivision to enlarge the site be done at this point in time as the lotting plan may change as the infrastructure and open space are further revised.

6.5.G. Development Standards for New Development in TODs. All new developments shall meet the following standards:

1. Transportation Analysis. Applicants shall provide a Transportation Study and a Transportation Demand Management (TDM) Plan tailored to the proposed site and mix of Use Clusters. The scope of the document will be prepared in consultation with the Director of Traffic and Parking and may include a project description and a description of the existing conditions of the transportation network in the vicinity of the Development Site. The following items may be required as part of a Transportation Study:

- Counts of existing traffic volumes.
- Projected traffic volumes for the proposed Development based on accepted engineering standards and adapted to local conditions.
- Projected size of delivery vehicles, and frequency and days/hours of delivery.
- Reviews of accident history trends in the vicinity of the Development Site.
- Analyses of the Development impacts on the transportation network in the vicinity of the Development Site.
- Examination of transportation by all feasible modes, including automobile, transit, bicycle and pedestrian.
- Explanation of consistency with City transportation plans.

If the impact analyses indicate that safety or capacity will be adversely affected by the proposed Development, the Applicant will indicate appropriate mitigation measures, subject to the approval of the Director of Traffic and Parking, prior to the granting of a special permit.

The transportation analysis is being reviewed and updated to accommodate the changed building orientation with new access points for vehicle parking and loading. The Transportation Access Plan with truck turning diagrams is also being reviewed for on-site loading access and the trucking operations of the immediately adjacent businesses. The Board recommends that all transportation adjustments be coordinated with, reviewed and approved by the Director of Transportation & Infrastructure prior to issuance of any building permit and that all conditions of the original approval still apply to this revision.

2. Incentives for Green Building. Buildings certified by the U.S. Green Building Council as LEED Gold or better shall receive the following bonuses (after comparison, the Mayor of Somerville



*may determine in writing that an alternate sustainable development rating system is equal or better than LEED Gold and that system may be substituted):*

- a) 0.5 FAR increase in the TOD70 and TOD100;*
- b) 1.0 FAR increase in the TOD135; and,*
- c) 15 foot increase in maximum height in the TOD70, TOD100 and TOD135.*

*LEED (or certified equivalent) Plan Review certification shall be required prior to issuance of a building permit and post-construction commissioning shall be the subject of a condition of approval to receive the incentive.*

No change from approval. The project was granted a density bonus as permitted in TOD-135 (1.0 FAR increase in the TOD-135 and 15-foot increase in maximum height to 150 feet) with a building certifiable by the U.S. Green Building Council as LEED Gold or better. The revised scorecard for LEED v4 with a narrative showing how the Gold rating will be achieved will be submitted to the Director of the Office of Sustainability and Environment for review and approval prior to issuance of any construction permit.

3. *Credit for Provision of Land for Public Infrastructure. Where land is to be dedicated to the City of Somerville for public infrastructure (including roadways, sidewalks, public paths, parks, and other public infrastructure), the area of dedicated land shall be applied to calculations for dimensional requirements except for setback requirements. Upper level setbacks shall be measured from the original property line (pre-dedication) and other setback requirements shall be measured from the newly created property line (post-dedication).*

No change from the original approval. It is still the intent of the City to create a district-wide balancing between the owners within Boynton Yards. The amount of infrastructure and open space that is required by the neighborhood plan will require a fair valuation of development and equitable contributions by all. This Applicant is aware of these intentions and has been very cooperative while the details are still being studied and negotiated. The Applicant has provided for an engineering study that will be credited as a contribution when the amounts of required commitments are finalized.

4. *Credit and Height Bonus for Provision of Dedicated Parkland. Where a minimum of forty thousand (40,000) square feet of land is to be improved and dedicated to the City of Somerville for public open space in the TOD135, a bonus of a fifteen-foot increase in maximum height (to a maximum of one hundred fifty (150) feet) may be granted. The area of dedicated land shall be applied to calculations of FAR and any upper level setbacks shall be measured from the original property line (pre-dedication). Public open space shall not be required on premises, but the maximum residual ground coverage shall not exceed ninety (90) percent and minimum landscaped area shall not be below ten (10) percent of residual lot area. All other dimensional standards shall be applied to the remaining parcel.*

The Applicant is committed to provide and/or improve a minimum of 40,000sf of public open space as part of the overall neighborhood development to meet the intent of the Union Square Neighborhood Plan. The schematic master plan included in the application package shows approximately 31,000sf of the Applicant's landholdings can be combined with about 9,000sf of City-controlled land when South Street is re-aligned for a minimum of 40,000 SF of open space in this part of the neighborhood alone. Additional open space will be required from the other owners/developers in the area too.



