



City of Somerville

# PLANNING BOARD

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

**TO:** Planning Board  
**FROM:** Planning, Preservation & Zoning Staff  
**SUBJECT:** 599 Somerville Ave (P&Z 20-031)  
**POSTED:** December 15, 2021

**RECOMMENDATION:** Approve with Conditions (SPA)  
Approve (SP for Parking relief)

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 599 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 November 22, 2021 and is scheduled for a public hearing on January 6, 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

Rafi Properties LLC proposes to develop a 3-story LEED Gold commercial building in the Mid Rise 3 (MR3) zoning district which requires Site Plan Approval and one (1) Special Permit.

## SUMMARY OF PROPOSAL

Rafi Properties LLC is proposing to construct a 3-story, LEED Gold commercial building that will be approximately 45,000 gross square feet. The building will have 33 below-grade parking spaces, 10 covered long-term secured bicycle parking spaces, and approximately 6 short-term bicycle parking spaces. The proposed landscape design will earn a compliant Green Score of 0.263.

## ADDITIONAL REVIEW NECESSARY

599 Somerville Ave is located in the Mid Rise 3 (MR3) zoning district in the Spring Hill neighborhood represented by Ward 2 Councilor Ben Ewen-Campen. The proposed commercial building requires Site Plan Approval, and the applicant is seeking a Special seek relief from parking requirements. Site Plan Approval is the administrative review and approval of conforming development to address and potential development

impacts, if necessary. The Planning Board is the decision-making authority for all (non-Variance) discretionary or administrative permits required by the MR3 zoning district.

## **NEIGHBORHOOD MEETINGS**

The first neighborhood meeting was hosted by Ward 3 Councilor Ben Ewen-Campen and the development team on April 5, 2021 via Zoom meeting platform. The second neighborhood meeting was hosted by Ward 3 Councilor Ben Ewen-Campen and the development team on August 12, 2021 via Zoom meeting platform.

## **DESIGN REVIEW**

The proposal was reviewed by the Somerville Urban Design Commission via GoToWebinar meeting platform on June 8, 2021, and June 22, 2021. The Commission provided its official recommendation on August 6, 2021.

## **ANALYSIS**

From the start of the site plan approval process, Rafi Properties worked with the surrounding community to thoughtfully design the proposed commercial building with respect to concerns raised at neighborhood meetings. Some of the primary points that were directly incorporated into the building proposal include, but are not limited to, an enclosed garage ramp to screen noise from adjacent properties; Mechanical penthouse screening and height not exceeding 16 feet; Reducing the required parking by 25 percent from original proposal, which results in 33 total spaces; and increasing the number of bike parking from the minimum allowed by Zoning. A concern raised by a number of community members was the lack of pedestrian crossing at the intersection of Spring St and Somerville Ave. In response, the Applicant intends to pay for the design and construction costs for creating an elevated crosswalk on Somerville Ave between Spring St and Kent St. Final crosswalk design will be determined in direct communication with the City and meet City guidelines. In order to facilitate the coordination and implementation of that crosswalk, Staff have recommended a condition that the Applicant needs to work with relevant City Departments on the final design and approval prior to receiving a Certificate of Occupancy.

The Applicant worked very closely with Pitman Street neighbors to address privacy concerns regarding the placement of windows on the rear of the proposed building. The Applicant engaged with the neighbors with the final rear façade design and window treatments to help minimize privacy concerns. Other key concerns expressed at the neighborhood meetings for this project were related to streetscape landscaping and loading hours. Attendees also expressed concerns about the potential impacts of construction, however those are better addressed as part of the construction management plan required prior to the issuance of a building permit, rather than as part of the Site Plan Approval process. The Applicant has stated at the neighborhood meetings they will comply with section 9-116 of the City of Somerville's Municipal Code regarding construction noise.

Due to the size of the building, this proposal is required to achieve LEED Gold certifiability. The proposed building is seeking to pursue 60 LEED credits which, if achieved, would meet the minimum 60 credits required to achieve LEED GOLD certification. The project plans to provide 8 EV charging spaces out of the 33 parking spaces being provided.

The project plans to include a variety of public realm and landscaping improvements to the existing site including but not limited to, the addition of a new bus shelter, bike racks, street trees, and an extension of the southwest corner curb line to create a parklet for pedestrian use. Approval of the proposed parklet and all improvements outside private property is outside the scope of this site plan approval permit application and will be approved by relevant City Departments as conditioned. Staff have also recommended a condition to ensure any elements on private property that differ from the City's standard specifications will be maintained by the Applicant, to the City's standards in a sustainable, and on-going capacity.

The project is proposing to provide 33 vehicle parking spaces, 11 spaces below the minimum required by the Zoning Ordinance. A Special Permit for parking relief is needed to get a reduction from required parking. After analysis, Staff agree with the applicant that reduced parking is appropriate for this site as it is serviced by frequent bus lines going to and from Porter and Union Squares where rapid transit either exists or will soon exist, and the Applicant is proposing an array of public realm enhancements to improve alternative modes of transportation. The site is also located one block outside the half-mile transit area walkshed of Porter Square. As discussed in their Mobility Management Plan, the Applicant will be subsidizing MBTA, and Blue Bike passes for users at the site to help incentivize the use of alternative modes of transportation. Improved public realm elements relating to transportation mitigation include the incorporation of a new incline bus stop with a new shelter, new bike racks, and an improved designated bike lane that will run along Somerville Ave.

