



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE
MAYOR

MICHAEL F. GLAVIN
EXECUTIVE DIRECTOR

PLANNING DIVISION

PLANNING BOARD MEMBERS

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JOSEPH FAVALORO, *CLERK*
DOROTHY A. KELLY GAY
MICHAEL A. CAPUANO, ESQ.
REBECCA LYN COOPER
GERARD AMARAL, (ALT.)

Case #: PB 2018-10
Site: 323 Broadway
(a/k/a 315 Broadway/8 Temple St)
Date of Decision: June 7, 2018
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: June 13, 2018

PLANNING BOARD DECISION

Applicant Name: Somerville Retirement Board c/o Michael Pasquariello, Executive Director
Applicant Address: City Hall Annex, 50 Evergreen Avenue, Somerville, MA 02145
Owner Name: 315 Broadway, LLC
Owner Address: 109 School Street, Watertown, MA 02472
Alderman: Jesse Clingan

Legal Notice: Applicant, Somerville Retirement Board c/o Michael Pasquariello, Executive Director, and Owner, 315 Broadway, LLC, seek a special permit under SZO §6.1.22, §7.13, and §9.13* for the establishment of an office use, signage, and parking relief for the Somerville Retirement Board to locate their offices. CCD-55 Zone. Ward 4.

Zoning District/Ward: CCD 55 Zone/Ward 4
Zoning Approval Sought: §6.1.22, §7.13, and §9.13*
Date of Application: May 15, 2018
Date(s) of Public Hearing: June 7, 2018
Date of Decision: June 7, 2018
Vote: 5-0

Appeal #PB 2017-10 was opened before the Planning Board at the Visiting Nurses Association on June 7, 2018. Notice of the Public Hearing was given to persons affected and was published and posted, all as required by M.G.L. c. 40A, sec. 11 and the Somerville Zoning Ordinance. After one hearing of deliberation, the Planning Board took a vote.



DESCRIPTION:

The proposal is to locate the Somerville Retirement Board office in the western most commercial unit, which is 1,555 square feet. The Somerville Retirement Board was previously located at the City Hall Annex on Evergreen Avenue but a burst pipe earlier this year required the City to temporarily close the building while repairs are made.

FINDINGS FOR SPECIAL PERMIT (SZO §6.1.22 and §7.13):

In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.1.4 of the SZO. This section of the report goes through §5.1.4 in detail.

1. Information Supplied:

The Board 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."*

Section 6.1.22.D.5: Alterations to Structures within the CCDs.

Alterations to an existing or approved façade other than a one-for-one replacement of signage within the same sign footprint and using the same sign technology shall require a new Special Permit, with findings giving consideration to the Design Guidelines of Section 6.1.22.H.

Section 7.13: Table of Use Clusters

Office uses when located on the first occupied story of a multistory building require a Special Permit.

Section 9.13: Exceptions, Special Permits (for Off-Street Parking and Loading)

	Existing Requirement	Proposed Requirement
323 Broadway	1,555 s.f of retail @ 1 per 1,500 n.s.f required 1 space	1,555 s.f of office @ 1 per 800 n.s.f required 2 spaces

The site contains 68 parking spaces where the SZO only required 52 spaces when the building was permitted; therefore the site has a surplus of 16 spaces. The proposal to convert the formerly approved retail space into an office space would increase the parking requirement by one space, which can be accommodated on-site. Therefore, no special permit for parking is required.

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 lessen congestion in the streets; to protect health; to secure safety from fire, panic and other dangers; to provide



adequate light and air; to prevent the overcrowding of land; 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 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.

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 site is a part of the busy Broadway corridor bridging the eastern and western edges of Somerville. The street contains a mixture of residential and commercial uses. The north side of the property is mostly residential. To the east are a Rite Aid, liquor store, and a vacant grocery store. To the South, across Broadway, there are parking lots, retail establishments, a bank, post office, a brewery, and some residential buildings. To the west, across Langmaid Avenue is a large apartment building.

Impacts of Proposal (Design and Compatibility): Section 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. For projects located in both the Arts Overlay District and the Corridor Commercial Districts, the following CCD Design Guidelines shall apply.

1. *Building(s) should complete the streetwall along the primary street edge(s).*
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.*
3. *A transition in height should be established between residential or historically designated properties and new development.*
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.

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.

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.

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.

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.

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.

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.

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



Since the building has already been reviewed, approved, and constructed the only relevant design guidelines would relate to signage design. The building has a 14-inch tall sign band and no awnings. Only one of the five total commercial spaces has been leased and that tenant still has a temporary banner as their sign but is in the process of getting a more permanent blade sign installed.

The subject office unit has two typical storefront doors and the Applicant is proposing to locate window graphics on each of the doors. The exact layout and measurements have not been determined yet; therefore, the Board conditions that the final signage details be reviewed and approved by Planning Staff to ensure its appropriateness.



7. Housing Impact: *Will not create adverse impacts on the stock of existing affordable housing.*
8. 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.*

DECISION:**Special Permit under §6.1.22 and §7.13**

Present and sitting were Members Kevin Prior, Joseph Favaloro, Dorothy Kelly Gay, Rebecca Lyn Cooper, and Michael Capuano. Upon making the above findings, Kevin Prior made a motion to approve the request for a Special Permit. Joseph Favaloro seconded the motion. The Planning Board voted **5-0** to **APPROVE** the request. In addition the following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	Approval is to establish an office at 323 Broadway. 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>May 15, 2018</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>June 4, 2018</td> <td>Signage Rendering</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	May 15, 2018	Initial application submitted to the City Clerk's Office	June 4, 2018	Signage Rendering
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Any changes to the approved (site plan or elevations/use) that are not <i>de minimis</i> must receive SPGA approval.										
Construction Impacts										
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							
Public Safety										
4	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP							
5	To the extent possible, all exterior lighting must be confined to the subject property, cast light downward and must not intrude, interfere or spill onto neighboring properties.	CO	Plng.							
Signage										
6	Signage will be limited to the location shown in the rendering and will be applied to the inside of the glass. The exact layout and measurements shall be reviewed and approved by Planning Staff.	CO/Cont.	Plng.							
Final Sign-Off										

7	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.	
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Attest, by the Planning Board:



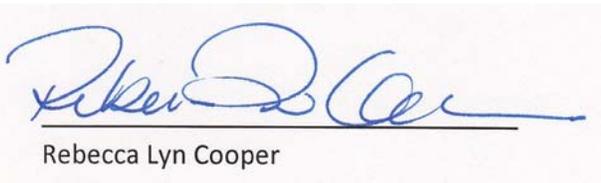
Kevin Prior, Chairman



Joseph Favaloro



Dorothy A. Kelly Gay



Rebecca Lyn Cooper



Michael A. Capuano, Esq.

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 VARIANCE(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ any appeals that were filed have been finally dismissed or denied.

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 _____