5. *Transition to Abutting Residential District. No minimum side or rear yard setback is required for parcels that immediately adjoin a lot in a residential district (RA, RB, or RC) where a solid masonry wall is to be built on the property line. Where a masonry wall is not proposed, the minimum side or rear yard setback is twenty (20) feet, with the setback to consist exclusively of vegetative landscaping. However, no building or portion of building within forty (40) feet of a lot in a residential district (RA, RB, or RC) shall be higher than twenty-four (24) feet.*

The site does not abut residential uses.

6. *Upper Level Open Space. Area within Upper Level Setbacks may be used to provide usable or private open space, including residential balconies, and shall not be counted toward Floor Area Ratio.*

None. Building 2 is still proposed as a lab building so the entire roof will need to be used for venting and mechanical systems.

7. *Wind and Shadow Effects. Buildings shall be designed to minimize shadow and wind impacts to open space and residential areas especially between 10:00 a.m. and 2:00 p.m. in the winter. Wind and shadow effects shall be demonstrated in technical studies.*

No change from the original approval. The building is very similar in height to the approved project. The height to the roof of the building mass is now 133' (versus elevation 129.5').

The penthouse, which is setback from the building's facades, is the primary change to accommodate a taller penthouse that is required for lab buildings with the top of the screened mechanicals at 150'.

8. *Landscaping and Usable Open Space Requirements. Developments shall conform to the applicable landscaping requirements set forth in Table 6.5.F, Article 10 and Article 17. Open spaces shall be contiguous to the extent practical in the opinion of the SPGA; however, in certain circumstances it may be preferable to provide Usable Open Space in unique locations, such as atria, winter gardens, and accessible roof decks or gardens. Hours of operation, signage, entrance location, and ADA compliance shall be taken into account when considering whether atria, winter gardens, and roof decks or upper level gardens truly will be accessible to the general public. Landscaping strips required in parking areas (per Article 10) shall not apply to Usable Open Space calculations.*

No change from the original approval. As approved the site is slightly under the landscaping requirements of 20% of the lot area under the TOD-135, but the lot area is also slightly below the minimum.

In the short-term, a small plaza is still being provided on South Street that will be a pervious surface paved with light colored stone and integrated planting beds with ground cover and trees to provide shade as well as benches for public seating. The north side of the building along Windsor Place will also have a small public space that will be predominantly planted beds. All conditions of the original approval still apply to this revision.

9. *Payment in Lieu of Open Space. For any new development(s) within the TOD 70 and TOD 100, the SPGA may approve either a cash payment in lieu of providing the required usable open space, or a partial cash payment combined with a partial provision of the required usable open space. SPGA approval should be based on the finding that the proposed development site truly*

*cannot produce open space that would be of a size, location, or configuration that would enhance the community. Applicants wishing to make use of this option are strongly encouraged to meet with the Planning Director prior to formal submission of an application to help determine project compliance.*

*Minimum landscaped area and maximum ground cover may be modified by the equivalent area for which an in-lieu payment is made, with a maximum ground coverage allowance of ninety (90) percent and a minimum landscaped area of ten (10) percent of lot area. Any further relief from these requirements shall require a variance.*

*For payments made in lieu of the Usable Open Space required, the developer must designate, in coordination with the City and the Planning Director, a site to which those contributions shall be applied. Optimally, the open space will be within a quarter-mile of the subject property. Such payments shall be made to the City of Somerville. The City shall hold such payments in a stabilization fund dedicated to land acquisition, design, and construction of public open space in the catchment area defined in the Rules and Regulations of the Special Permit Granting Authorities. This may include repayment of any debt incurred by the City for capital costs associated with land acquisition, design, and/or construction of public open space.*

*For each square foot of usable open space for which the cash payment is proposed in substitution, the applicant shall pay:*

- *The assessed value per square foot of the development parcel (not including buildings) established by the City of Somerville Assessor's Office for the fiscal year during which the applicant has filed for SPSR for said development parcel; plus*
- *The cost per square foot to design and construct a public park in Somerville (including but not limited to lighting, plantings, paving, and street furniture), as designated in the Rules and Regulations of SPGAs. This number shall be updated not less than every two (2) years and shall reflect the average cost per square foot of city parks in prior years. If the designated park has a specified cost, the actual development costs will apply.*

*No certificate of occupancy shall be issued unless and until all deeds, covenants, contractual agreements, and other documents necessary to ensure compliance with this Article have been submitted to and approved by the SPGA's designee and all cash payments have been made.*

*No payment in lieu of open space is proposed.*

10. *Pedestrian Connections. Continuous pedestrian connections shall be supported between all major points of pedestrian activity on the Development Site, including, but not limited to, connections to all public and private ways abutting the Development Site and any transit stops. Development(s) shall support improved access to surrounding neighborhoods by means of sidewalk connections, crosswalks, landscaping, traffic signalization and traffic calming methods as appropriate.*

This revision to the project improves pedestrian connections. The main lobby entrance will now be on the west side of the building facing an open space that is intended to span between South Street and Windsor Place. There may be an access drive that is designed as a shared street that connects to Windsor Place and provide a pleasant walk for new employees to the Union Square T station. All conditions of the original approval still apply to this revision.



