



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** PB 2017-13-R1(11/18)  
**Date:** December 13, 2018  
**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 70 Broadway

**Applicant / Owner Name:** Juan Vasquez and Maria Monge Sibrian  
**Applicant / Owner Address:** 70 Broadway, Somerville, MA 02145  
**Alderman:** Matthew McLaughlin

Legal Notice: Applicant/Owner, Juan Vasquez and Maria Monge Sibrian, seek a major amendment to a previously approved design and site plan review (DSPR) permit under SZO §5.4 of the Somerville Zoning Ordinance (SZO) and a Special Permit under SZO §6.1.22 to construct a small addition to the existing structure to expand the previously approved retail storefront. CCD-45 zone. Ward 1.

Dates of Public Hearing: Planning Board – December 13, 2018

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a 1,968 square foot parcel that contains two residential dwelling units in a three story structure. There is one dwelling unit on the first floor and another unit that occupies the second and third floor. There are currently two parking spaces, one off of Broadway and another off of Broadway Place.



The site received Planning Board approval in August 2017 to construct a small addition to the existing structure on the west side and a new exterior stair and lift in the rear. The changes were to accommodate converting the first floor residential unit into a small retail and service establishment of 661 net square feet, which is permitted as a matter of right in the CCD-45 District. As a result, the building will contain one retail unit on the first floor and one residential unit that will occupy the second and third floor. The

retail unit will be occupied by Tikal Uniform (currently located at 20 Broadway) and the residential unit will be occupied by the property owner.

2. Proposal: The proposal is to revise the prior permit to allow for an addition to the retail space on the east side that will extend the building to the property line and create 139 additional net square feet. The retail space will now become 800 net square feet. The redesign also includes modifying the rear exterior stair to the second floor.

3. Green Building Practices: The application indicates that the project will meet the Massachusetts Stretch Energy Code.

4. Comments:

*Ward Alderman*: Alderman McLaughlin has indicated to Planning Staff that he has no objections to the proposal.

## **II. FINDINGS FOR DESIGN AND SITE PLAN REVIEW and SPECIAL PERMIT (SZO §6.1.22.D):**

In order to grant Design and Site Plan Review (DSPR), 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 Staff finds that the information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits.

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."*

All new development for a by-right use shall be subject to DSPR under Section 5.4. New Development is defined as construction of new building(s), any change in the building footprint or any change to dimensions of an existing building as enumerated in Section 8.5. All new development shall meet the following development standards of 6.1.22.G.

*1. 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 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.*

N/A

*2. 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.*

A lift is proposed in the front along Broadway for handicapped access. It will be visually screened with opaque glazing of the same reflectivity of the glazing on the rest of the storefront that will maintain the retail presence.

3. *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 public sidewalks and other open space (as opposed to a central "mall" entrance).*

The residential and commercial uses will share a common stairway to separate entry doors for each respective use.

4. *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.*

The proposal includes a sign band above the first story retail windows that will wrap around the north elevation (Broadway Place). Goose neck lighting will illuminate the sign band.

5. *Transition to Abutting Residential District. The minimum side or rear yard setback of a property abutting or spanning a residential district line (RA, RB, RC) shall be 20 feet from the district line with outermost 10 feet of the setback to consist exclusively of vegetative landscaping. The building shall have a 15 foot Upper Level Setback at a Tapering Height of 35 feet from the property line(s) abutting the residential district. The building shall be designed so that its massing is concentrated along the commercial corridor and away from properties in residential zoning districts to the extent possible.*

The site does not currently conform to this requirement and the main structure will not encroach any further to the abutting RB zoning district in the rear. The proposed lift is within the required setback and the proposed stairs will not encroach any further than the existing building footprint.

6. *Parking Design. Refer to Section 9.17 for parking requirements. Parking and loading areas shall be hidden from view from public ways. They may be located at the side or rear of a lot or in concealed structures shall be suitably screened both visually and acoustically from the street and abutters (sufficient to conform to the City's Noise Ordinance during operation). Any views into parking structures shall be minimized through use of landscaping or architectural treatment.*

The existing structure requires two parking spaces and there are currently two parking spaces that will not be altered. One is accessed off of Broadway (via an easement with the adjacent property owner) and another is accessed off of Broadway Place on the side. The proposed uses also require two parking spaces.

7. *Payment in Lieu of Parking. With the approval of the SPGA, the applicant may make either a cash payment in lieu of providing the required parking, or a partial cash payment combined with a partial provision of the required vehicle or bicycle parking. 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. Payment must be made in an accordance with an adopted plan for payment-in-lieu of parking, and must be applied to the nearest planned or existing municipal facility to the site in question.*

N/A

8. *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 setbacks requirements.*

N/A

3. Consistency with Purposes: *The Applicant has to ensure that the project "is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles."*

The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to promote the health, safety, and welfare of the inhabitants of the City of Somerville; to provide for and maintain the uniquely integrated structure of uses in the City; to protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality.

The proposal is consistent with the purpose of the CCD-45 district, which is, "...to promote appropriate infill development along heavily traveled transportation corridors, especially where those corridors meet at named Squares. The district recognizes that such corridors present opportunities for an active mix of uses while also addressing development challenges posed by smaller lots and nearby existing residential development and the need to be accessible by multiple modes of transportation. The major objectives of the districts are to:

1. Encourage active mid-rise commercial and residential uses that contribute to a multi-modal-friendly street;
  2. Increase commercial investment in high-profile, accessible areas including retail that is largely neighborhood-serving in multi-tenant, mixed use buildings;
  3. Preserve and complement historic structures;
  4. Discourage inappropriate auto-oriented, significant trip-generating uses along transit corridors;
- and,
5. Promote pedestrian and bicycle activity.

