



City of Somerville

PLANNING BOARD

City Hall 3rd Floor, 93 Highland Avenue, Somerville MA 02143

TO: Planning Board
FROM: Planning & Zoning Staff
DATE: April 8, 2021
RE: 379 Somerville Ave, CZC20-000104

RECOMMENDATION: Approve with Conditions (SPA)
Approve with Conditions (SP)

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 379 Somerville Ave, 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 April 2, 2021 and is scheduled for a public hearing on April 29, 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

379 Somerville Ave LLC proposes to construct a 5-story net-zero general building and establish a Household Living principle use for ten (10) dwelling units in the MR5 zoning district with no parking provided on-site. This proposal requires Site Plan Approval and a Special Permit.

SUMMARY OF PROPOSAL

379 Somerville Ave LLC is proposing to construct a 5-story principal general building. The proposed development will produce 1770 square feet of commercial space, 10 total dwelling units with 2 of those units being affordable dwelling units, 0 motor vehicle parking spaces, 10 long-term bicycle parking spaces, and 1 short-term bicycle parking spaces. The proposed landscape will earn a Green Score of 0.26 above the 0.25 minimum score.

ADDITIONAL REVIEW NECESSARY

379 Somerville Ave is in the Union Square neighborhood represented by Ward 3 Councilor Ben Ewen-Campen. The proposed general building requires Site Plan Approval, and the applicant is seeking a Special Permit to establish a Household Living principle use. Site Plan Approval is the administrative review and approval

of conforming development to address any potential impacts as necessary. The Planning Board is the decision-making authority for all (non-variance) discretionary or administrative permits required for the MR5 zoning district.

ANALYSIS

The proposal is for a five (5) story, mixed use building, with commercial space on the ground floor and residential units above. The site is located in the MR5 district, on a Pedestrian Street, and within the Transit Area for the new GLX Union Square Station. The MR5 district encourages development that provides moderate to large floor plate buildings with a bias toward commercial uses, and that maintain a well-defined street wall with a step back at the upper-most floor to mitigate the appearance of building bulk. In the case of MR5 sites located on Pedestrian Streets the establishment of active ground floor uses is also required and aspects of ground floor design are intended to provide an attractive and engaging pedestrian experience. This project's proposal conforms to the dimensional standards and requirements for the district, as well as its intent. The proposed storefront and entries will enhance the pedestrian character of the street and maintain the existing street wall. The applicant has expressed that a restaurant is the likely tenant and the commercial space is being designed accordingly, including room for outdoor dining in the back of the building. The proposed building is also set back at the ground level to allow for widening the sidewalk, adding landscaping features and additional outdoor dining in the front of the building. Note, however, that the use of the public right of way will be subject to additional review and approval.

Residential uses in the MR5 district require special permit to allow review boards to raise concerns related to suitability of a site for residential tenants. Based on the standard set for the use and occupancy of a general building in the MR5 district, and by satisfying the standards and requirements set by the Office of Sustainability and Environment for a Net Zero Ready building, the proposal is able request up to sixteen (16) units in the building. The applicant is proposing (10) units including three (3) two bedroom units and seven (7) one bedroom units, two (2) out of the total ten (10) units will be Affordable Dwelling Units. The location chosen is the site of a previous a lower-density commercial development. It is therefore adding these residential units to an area already appropriate for urban habitation, embedded into a walkable, transit-oriented area.

The applicants are opting to provide zero (0) parking on site due to its proximity to the new GLX Union Square train station, as well as multiple MBTA bus lines that run through Union Square, and in compliance with the Transit Area no minimum parking requirement established by the zoning code. The project will be providing ten (10) long term bicycle parking spaces inside the back of the first floor of the building, in addition to one short term bicycle parking outside the front of the building. For further mitigation of potential impact created by not providing

motor vehicle parking on-site residents will be ineligible for on-street Residential Parking Permits.

Though abutters and other members of the surrounding neighborhood were encouraged to provide input on questions of site design and massing, concerns about impacts relating to the physical elements of the building were minimal. On the first neighborhood meeting neighbors requested that the club, Thunder Road, remain open but the applicant stated that given the scope of constructions that would not be possible. Since the time of that meeting, however, Thunder Road has permanently closed, partially due to the pandemic. Neighbors also requested that the decks located in the rear of the building be screened in and the applicant has agreed to this request. In the second neighborhood meeting concerns were raised about the building being too tall, however, 5 stories is by-right for the lot and the average height of Union Square will increase in the following years, thus reflecting the projected future context. The fifth floor is also stepped back, as required, to lower the height appearance from the street level. Neighbors welcomed both the green roof and net zero aspects of the building. Some neighbors had design concerns that the building appeared too industrial and would be in too much contrast to older abutting structures but overall the neighborhood response to the design was positive.

The applicant has provided documentation confirming the project is being designed to Net Zero standards using PHIUS+2018 Certification program for Passive House design and construction. The project will also follow guidelines for the U.S. DOE Zero Energy Ready Home status, Energy Star for Homes, U.S. EPA Indoor Air Plus program for indoor air quality, and EPA Watersense Homes for whole building efficient water use.

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.

Site 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.
3. Mitigation proposed to alleviate any impacts attributable to the proposed development.