11. **Pedestrian Oriented Requirements.** *To promote pedestrian activity, buildings shall be designed with separate front entrance doors to lobbies, cultural spaces, retail and business, and other sources of pedestrian activity. These entrances shall be oriented to existing or proposed public sidewalks, paths, and other open space (as opposed to a central "mall" entrance).*

The main lobby entrance will now be on the west side of the building facing an open space that is intended to span between South Street and Windsor Place. The relocated retail and arts related use will have individual entry points that will occur in the storefront along the north and south facades also.

12. **Parking Design.** *Refer to Section 9.17 for parking requirements. Parking and loading areas shall be hidden from view from public ways. Parking shall not face the street edge(s) of the parcel and shall be suitably screened both visually and acoustically from the street and abutters (sufficient to conform to the City's Noise Ordinance during operation). Parking structures shall contribute to, and not obstruct, pedestrian activity in the vicinity. The exterior facade shall maintain a horizontal line throughout; the sloping interior necessary in parking structures shall not be repeated on the exterior facade. A wall or other screening of sufficient height and depth to screen parked vehicles and visually pleasing character shall be provided. Any views into parking structures shall be minimized through use of landscaping or architectural treatment.*

All parking is still proposed to be located in a four level underground garage structure and will not be visible from the street or any abutters. The parking ramp and loading docks are accessed via Earle Street on the east side of the building, which is now envisioned as a service street.

**Parking Optimization Plan.** *Applications shall include a Parking Optimization Plan illustrating how management and pricing strategies will encourage shared use and reasonable turnover of parking spaces, and discourage structures' use as "Park and Ride" facilities.*

The Mobility Management Plan will be reviewed for any adjustments due to the new orientation of the building. While changes are not expected, the plan will still need to be coordinated with, reviewed and approved by the Director of Transportation & Infrastructure prior to issuance of any building permit and that all conditions of the original approval still apply to this revision.

13. **Service Areas and Loading Spaces.** *Ground level mechanical equipment, utility and trash enclosures, loading docks and other utilitarian and service elements shall not abut the street edge(s) of the parcel and shall be visually and acoustically screened (sufficient to conform to the City's Noise Ordinance during operation). Access to these areas shall not interrupt pedestrian and sidewalk treatments. The SPGA may limit the hours of delivery so as to minimize any adverse impacts the service and loading aspects of proposed use may have on the surrounding neighborhood. Generally, loading times should take local traffic patterns into consideration.*

Even though the location has changed, there is no change to the integrated design and screening from the original approval. All conditions of the original approval still apply to this revision.

14. *Lighting. Lighting shall be appropriate to the historic and pedestrian-oriented character of surrounding neighborhoods and buildings, and shall enhance safety and security while minimizing glare and light trespass.*

No change from the original approval. All conditions of the original approval still apply to this revision.

16. *Properties Adjoining Railroad Rights-of-Way. Properties directly adjoining railroad rights-of-way shall not be subject to additional City-imposed setbacks. However, any application for a project on such a parcel shall demonstrate coordination with the appropriate rail agency and assume full responsibility for gaining all required permissions therefrom.*

This site does not abut a railroad right-of-way.

17. *Penthouses and Mechanical Equipment. All elevator and stairwell penthouses, roof-mounted mechanical equipment (including enclosure, if any) and other similar rooftop installations shall be set back behind a plane inclined at forty-five (45) degrees from the vertical, beginning at the maximum height of the building, along all street lines and rear lot line and shall be screened pursuant to the screening provisions in Section 14.3. Ventilation for restaurants and other businesses producing odors should vent away from residential districts. Equipment shall be designated to comply [with] the City's Noise Ordinance during operation. The first fifteen (15) feet in height of such equipment shall be exempt from the calculation of maximum height; if such equipment is greater than fifteen (15) feet in height, the additional height shall count toward the building's height.*

All roof top mechanicals and other similar rooftop installations shall be set back behind a plane inclined at forty-five (45) degrees from the vertical, beginning at the maximum height of the building, along all street lines and rear lot line. Furthermore, the building façade is extended vertically to reduce the appearance of a penthouse and incorporated in the overall design of the building.

18. *Reduction of Minimum Lot Area. Where the SPGA makes the following findings, the minimum lot area may be reduced from the requirements of Section 6.5.F:*

- a) The applicant has demonstrated that good faith efforts have been made to acquire additional land and have been unsuccessful;*
- b) The project would have sufficient lot area to ensure compliance with all other dimensional and development standards;*
- c) Quality of usable open space would not be compromised by the reduced lot area;*
- d) Design guidelines would not be compromised by the reduced lot area; and*
- e) Development of the site may not result in a lost economic opportunity that would have been feasible on a lot meeting the minimum requirement. The reduced lot area may not be used as a justification for a reduced scale of development or for a mix of uses that does not achieve the purposes of the district, including increasing commercial development in appropriate areas.*

No change from the original approval.

