



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA2018-21
Date: March 4th, 2018
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 2 Earle Street – Boynton Yards Building 2

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

Legal Notice: 2 Earle Street (A.K.A. MBL 97-B-26 subplot of 153 South Street) – Boynton Yards Building 2 (ZBA2018-21): Applicant & Owner, RECP V Boynton Yards Owner LLC, seeks a Variance under SZO §5.5 for reduced parking in order to replace an existing gravel storage lot with a 8-story commercial building containing 224,300sf of office/ R&D uses and 10,700sf of retail/arts-related uses. A Special Permit with Site Plan Review from the Planning Board under SZO §5.2 (PB2018-04) is separately requested. Zone TOD-135. Ward 2.

Dates of Public Hearing: April 4th, 2018

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 neighborhood is almost hidden as the street network doesn't connect through Boynton Yards and the residential on the east and west edges mask most of the industrial uses. There is an existing pocket neighborhood Boynton Yards East which is a mix of one- to three-family structures, warehouse buildings, and parking lots. Similarly, the western edge has the 80 Webster condominium development and supporting parking garage.

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, a construction equipment storage lot, and two one- and two-story concrete block commercial buildings totaling 25,000 gross square feet (gsf).

2. Proposal: With the arrival of the Green Line Extension and both public and private investments in redevelopment, the eastern portions of Union Square and Boynton Yards are envisioned as an Urban Center focused primarily on employment. A dense mix of employment, residential, retail, and entertainment uses and destinations would attract residents from surrounding neighborhoods and will be positioned to attract employers seeking to benefit from locating their business within this type of station area. A new street network is needed to provide access to development sites with appropriately sized blocks that fit commercial building types to fulfill market need to make development viable. After a street network is established, the Complete Street Ordinance ensures that new streets are safe and designed for all users giving priority to pedestrians, transit, cyclists, and then cars.

The mixed-use, transit-oriented development will include commercial space for cutting-edge labs, modern offices, innovative startups, and arts uses, as well as both neighborhood convenience and destination retail offerings, with open space to promote interaction between tenants, residents, and the community. The future residential component of the development will include 20% affordable units and a wide range of unit sizes and types to accommodate families, single professionals, empty nesters, roommates, artists, and others. Publicly accessible and sustainably designed open spaces will benefit the wider neighborhood as well as the project's tenants and residents.

This project will be the first step in transforming Boynton Yards. The buildings presented in the two current applications will be 100% commercial - 374,000gsf of Class A lab and life sciences space, flexible, modern office space, and research/development spaces. The proposed master plan solution is in-keeping with the Union Square Neighborhood Plan and these buildings have been carefully designed to be buildable with the current and future alignments of South Street. This will also 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 approximately 233 automobile spaces and 98 bike spaces will be provided to serve Buildings 1 and 2.

This application seeks a variance for exceeding maximum building height, increased F.A.R, and reduced parking. In the TOD zones, the Planning Board shall serve as the Special Permit Granting Authority (SPGA) and may approve, approve with conditions, or deny any application. However, there shall be no variances in TODs except as granted separately by the Zoning Board of Appeals.

Building 2, this proposal, is an eight-story lab building (145' tall) aggregating 235,000gsf. The development also includes four levels of underground parking and loading docks will be accessed by a single curb cut on Windsor Place just west of Building 2. The garage will serve the entire Boynton Yards

district and is one of a series of parking facilities to be built. The first floor accommodates 10,700gsf of retail space, a mid-block pedestrian connection, three loading docks, tenant storage, a 1,500gsf lobby, and utility connections. The building offers 224,300gsf of lab and office space on floors two through eight.

3. Green Building Practices: Building 2 is requesting a density bonus as permitted in TOD-135 (1.0 FAR increase and 15 foot increase in maximum height to 150 feet) with a building certified by the U.S. Green Building Council as LEED Gold or better. The scorecard for LEED v4 for Core and Shell is included in the submission package (Attachment 2) showing a Silver rating. 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:

Fire Prevention: None at this time.

Traffic & Parking: None at this time.

Wiring Inspection: None at this time.

Lights and Lines: None at this time.

Engineering: None at this time.

Historic Preservation: Not applicable. The nearest historic feature to the site is the Koenig-McCue House at 26 South Street, about 200 feet east of the site on South Street, and the nearest building over 50 years old is at 561 Windsor Street, about 600 feet to the northwest.

Design Review Committee: The committee suggested that the team investigate more orientation toward Windsor Place as entry to the site from the station is key. They also recommended possibly incorporating a little of the brick being proposed for Building 1 on Building 2. They generally liked the simplicity of materials on each building - the purity of the idea of familiar materials used in singular ways. Detailed elevations are necessary to be reviewed at another meeting at a later date. The DRC is meeting again on March 29th, 2018 after this report was completed but an update will be provided at the meeting.

Ward Alderman: A neighborhood meeting was held on March 22nd, 2018. The neighbors in attendance had a few questions but did not raise any objections to the project.

II. FINDINGS FOR VARIANCE (SZO §5.5):

A Variance is sought to reduce the amount of parking provided for commercial office and lab or R&D uses.

In order to grant a variance, the Board must make certain findings and determinations as outlined in §5.5.3 of the SZO.