## 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 detailed below but may make additional findings beyond this minimum statutory requirement.***

### Site Plan Approval Considerations

- The comprehensive plan and existing policy plans and standards established by the City.
- The intent of the zoning district where the property is located.
- Mitigation proposed to alleviate any impacts attributable to the proposed development.

### Special Permit Considerations Specific to Parking Relief

- The supply and demand of on-street parking in the neighborhood, as determined through a parking study.
- Mobility management programs and services provided by the Applicant to reduce the demand for parking.

- That parking provided in excess of any maximum permitted does not result in the increase in impervious lot area.

Information relative to the above considerations is provided below:

**Site Plan Approval + Special Permit:**

- *The comprehensive plan and existing policy plans and standards established by the City.*

The proposal will help to achieve the following from SomerVision, the comprehensive Master Plan of the City of Somerville:

- Make Somerville a regional employment center with a mix of diverse and high-quality jobs.
  - Support a business-friendly environment to attract and retain a diverse mix of businesses that can start here, grow here and stay here.
  - Invest in the talents, skills, and education of people to support growth and provide opportunities to residents of all social and economic levels.
  - Link our corridors, squares, and growth districts to support future development and economic activity.
  - Increase the recognition of Somerville as a center of arts and creativity.
  - Design and maintain a healthy and attractive public realm (e.g., streets, sidewalks, and other public spaces) that fosters community connection.
  - Expand bike and pedestrian use by transforming existing infrastructure with accommodations for all bicyclists and pedestrians, resulting in safe, accessible, and well-connected networks.
- *The intent of the zoning district where the property is located.*

The proposal is consistent with the intent of the MR3 zoning district which is, in part, “*To create, maintain, and enhance areas appropriate for smaller scale, multi-use and mixed-use buildings and neighborhood serving commercial uses.*”

**Site Plan Approval:**

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

The proposal includes several design features in response to community feedback received at neighborhood meetings. As conditioned, the proposal does not produce any impacts that require mitigation.

**Special Permit Considerations to Parking Relief:**

- *The supply and demand of on-street parking in the neighborhood, as determined through a parking study.*

No parking study was provided for on street parking, but the project is providing enough parking to meet the SomerVision 2040 mode shift goal. Staff believe that what is being provided is sufficient and those driving will utilize the garage on site for vehicle parking. Retail uses proposed at the site are meant to serve the immediate area and users of that proposed commercial building.

- *Mobility management programs and services provided by the Applicant to reduce the demand for parking.*

Staff feel enough is being provided by the Applicant to reduce the demand for parking through a variety of mobility management programs outlined in their approved Mobility Management Plan.

- *That parking provided in excess of any maximum permitted does not result in the increase in impervious lot area.*

The Applicant is not providing additional parking above the maximum permitted. They are providing a reduction to the minimum amount of parking allowed by zoning. This consideration is not applicable to the project.

## **PERMIT CONDITIONS**

Should the Board approve the *required Site Plan Approval for the 3-story LEED Platinum commercial building*, Planning, Preservation & Zoning Staff recommends the following conditions:

### Permit Validity

- 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.

### Public Record

- Physical copies of all development review submittal materials, as permitted by the Zoning Board of Appeals, 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

- 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 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.
- Detailed plans for protecting street trees intended to remain during construction must be approved by the City Arborist.

#### Legal Agreements

- A covenant or other deed restriction agreeing to pay the jobs linkage fee must be executed and recorded with the Middlesex South Registry of Deeds.

#### Transportation Mitigation

- To mitigate transportation impacts, Somerville Avenue must be improved with a crosswalk. Final design must be approved by relevant City Departments.

#### Site & Building Design

- Frontage area provided for a widened sidewalk along Somerville Ave must be designed and paved to properly correspond with any sidewalk improvements approved within the public right-of-way.
- A public right-of-way or pedestrian access easement must be provided in perpetuity by a covenant or other deed restriction for the full area of the sidewalk provided within the frontage area of the lot. Final easement language must be approved by the City Solicitor.
- Any revisions to the approved design of the frontage area provided for a widened sidewalk must be approved by relevant City Departments.
- Bike room must be constructed a grade or with a low slope ramp and approved by the Mobility Director prior to receiving a Building Permit.
- Utility meters are not permitted on any facade or within the frontage area of the lot.

#### Maintenance

- The property owner is responsible for all of the regular and long-term maintenance, replacement, insurance, and other applicable costs associated with all on-site sidewalk improvements.

#### Sustainability

- All Stage 2 documentation required by the Office of Sustainability & Environment's LEED Certifiability Requirements.
- All Stage 3 documentation required by the Office of Sustainability & Environment's LEED Certifiability Requirements.
- The building must be registered with the USGBC and evidence that the required registration forms were submitted, and registration fee were paid must be

submitted to the Office of Sustainability & Environment prior to applying for a Building Permit.

- The Applicant or their successor in interest shall apply for LEED certification and provide evidence to the Office of Sustainability & Environment that a completed certification application and certification review fee were submitted to USGBC within one (1) year of the issuance of the first Certificate of Occupancy for the building.

#### 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 November 1, 2021.

#### Conditions

- A written narrative or descriptive checklist identifying the completion or compliance with permit conditions must be submitted to the Inspectional Services Department at least ten (10) working days in advance of a request for a final inspection

The Planning, Preservation & Zoning Staff does not recommend any additional conditions related to the requested *Special Permit for Parking Relief*.