*Section 9.13. - Exceptions, Special Permits.*

The original approval granted parking relief along with a Variance from the Zoning Board of Appeals (case #ZBA2018-21) to reduce parking. The first phase of the garage will still be



constructed with the development of this project and will initially provide approximately 250 vehicle spaces and 117 bicycle spaces.

3. **Purpose of District:** *The Applicant has to ensure that the project "is consistent with the intent of the specific zoning district as specified in Article 6".*

The proposal remains consistent with the purpose of the district.

4. **Site and Area Compatibility:** *The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area, and that the scale, massing and detailing of the buildings are compatible with those prevalent in the surrounding area".*

*Surrounding Neighborhood:*

The existing neighborhood is an under-utilized industrial area with a history of slaughterhouses, salvage yards, auto recyclers, and other industries.

*Impacts of Proposal (Design and Compatibility):*

*SZO §6.5.H Design Guidelines for the TODs. These guidelines are not intended to inhibit design creativity or discourage innovative architectural design solutions. Rather, they provide general standards for building massing, siting and articulation. It is understood that Buildings and Structures may not be able to comply with all of the following Guidelines.*

1. *Building(s) should complete the streetwall along the primary street edge(s).*

No change from the original approval. The building completes the streetwall along three primary street edges and provides a defined edge to the future open space to the west.

2. *Massing and height of the building should be articulated in a manner compatible with the physical character of the surrounding districts, particularly where a building abuts a residential or historically designated property. Whenever possible, historical variety in the scale, rhythm, and relationship of buildings to pedestrian public ways should be preserved.*

The revised massing of the proposed building is divided into two sections to reduce the length of the building. One section has façade articulation that is vertical in orientation and the other is horizontally banded. The glass and metal façade is designed as a modern reference to the neighborhood's industrial past.

3. *A transition in height should be established where new development adjoins low-rise residential districts or historically designated properties.*

This site does not abut any low-rise residential districts or historically designated properties so a transition in height is not necessary.

4. *Thirty-foot-wide commercial bays with independent entrances onto the street are typical in Somerville and should be repeated in new developments to create visual and pedestrian interest. Varied architecture should be created and flat facades avoided by using recessed or projected entryways, bays, canopies, awnings, residential balconies on 2<sup>nd</sup> floor or above, and other architectural elements. Non-residential ground floor façades should have a minimum seventy-five (75) percent transparent material, and second floor facades should have a minimum of forty (40) percent transparent material. These openings should provide views into the building and should not be blocked by interior storage, nonartistic displays, or greater than thirty (30) percent internally mounted signage. (Compliance or noncompliance with this guideline must be documented in plans' dimensional tables.)*



As in the original approval, the ground floor retail has been designed to be as adaptable as possible, with a street wall dominated by glazing on ~~both~~ the first ~~and second~~ levels. The spaces can be broken up into the thirty-three-foot-wide commercial bays typical to Somerville with individual entrances.

5. *Exterior building materials for all visible portions of the building should be high quality, durable, and aesthetically appropriate. Particular attention should be paid where properties abut residential districts and historically designated property. Predominant exterior building materials should include an appropriate combination of brick, glass, wood, artistically used metal, stone, or stucco. Precast concrete panels, EIFS-type finishes, and large expanses of glass or corrugated sheet metal are generally discouraged. Bare or painted concrete as the only exterior facade material shall not be allowed.*

The redesigned building façade is largely glass and metal, befitting its intended use as a split laboratory/office building. Metal panels and fins are added to emphasize verticality and horizontality on the different sections of the massing. Metallic louvers screen the penthouse.

6. *Visible rear and side façades should maintain a similar character to the front façade of the building and the intended character of the surrounding district.*

All façades are very similar to the front/west façade of the building that will face the open space. Special design attention will be given to the Earle Street (public right-of-way) façade so that utility rooms, transformer vaults, parking access, and loading docks do not appear to be the rear of the building.

7. *Signage and awning design should respect buildings' context (design, style, colors, materials), be oriented to pedestrians, and be subordinate to the overall building composition. Creative shapes must be carefully designed and coordinated with the overall appearance of the building. The design should also maintain an existing "signage line" and respect the character, scale, and locations of adjacent signs and awnings. Large, interior-lit or back-lit signs or awnings, neon "open" signs, vinyl or plastic materials and overly bright colors are generally discouraged. To add interest and character to the retail environment signs or awnings may convey interesting elements or logos without excessive wording. They should be limited to advertising the business name and its main goods or services, with minimal or no national brand names or logos. Type styles should enhance readability of the sign and provide information simply and legibly. Use awnings to create pleasant shaded spaces in front of a building. Signs and awnings should enhance important architectural details and not concealed or obliterate them. Internally illuminated "bubble awnings" and box signs are inappropriate.*

No change from the original approval. Any and all signage will require a separate Special Permit application.