Special Permit 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.
3. Mitigation proposed to alleviate any impacts attributable to the proposed development.
4. (Household Living Use) The suitability of the site for a household living principal use compared to other potential principal uses.
5. (Household Living Use) The ability of the development proposal to meet the demand for dwelling units of various types, sizes, and bedroom counts.
6. (Household Living Use) The increase or decrease in the number or price of any previously existing ADUs.
7. (Household Living Use) The number of motor vehicle parking spaces proposed for development within a Transit Area

Site Plan Approval + Special Permit

1. *The comprehensive plan and existing policy plans and standards established by the City.*
 - Protect and promote a diverse, interesting mix of small-scale businesses in Somerville's neighborhoods.
 - Facilitate transit-oriented, neighborhood infill development when it enhances the lively, human scaled and walkable character of Somerville blocks and neighborhoods.
 - Facilitate thoughtfully-designed, pedestrian-oriented mixed-use development and reuse opportunities in commercial corridors, squares and around transit stations that are sensitive to neighborhood context, and serve existing and future residents and businesses.
 - 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.
 - Promote mixed-use, mixed-income transit-oriented development to provide new housing and employment options.

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

The proposal is consistent with intent of the MR5 zoning district, which is, in part, "To create, maintain, and enhance areas appropriate for moderate scale, multi-use and mixed-use buildings and neighborhood-and community-serving commercial uses."

Summary of relevant information

3. *Mitigation proposed to alleviate any impacts attributable to the proposed development.*

The proposal has been repeatedly adapted to include design features generated to respond to community feedback received during neighborhood meetings. No other mitigation is proposed due to a perceived lack of remaining negative impacts directly attributable to the proposed development.

Special Permit Considerations Specific to a Household Living Use

- 4. The suitability of the site for a household living principal use compared to other potential principal uses.*

Planning Staff believes the development site is highly suitable for a residential use above a ground floor commercial space due to the walkability, transit access of the site as well as the amenities available in Union Square. The site's presence along a Pedestrian Street, with the concomitant requirement to provide for an active use at the ground floor, make it an inappropriate location for an apartment building, while the growing housing demand on the area, as well as the benefits of transit oriented development, favor a strong presence of mixed used buildings in Union Square.

- 5. The ability of the development proposal to meet the demand for dwelling units of various types, sizes, and bedroom counts.*

The development proposal includes 3 two bedroom units and 7 one bedroom units. This unit mix is consistent with recent housing studies that identified 92% of demand for new market-rate units was from singles, childless couples, empty nesters, and retirees, while at the same time including multi-bedroom units required by the Somerville Zoning Ordinance.

- 6. The increase or decrease in the number or price of any previously existing ADUs.*

There were no previously existing ADUs on the site.

- 7. The number of motor vehicle parking spaces proposed for development within a Transit Area.*

There are no proposed vehicle parking spaces.

PERMIT CONDITIONS

Should the Board approve the required Special Permit to establish a Household Living use Site Plan Approval for the principal general 5-story building, Planning & Zoning Staff recommends the following conditions:

Housing

- An affordable housing implementation plan (AHIP) must be submitted to the Director of Housing prior to applying for a Certificate of Occupancy.
- A deed restriction limiting the sale or rental of all affordable dwelling units to eligible households in perpetuity must be executed and recorded with the Middlesex South Registry of Deeds.

Should the Board approve the necessary Site Plan Approval for the 5-story net zero ready apartment building, the Planning & Zoning Staff recommends the following conditions:

Parking

- At least three (3) accessory vehicular parking spaces must be offered annually to all ADU households as a right of first refusal until each parking space is either rented or refused.
- Formal acknowledgement that residents are ineligible for on-street Residential Parking Permits, subject to the regulations of the Somerville Traffic Commission, must be recorded with the Middlesex South Registry of Deeds.
- Dwelling units must be advertised as ineligible for on-street Residential Parking Permits, subject to the regulations of the Somerville Traffic Commission.
- All buyers, grantees, lessees, renters, and tenants must be notified in writing prior to sale or lease of any dwelling unit that the residents are ineligible for on-street Residential Parking Permits, subject to the regulations of the Somerville Traffic Commission. This Decision must be recorded with the Middlesex South Registry of Deeds.
- Construction documents must be substantially equivalent to the approved plans and other materials submitted for development review.

Mobility

- The property owner and applicable future tenants shall comply with the Mobility Management Plan as approved and conditioned by the Director of Mobility on 20 November 2020.

Sustainability

- All Step 2 documentation required by the Net Zero Ready Certifiability Requirements must be submitted to the Office of Sustainability & Environment.
- All Step 3 documentation required by the Net Zero Ready Certifiability Requirements must be submitted to the Office of Sustainability & Environment.

Public Record

- Physical copies of all development review submittal materials, as permitted by the Planning Board, must be submitted to the Planning & Zoning Division for the public record.

- A copy of the recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted to the Planning & Zoning Division for the public record.

Construction Documents

- Utility meters are not permitted on any facade or within the frontage area of the lot.
- Material specifications from suppliers must be submitted to confirm fenestration glazing is compliant with the VLT and VLR ratings required by the Somerville Zoning Ordinance.
- An updated outdoor lighting plan and supplier cut sheet specifications of chosen lighting fixtures must be submitted to confirm compliance with Section 10.7 Outdoor Lighting of the Somerville Zoning Ordinance. The site photometric plan must include a keyed site plan identifying the location of all luminaires; total site lumen limit table (calculations from the SZO); lighting fixture schedule indicating the fixture type, description, lamp type, lumens, color temperature, color rendering index, BUG rating, mounting height, and wattage of all luminaires; and notation of any timing devices used to control the hours set for illumination.