1. *There are “special circumstances relating to soil conditions, shape or topography of land or structures which especially affect such land or structures but not affecting generally the zoning district in which it is located, causing substantial hardship, financial or otherwise.”*

Applicant’s response:

“Soil at the Building 2 site is contaminated with typical urban fill constituents and polycyclic aromatic hydrocarbons (PAHs), total petroleum hydrocarbons (TPH), and polychlorinated biphenyls (PCBs) at concentrations above those typical of historic fill in the Somerville area. The elevated PAHs, TPH, and PCBs likely are associated with the operations of the historic Boynton Yards railyard. They will require out of state disposal, with associated premium cost, for a portion of the excavate, as well as the potential need for excavation of soil beyond that which would be required on an uncontaminated site. The hardship resulting from this special soil condition is the excavation and soil disposal cost of \$360,000 in excess of routine foundation excavation costs to remediate the site and avoid the need for an Activity and Use Limitation.”

Staff’s response:

The goal for the district is mostly employment in the form of office and research/development lab buildings so the entire area will require mitigation and clean up to achieve the redevelopment goals of the city. Given the intended wholesale change in Boynton Yards envisioned by the Union Square Neighborhood Plan, the first few buildings will need some flexibility to set the framework for the larger infrastructure moves that will be required to encourage future investment.

The Applicant has been working with Planning Staff to reach the solution as proposed that meets the vision of the neighborhood plan and the proposed zoning for the district. The proposal will require major excavation and removal of the tainted soil to accommodate a four-story underground parking structure with construction phased to the buildings above. While the master plan anticipates ample parking for the full build development, the first phase (Buildings 1 & 2) requires flexibility in the amount of parking provided. There will be ample surface parking still available in the short term on the remainder of the parcel but Staff would like to ensure that the overall vision for the neighborhood can be achieved by not obligating the Applicant to this surface parking on a permanent basis.

2. *“The variance requested is the minimum variance that will grant reasonable relief to the owner and is necessary for a reasonable use of the building or land.”*

Applicant’s response:

“The site is located in a transformational area as shown in SomerVision (Somerville’s Comprehensive Master Plan for 2010 through 2030) and is at the edge of the Union Square Overlay District for Transit-Oriented Development. Even so, the current regulations do not support the type and intensity of development that the City desires for this area. The property has good existing access and infrastructure and proximity to East Cambridge, enabling this project to be a catalyst site for the future special district. However, variances are necessary to waive parking requirements and minimum lot size to achieve the desired type of development.”

Staff’s response:

The current ordinance requires Building 2 to provide 232 spaces and Building 1 to provide 139 spaces for a total of 371 spaces. (For reference, the proposed ordinance seeks to cap parking in Boynton Yards at a total of 1,500 spaces). The Building 2 parcel will include a very large phased four-story

underground parking structure that will be under most of the site and will ultimately support all the development proposed by this Applicant. The first phase of the garage will be constructed with the development of Building 2 and will initially provide 233 vehicle spaces and 98 bicycle spaces. There will be ample surface parking still available in the short term for “reasonable use”. Staff supports this request so the remaining property will not be permanently hampered as future development is planned.

3. *“The granting of the variance would be in harmony with the general purpose and intent of this Ordinance and would not be injurious to the neighborhood or otherwise detrimental to the public welfare.”*

Applicant’s response:

“The granting of the variance is in harmony with the TOD Zoning as codified with the intent of creating a live, work, and play experience by enabling transit-oriented employment opportunities in an urban infill setting and encouraging alternative modes of transportation centered around walking, biking, and the Green Line Extension. The project also is designed to be in keeping with the proposed potential zoning overhaul and future refined neighborhood development plan as presented by the planning staff on 1-9-18. The variances permit the first phase of development to proceed under current zoning while meeting the City’s SomerVision goals for the area.”

Staff’s response:

The proposed project meets all the goals for the transformation areas of the city, is designed to be consistent with the proposed Zoning Overhaul, and, specifically, is extremely well-suited to the Union Square Neighborhood Plan vision for Boynton Yards. The redevelopment efforts are focused on the area becoming a new Urban Employment Center within walking distance of the Union Square GLX station. This project and the parking reduction are in harmony with the vision and goals of the City and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

III. RECOMMENDATION

Variance under §5.5

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 **VARIANCE**.

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
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1	<p>Approval is for parking relief in the form of 70 spaces of Building 2 (the first phase of development). This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table border="1" data-bbox="250 348 889 613"> <thead> <tr> <th data-bbox="250 348 565 382">Date (Stamp Date)</th> <th data-bbox="565 348 889 382">Submission</th> </tr> </thead> <tbody> <tr> <td data-bbox="250 382 565 478">February 15, 2018</td> <td data-bbox="565 382 889 478">Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td data-bbox="250 478 565 613">March 29, 2018</td> <td data-bbox="565 478 889 613">Modified plans submitted to OSPCD (Project Narrative, Building Plans, and Building Elevations)</td> </tr> </tbody> </table> <p>Any changes to the approved site plan, building plans, or elevations that are not <i>de minimis</i> must receive SPGA approval.</p>	Date (Stamp Date)	Submission	February 15, 2018	Initial application submitted to the City Clerk's Office	March 29, 2018	Modified plans submitted to OSPCD (Project Narrative, Building Plans, and Building Elevations)	BP/CO	ISD/Planning	
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2	<p>This approval is subject to any conditions additionally imposed by the Planning Board with subsequent approval of the Site Plan with Site Review case #PB2018-04.</p>	as applicable	Planning							
3	<p>Accessory parking is not permitted. Any parking spaces provided must be operated as a Commercial Service Vehicular Parking use (aka 'Public Parking'). Parking spaces must be made available for rent or lease to the public (inclusive of the employees of the proposed development), twenty-four (24) hours per day, seven (7) days per week, three-hundred and sixty-five (365) days per year and may be rented or leased through various offerings including, but not limited to, monthly passes, overnight passes, daily rates (weekday and weekend), and hourly fees at the discretion of the facility operator.</p>	BP	Planning/ T&I/T&P							