8. *Major entrances should be located on public streets, and at or near corners wherever possible. Entrances should relate well to crosswalks and pathways that lead to bus stops and transit stations.*

Major entrances for the offices and labs will now be located on the proposed shared street at the open space. The retail spaces will have individual entrances, within the storefront, as necessary.

9. *Buildings should have a clearly expressed base, middle, and top. This may be achieved through changes in material, fenestration, architectural detailing, or other elements. Taller buildings should be articulated to avoid a monolithic appearance.*

The base, middle, and top of the proposed building are expressed differently on each mass of the building. The glazed storefront and retail signage band is consistent on all façades to provide a well-defined base. The portion of the building (the northern mass) with the primarily horizontal articulation has metal banding to delineate the top of the building, while the southern portion extends the glass curtainwall about the roof (and taller than the attached horizontal mass) to create a top. The building is designed in such a way as to integrate the mechanical floors fully in the overall proportions and character of the building. The building's lighting design at the top of the façade will further define the base, middle, and top segments.

10. *The façade below the Tapering Height should exhibit human scale through design elements such as changes in plane, and variety or contrast in form, color, and materials. Architectural elements and setbacks should be used to break up long façades and avoid large areas of undifferentiated or blank building façades.*

Tapering Height requirements are not applicable to this application.

11. *Building elements located above the Tapering Height should be designed to limit impacts from visual massing, obstruction of views, and creation of shadows on public open space, residential districts or public ways. Where practicable, the width and depth of these elements should be limited to one hundred twenty (120) feet and where more than one element exists a minimum separation of fifty (50) feet is encouraged, although other means may be more appropriate on odd-shaped lots or lots adjoining highways or railroad rights-of-way.*

Tapering Height requirements are not applicable to this application.

12. *All rooftop-building systems, including wireless communications facilities, should be incorporated into the building form in a manner integral to the building architecture, including screening with materials that harmonize with buildings' exterior finishes.*

As in the original approval, the large amount of rooftop mechanical floor-space are split over two levels. To incorporate this large penthouse in a manner integral to the building architecture, the southern façade has been extended in order to screen part of the first penthouse level. The remainder of that level and the second penthouse level above is setback from the building face in order to minimize its visibility from the street.

13. *Individual Artist Live/Work Spaces should be designed as closely as possible in accordance with the "Design Guidelines for Artist Housing" produced by the Somerville Arts Council.*

Individual Artist Live/Work Spaces are not applicable to this application.

14. *A sidewalk depth of at least fifteen (15) feet from the street curb to building is strongly encouraged for developments fronting major streets.*

A sidewalk depth of at least twelve (12) feet from the street curb to building is shown on all surrounding streets as envisioned by the Union Square Neighborhood Plan.

15. *On-site, off-street parking should be accessed from either a side street or an alley. Where this is not possible, vehicular access should be provided through an opening, no wider than twenty-five (25) feet in the street level façade of the building. Such entrances should be designed to minimize conflict with pedestrians.*

The underground off-street parking garage will now be accessed from Earle Street, now designed as a service street.

16. *Above ground structured parking should be lined with active uses (shops, cafes, etc.) along major public streets. Upper levels and facades along smaller public streets shall be screened and include architectural design elements such as windows, bays, etc. such that the space's*

*use for parking is not immediately apparent. Large horizontal openings are strongly discouraged. Direct pedestrian access to the street and/or to a public area should be provided by all garages serving non-residential uses.*

There will be no above-ground structured parking associated with this application.

17. *Usable Open Space should be located to support public gathering. To the extent possible, usable open space should be designed to appear as an extension of existing public space, through consistency in design and materials. The provision of an interconnected series of open space to support pedestrian movement is encouraged.*

Usable open space has been provided along the southern edge of the building, expanding the sidewalk into a 'front yard' space. Further spaces designed to support pedestrian movement are proposed along the eastern and southern edges, setting the first two levels back fifteen feet with the upper floors extending over them to create an arcade.

There are currently no nearby usable open spaces. However, the Union Square Neighborhood Plan and the master plan under development show a shared street and future green space to the west of this building on this Applicant's property. The Applicant has agreed to collaborate with the City and fellow developers for these district-wide improvements.

18. *Installation of public art is encouraged in order to add visual interest and distinguishing features to landscaped or other public areas.*

As in the original approval, locations for public art installations will be identified in future phases as the first phase usable open spaces on South Street will be reconfigured when the re-alignment occurs.

19. *Properties abutting the MBTA right-of-way are strongly encouraged to place pedestrian unfriendly uses such as parking, loading, and trash collection along the right-of-way. However, given that the MBTA right-of-way represents a gateway into the City, these facilities shall be screened and the architectural design of façades facing the right-of-way shall be of equal or better quality to façades elsewhere in the building.*

This project does not abut the MBTA right-of-way.