The uses on the site will include one residential unit and one small retail and service establishment of 800 square feet; both of which are allowed uses in the CCD-45 district. The proposed mixed use structure is something that is encouraged in the CCD-45 district and meets the aforementioned objectives 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 characteristics of the built and unbuilt surrounding area, including land uses."*

*Surrounding Neighborhood:* The locus is located on the southern side of Broadway in East Somerville at the intersection of Broadway and Broadway Place. This section of Broadway includes many other mixed use buildings of heights that range from one to three stories.

*Impacts of Proposal (Design and Compatibility):* New development in the CCD-45 district must undergo design review under Section 5.6 of this Ordinance, with findings giving consideration to the Design Guidelines of Section 6.1.22.H.

*6.1.22.H. Design Guidelines for the CCDs. 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).*

The existing building currently completes the streetwall along Broadway, the primary street edge. The building design on the ground level is representative of a retail use.

2. *Massing and height of buildings 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 massing of the proposed addition is articulated in a manner that is compatible with the physical character of the existing building and the surrounding mansard roofs in the area.

3. *A transition in height should be established between residential or historically designated properties and new development.*

N/A

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 2nd 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.*

N/A

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 materials of the proposed addition will be wood shingles to match the existing structure. Existing siding and trim is to be removed, repaired, and painted.

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.*

The rear and side façades maintain a similar character to the front façade of the building and the character of the surrounding district.

7. *Signage and awning design should respect buildings' context (e.g., scale, 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 conceal or obliterate them.*

The proposal includes a sign band above the first story retail windows that will wrap around the north elevation (Broadway Place). Goose neck lighting will illuminate the sign band.

8. *Retail, restaurant and other pedestrian-oriented uses are encouraged, particularly on the Ground Floor. As noted in 6.1.22.E, residential uses shall not be permitted on the Ground Floor street frontage along major streets unless they are located in structures that are historically residential on the Ground Floor.*

Yes, the small retail space will be on the ground floor of the building.

9. *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.*

N/A

10. *Residential units should be of varying sizes to accommodate a range of family sizes. Generally dwelling units within a structure should not have an average size of less than 1,000 square feet.*

An existing residential unit will occupy the second and third floor and will contain 1,525 net square feet.

11. *A sidewalk depth of at least ten (10) feet from the street curb to building is strongly encouraged for developments fronting major streets.*

Yes, the sidewalk is at least ten feet in this particular location.

To conclude, the existing building completes the streetwall and has a two and three-quarter story massing and mansard roof style that is compatible with the surrounding structures. The proposed addition on the front will match the materials (wood and glass), massing, and roof style of the existing structure. Additionally, the primary entrance is oriented to the sidewalk and the residential unit will have a separate entrance from the commercial unit.

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

The project meets accepted standards and criteria for the functional design of facilities, structures, and site construction.

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.”*

There will be no adverse impact on such systems.

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.”*

There will be no adverse environmental impacts.

8. 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.”*

The landform will not change as a result of the proposal.

9. 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.”*

N/A

10. 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 paved 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.”*

N/A

11. 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.”*

The proposed addition will match the form and style of the existing structure and will not have a detrimental action to historic structures.

12. 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.”*

Vibrant pedestrian activity is encouraged along Broadway and the redesigned plans chance the appearance of the ground level retail space to make it look more like a typical storefront and less residential.

13. 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.”*

The proposal includes a sign band above the first story retail windows that will wrap around the north elevation (Broadway Place). Goose neck lighting will illuminate the sign band.

14. 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.”*

Emergency personnel will have clear access to the building.

15. 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.”*

N/A

16. 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.”*

N/A

17. 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.”*

There will be no such adverse impacts.

18. 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.”*



The proposal includes a sign band above the first story retail windows that will wrap around the north elevation (Broadway Place). Goose neck lighting will illuminate the sign band.

19. 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.”*

N/A

20. Screening of Parking: *In cases of buildings on stilts, the parking areas should be screened or partitioned off from the street by permanent structures except in the cases where the entrance to the parking area is directly off the street*

N/A

21. Housing Impact: *Will not create adverse impacts on the stock of existing affordable housing.*

N/A

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, 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.*

<u>SomerVision Summary</u>	<i>Existing</i>	<i>Proposed</i>
Dwelling Units:	2	1
Commercial Sq. Ft.:	0	800 net square feet
Estimated Employment:	0	2

### III. RECOMMENDATION

#### Design and Site Plan Review and Special Permit under §5.4.3 and §6.1.22.D

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	Approval is for the expansion of the previously approved storefront. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Plng.							
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>November 6, 2018</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>October 30, 2018</td> <td>Revised Plan Set</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	November 6, 2018	Initial application submitted to the City Clerk's Office	October 30, 2018	Revised Plan Set
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.										
<b>Construction Impacts</b>										
2	The applicant shall post the name and phone number of the general contractor at the site entrance where it is visible to people passing by.	During Construction	Plng.							
3	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	During Construction	T&P							
<b>Design</b>										
4	Applicant shall provide final material samples for siding, trim, windows, and doors to Planning Staff for review and approval prior to the issuance of a building permit.	BP	Plng.							
<b>Public Safety</b>										
5	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP							
<b>Signage</b>										
6	Signage shall be limited to the sign band and minimal window graphics on the entry doors to notify patrons of the proper entrance of the establishment. The Applicant shall submit final signage details to Planning Staff for review and approval.	BP	Plng. / ISD							
7	The display areas behind the storefront windows shall be kept neat and orderly	Cont.	Plng. / ISD							
<b>Final Sign-Off</b>										
8	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	Plng.							

