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Mayor

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CITY OF SOMERVILLE

Office of Strategic Planning & Community Development

TO: Planning Board
FROM: Planning & Zoning Staff
DATE: May 1, 2020
RE: DRA #2020-0039, 378 Highland Ave

This memo summarizes the development review application submitted for 378 Highland 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 submitted on January 13, 2020 and deemed complete on April 15, 2020. It is scheduled for a public hearing on May 7, 2020.

SUMMARY OF PROPOSAL

NE Harvest Corp is proposing to establish a Cannabis Retail Sale use. The proposed development will produce 3,066 square feet of commercial space.

The applicant has entered into a Host Community Agreement with the City and has received a recreational cannabis retail license from the Somerville Licensing Commission.

The proposed location is not within 500' of any pre-primary, primary, or secondary Educational Services uses or any Educational Services Protected by M.G.L. 40A. Sec. 3.

LEGAL NOTICE

NE Harvest Corp proposes to establish a Cannabis Retail Use in the MR3 district which requires a Special Permit.

ADDITIONAL REVIEW NECESSARY

378 Highland Ave is located in the Mid Rise 3 (MR3) zoning district in the Davis Square neighborhood represented by Ward 6 Councilor Lance Davis. It is within the 0.25mi transit area. The proposed use requires a Special Permit and the signage requires Minor Site Plan Approval.

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TTY: (617) 666-0001
www.somervillema.gov
www.somervillezoning.com

IMPACT ANALYSIS

This location is zoned for commercial use, and Planning Staff does not expect the proposal to have any significant impacts on the neighborhood outside of the typical impacts of a commercial retail use.

NESH's anticipated operating hours are 10am-10pm Monday to Thursday, 10am-10pm Friday and Saturday, and 12pm-5pm Sunday. The Licensing Commission has required them to be appointment only for the first six months, although they can convert to accepting walk-in customers after that time. They will have 5 point-of-sales with appointments scheduled 15 mins apart.

The Applicant has submitted a traffic study which finds that the proposed use will create 102 vehicle-trips during an average weekday (25% of total trips; the other 75% of trips are expected to be made using non-vehicular modes). Deliveries and pick-ups necessary for operation will be scheduled to occur during off-peak periods.

To further reduce the number of vehicular trips, the Applicant has proposed several Transportation Demand Management (TDM) strategies to encourage employees and consumers to walk, bike, or use public transit. The location is close to the Davis Square red line stop, the Community Path, and stops for 6 different bus routes. If consumers or employees do choose to drive, there will be dedicated off-street parking spaces for them to use.

REQUIRED FINDINGS

The Board is required to make findings considering the following review criteria:

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.
The intent of the MR3 zoning district is, in part: "To create, maintain, and enhance areas appropriate for smaller scale, multi-use and mixed-use buildings and neighborhood serving commercial uses."
3. Capacity of the local thoroughfare network providing access to the site and impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.
4. Location, visibility, and design of the principal entrance.

NEIGHBORHOOD MEETINGS

The one neighborhood meeting required for the Use Special Permit was held on Monday, November 11, 2019 at 6:30pm. The DRA was submitted within 120 days of the neighborhood meeting. The Applicant has submitted a report on the meeting.

CONDITIONS

Should the Board approve this special permit, Staff recommends attaching the following conditions:

Perpetual

1. Approval is for the Cannabis Retail Use Special Permit. This approval is based on the following application materials and plans submitted by the Applicant:
 - Initial application submitted to the City Clerk's Office on January 13, 2020
 - Updated plan set submitted to Planning Staff on February 27, 2020
 - Trip Generation Memorandum by DCI dated November 15, 2019
2. The Applicant must have an executed and active Host Community Agreement with the City of Somerville. The Applicant must abide by all terms and conditions of the Host Community Agreement.
3. The Applicant must comply with all other applicable federal, state, regional, and local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Inspectional Services Department, Fire Department, Department of Public Works, and Office of Strategic Planning and Community Development.

During Construction

4. Construction activities may not begin prior to 7:30am and must be complete by 5pm Monday through Friday. No construction activity is permitted on weekends or holidays.

Prior to Certificate of Occupancy

5. The Applicant shall contact ISD's Zoning Review Planner 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.