20. *Utilities and wiring shall be placed below ground. Transformers and trash facilities may also be required to be located underground.*

No change from the original approval. Transformers and trash facilities are shown on the ground level but will be designed as integral with the architectural character of the building.

5. **Functional Design:** *The project must meet "accepted standards and criteria for the functional design of facilities, structures, and site construction."*

Similar to the original approval, the column-free floor plates are still approximately 30,000gsf but the lab and office space now total 241,500GSF. Slab to slab heights are now 14'-6" but still have finished ceiling heights of 11', purpose-built HVAC systems, superior load levels, dock-height loading access, and an oversized service elevator are all designed to fulfill the needs of life sciences and biotech companies and compete with similar product in East Cambridge.

6. **Impact on Public Systems:** *The project will "not create adverse impacts on the public services and facilities serving the development, such as the sanitary sewer system, the storm drainage system, the*

*public water supply, the recreational system, the street system for vehicular traffic, and the sidewalks and footpaths for pedestrian traffic.”*

Any redevelopment of the Boynton Yards district requires significant impacts on the public systems. This Applicant has been working closely with Engineering to determine the necessary investments and upgrades to allow this area of the city to be redeveloped. New infrastructure costs are anticipated to be shared among all developers within this district - an equitable division is under negotiation at this time for utility, roadway, and open space contributions that will create fiscal benefits for landowners and the city.

7. 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.”*

No change from the original approval.

8. Consistency with Purposes: *“Is consistent with: 1) the purposes of this Ordinance, particularly those set forth in Article 1 and Article 5; and 2) the purposes, provisions, and specific objectives applicable to the requested special permit with site plan review which may be set forth elsewhere in this Ordinance, such as, but not limited to, those at the beginning of the various sections.”*

The proposal is still consistent with the general purposes of the Ordinance.

9. Preservation of Landform and Open Space: *The Applicant has to ensure that “the existing land form is preserved in its natural state, insofar as practicable, by minimizing grading and the erosion or stripping of steep slopes, and by maintaining man-made features that enhance the land form, such as stone walls, with minimal alteration or disruption. In addition, all open spaces should be designed and planted to enhance the attractiveness of the neighborhood. Whenever possible, the development parcel should be laid out so that some of the landscaped areas are visible to the neighborhood.”*

Not applicable. There are no land forms or open spaces on the site.

10. Relation of Buildings to Environment: *The Applicant must ensure that “buildings are: 1) located harmoniously with the land form, vegetation and other natural features of the site; 2) compatible in scale, design and use with those buildings and designs which are visually related to the development site; 3) effectively located for solar and wind orientation for energy conservation; and 4) advantageously located for views from the building while minimizing the intrusion on views from other buildings.”*

No change from the original approval. All conditions of the original approval still apply to this revision.

11. Stormwater Drainage: *The Applicant must demonstrate that “special attention has been given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Storm water shall be removed from all roofs, canopies, and powered area, and routed through a well-engineered system designed with appropriate storm water management techniques. Skimming devices, oil, and grease traps, and similar facilities at the collection or discharge points for paved surface runoff should be used, to retain oils, greases, and particles. Surface water on all paved areas shall be collected and/or routed so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved area. In larger developments, where practical, the routing of runoff through sheet flow, swales or other means increasing filtration and*

*percolation is strongly encouraged, as is use of retention or detention ponds. In instances of below grade parking (such as garages) or low lying areas prone to flooding, installation of pumps or other devices to prevent backflow through drains or catch basins may be required.”*

No change from the original approval.

12. Historic or Architectural Significance: *The project must be designed “with respect to Somerville’s heritage, any action detrimental to historic structures and their architectural elements shall be discouraged insofar as is practicable, whether those structures exist on the development parcel or on adjacent properties. If there is any removal, substantial alteration or other action detrimental to buildings of historic or architectural significance, these should be minimized and new uses or the erection of new buildings should be compatible with the buildings or places of historic or architectural significance on the development parcel or on adjacent properties.”*

Not applicable. There are no structures on the site.

13. Enhancement of Appearance: *The Applicant must demonstrate that “the natural character and appearance of the City is enhanced. Awareness of the existence of a development, particularly a non residential development or a higher density residential development, should be minimized by screening views of the development from nearby streets, residential neighborhoods of City property by the effective use of existing land forms, or alteration thereto, such as berms, and by existing vegetation or supplemental planting.”*

As with the original application, the Boynton Yards district is intended to be a transform area with high density development encouraged so there will be no screening between buildings or between streets and buildings. All development will be reflective of the urban patterns of the rest of the city with buildings located on the street frontage. There will not be any berms.

14. Lighting: *With respect to lighting, the Applicant must ensure that “all exterior spaces and interior public and semi-public spaces shall be adequately lit and designed as much as possible to allow for surveillance by neighbors and passersby.”*

No change from the original approval. All conditions of the original approval still apply to this revision.

15. Emergency Access: *The Applicant must ensure that “there is easy access to buildings, and the grounds adjoining them, for operations by fire, police, medical and other emergency personnel and equipment.”*

While the location of access drives have changed from the original approval, emergency access will still be available from all side of the building. All conditions of the original approval still apply to this revision.

16. Location of Access: *The Applicant must ensure that “the location of intersections of access drives with the City arterial or collector streets minimizes traffic congestion.”*

While the location of access drives have changed from the original approval, the intent of screening and design integration remains the same. All conditions of the original approval still apply to this revision.

17. Utility Service: *The Applicant must ensure that “electric, telephone, cable TV and other such lines and equipment are placed underground from the source or connection, or are effectively screened from public view.”*





No change from the original approval. All conditions of the original approval still apply to this revision.

18. Prevention of Adverse Impacts: *The Applicant must demonstrate that “provisions have been made to prevent or minimize any detrimental effect on adjoining premises, and the general neighborhood, including, (1) minimizing any adverse impact from new hard surface ground cover, or machinery which emits heat, vapor, light or fumes; and (2) preventing adverse impacts to light, air and noise, wind and temperature levels in the immediate vicinity of the proposed development.”*

No change from the original approval. All conditions of the original approval still apply to this revision.

19. Signage: *The Applicant must ensure that “the size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall reflect the scale and character of the proposed buildings.”*

No change from the original approval. All conditions of the original approval still apply to this revision - signage will require detailed submissions for Special Permit under future applications.

20. Screening of Service Facilities: *The Applicant must ensure that “exposed transformers and other machinery, storage, service and truck loading areas, dumpsters, utility buildings, and similar structures shall be effectively screened by plantings or other screening methods so that they are not directly visible from either the proposed development or the surrounding properties.”*

While the location of the service and utility facilities have changed from the original approval, the intent of screening and design integration remains the same. All conditions of the original approval still apply to this revision.

21. Screening of Parking:

While the location of access drives has changed from the original approval, all parking is still located in an underground garage and the architectural design integration remains the same. All conditions of the original approval still apply to this revision.

21. Housing Impact: *Will not create adverse impacts on the stock of existing affordable housing.*  
Not applicable. There is no housing in this proposal.

22. SomerVision Plan: *Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville’s neighborhoods, transform key opportunity areas, preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs. The areas in the SomerVision map that are designated as enhance and transform should most significantly contribute towards the SomerVision goals that are outlined in the table below.*

The Applicant has carefully designed this project, and the eventual full build-out, to meet or exceed the goals of SomerVision and the Union Square Neighborhood Plan.

| <u>SomerVision Summary</u> | <u>Existing</u> | <u>Proposed</u> |
|----------------------------|-----------------|-----------------|
| Dwelling Units:            | 0               | 0               |



|  |   |         |
|--|---|---------|
| <i>Affordable Units:</i>               | 0 | 0       |
| <i>Commercial Sq. Ft.:</i>             | 0 | 270,000 |
| <i>Estimated Employment:</i>           | 0 | 1,000   |
| <i>Parking Spaces:</i>                 | 0 | 250     |
| <i>Publicly Accessible Open Space:</i> | 0 | 13,351  |

23. **Impact on Affordable Housing:** *In conjunction with its decision to grant or deny a special permit for a structure of four or more units of housing, the SPGA shall make a finding and determination as to how implementation of the project would increase, decrease, or leave unchanged the number of units of rental and home ownership housing that are affordable to households with low or moderate incomes, as defined by HUD, for different sized households and units.*

This phase of the project does not add any residential, only commercial uses.

**III. DECISION:**

Based on the materials submitted by the Applicant and the attached findings, the Planning Board finds that the application for the Special Permit with Site Plan Review meets the goals of the City for this site, the purposes of the district, and the provisions and purposes of the Ordinance. Therefore, the Board recommends **CONDITIONAL APPROVAL** of the requested **REVISIONS to the SPECIAL PERMIT with DESIGN AND SITE PLAN APPROVAL**.

All additional findings and conditions attached are applicable.

As with the original, this approval does not include the design of the storefronts or first floor retail signs. The storefront design and signage are still subject to Board review to ensure that the design is consistent with standards.

The recommendation is also based upon a technical analysis by the Planning Board 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 Board during the public hearing process.

| # | Condition  | Time frame   | Verified (initial) | Notes |  |
|---|--|--|--------------------|-------|--|
| 1 | Approval is for the revised site plan and 2 Earle Street redesign. This approval is based upon the following application materials and the plans submitted by the Applicant: | BP /CofO   | ISD/<br>Planning   |       |  |
|   | <b>Date</b>  |  |                    |       | <b>Submission</b>  |
|   | 11/8/2018  |  |                    |       | Initial application submitted to the City Clerk's Office |
|   | 12/6/2018  | Modified plans submitted to OSPCD (complete revised application) |                    |       |  |



|   |   |          |                          |  |
|---|---|----------|--------------------------|--|
|   | Any changes to the approved and revised Special Permit with Site Plan Review, other than modifications required to meet these conditions, that are not <i>de minimis</i> are considered a revision to this approval. A revision is subject to the procedural standards required of a Special Permit with Site Plan Review.  |          |                          |  |
| 2 | All conditions, with the exception of condition 61, from the original approval are still applicable to this revision.   | As noted | Planning                 |  |
| 3 | Prior to the issuance of a building permit, Applicant shall provide a revised Transportation Access Plan (“TAP”) created by Applicant’s traffic engineer to the Planning Staff, which shall be acceptable to the Planning Staff and which shall show how the existing truck traffic in the Boynton Yards area, and on Earle Street, South Street, Windsor Place and Windsor Street in particular, will be accommodated during excavation, construction, and all other work, including but not limited to infrastructure work, including but not limited to water, sewer, electrical, plumbing, paving, painting, curbing and other infrastructure work (Applicant’s Work”). | BP       | T&I                      |  |
| 4 | The Mobility Management Plan and SPSR conditions (41-56) from the original approval shall be restudied by the Applicant then provided to the Director of Transportation & Infrastructure for review and approval. The Director of Transportation & Infrastructure may modify or waive the provisions of these conditions if the Applicant provides satisfactory proof that the intended purpose of each condition is being achieved through other methods (i.e. vanpools that don’t need parking spaces, etc.). The modification of these conditions by the Director of Transportation & Infrastructure shall not be permitted simply as a cost savings strategy.           | BP       | T&I/<br>Planning         |  |
| 5 | The revised scorecard for LEED v4, with a narrative showing how the Gold rating will be achieved, shall be reviewed and approved the Director of the Office of Sustainability and Environment prior to the issuance of any permit for excavation or construction.   | BP       | OSE/<br>Planning         |  |
| 6 | Submission of detailed landscape plans are required with the Building Permit application. As with the conditions of the original approval, the Green Score must be met to the satisfaction of Planning Staff, Transportation & Infrastructure Department, and the City Arborist prior to any permit for construction is granted by Inspectional Services.   | BP       | T&I/<br>Planning/<br>ISD |  |



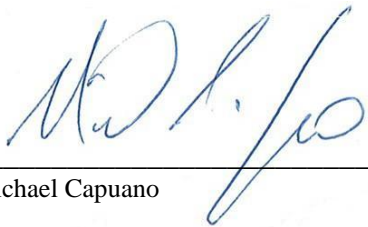
|   |   |             |                                  |  |
|---|---|-------------|----------------------------------|--|
| 7 | The design of the shared street will be coordinated with and approved by the Directors of Planning, Transportation & Infrastructure, and Engineering prior to the submittal of a separate SPSR application to the Planning Board. | Future SPSR | Planning/<br>T&I/<br>Engineering |  |
|---|---|-------------|----------------------------------|--|



Attest, by the Planning Board:



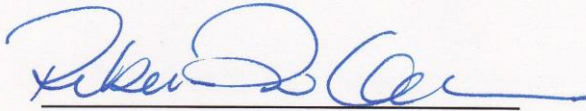
Joseph Favaloro



Michael Capuano



Dorothy A. Kelly Gay



Rebecca Lyn Cooper



Gerard Amaral

Copies of this decision are filed in the Somerville City Clerk's office.  
Copies of all plans referred to in this decision and a detailed record of the  
SPGA proceedings are filed in the Somerville Planning Dept.

**CLERK'S CERTIFICATE**

Any appeal of this decision must be filed within twenty days after the date this notice is filed in the Office of the City Clerk, and must be filed in accordance with M.G.L. c. 40A, sec. 17 and SZO sec. 3.2.10.

In accordance with M.G.L. c. 40 A, sec. 11, no variance shall take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title.

Also in accordance with M.G.L. c. 40 A, sec. 11, a special permit shall not take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and either that no appeal has been filed or the appeal has been filed within such time, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The person exercising rights under a duly appealed Special Permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.

The owner or applicant shall pay the fee for recording or registering. Furthermore, a permit from the Division of Inspectional Services shall be required in order to proceed with any project favorably decided upon by this decision, and upon request, the Applicant shall present evidence to the Building Official that this decision is properly recorded.

This is a true and correct copy of the decision filed on \_\_\_\_\_ in the Office of the City Clerk, and twenty days have elapsed, and

FOR SPECIAL PERMIT(S) WITHIN

\_\_\_\_\_ there have been no appeals filed in the Office of the City Clerk, or

\_\_\_\_\_ there has been an appeal filed.

Signed \_\_\_\_\_ City Clerk Date \_\_\_\_\_

