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CITY OF SOMERVILLE

Office of Strategic Planning & Community Development

TO: Zoning Board of Appeals
FROM: Planning & Zoning Division
DATE: September 25, 2020
RE: DRA #2020-0334, 15 McGrath Highway

This memo summarizes the development review application submitted for 15 McGrath Highway, 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 September 11, 2020 and is scheduled for a public hearing on September 30, 2020.

SUMMARY OF PROPOSAL

15 McGrath Hwy Owner, LLC is proposing a lab building type. The proposed development will require variances because of the odd shape of the lot and other burdens. The lot is not rectilinear. The front corner is 'missing' as it was taken for access for 35 and 51 McGrath Highway by the Metropolitan District Commission when McGrath Highway was built in the 1950's. It is now owned by the Department of Conservation and Recreation and maintains access to 35 and 51 McGrath whose frontages were impacted by the Squire Bridge. This taking changed a portion of the front lot line of 15 McGrath to be curvilinear. There are also two easements on the property. The first is an access easement across the front of the property for 51 McGrath. This allows for access from 51 McGrath across the front of the site to the signalized intersection which allows left turn movements towards Cambridge and Boston. The second easement runs along the back of the property. It allows for access and lay down for the MBTA and 35 McGrath Highway. The easement area includes a change of grade and retaining wall.

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ADDITIONAL REVIEW NECESSARY

15 McGrath Highway is located in the High Rise (HR) zoning district in the Grand Junction neighborhood represented by Ward 2 Councilor JT Scott. The proposed building type requires variances for:

- primary front setback per Article 5.1.9.a;
 - A portion of the front lot line is curvilinear. In addition, the access easement further pushes back any buildable area onto the site. The primary front setback, 2' minimum/15' maximum, is proposed to range from 2' and 43'.
- to allow a driveway in a frontage area per Article 15.1.17.c.ii;
 - The access easement requires vehicular access for 51 McGrath. This is prohibited in the section sited above.
- to allow for the upper story facades of a building to project over the façade of the ground story per Article 2.3.a.iv and 2.4.4.a;
 - The building, as shown, allows for vehicular circulation on the ground story but also provides adequate floorplates for the desired use above. This causes the upper story façade to project over the ground story façade ranging from roughly 1' to 48'. This happens only at the first floor. There is also a portion of the building projecting over the ground and second story to remain out of the access easement along the front of the property.
- and to allow a building façade to not be parallel with the front lot line per Article 2.4.4.b.i.a.
 - The building, to be parallel to the front lot line, would vary greatly from a typical lab building. The MDC taking parcel is not rectilinear to the rest of the lot. The building is proposed to be rectilinear to the rear lot line.

REQUIRED FINDINGS

The Zoning Board of Appeals may only grant a Hardship Variance upon finding all of the following:

- a) Special circumstances exist relating to the soil conditions, shape, or topography of a parcel of land or the unusual character of an existing structure but not affecting generally the zoning district in which the land or structure is located;
- b) Literal enforcement of the provision of this Ordinance for the district where the subject land or structure is located would involve substantial hardship, financial or otherwise, to the petitioner or appellant due to said special circumstances; and
- c) Desirable relief could be granted without causing substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of a specific district in this Ordinance or the Ordinance in general.

All 4 variance requests and the required findings (noted above) are addressed below.

Relief from the Primary Front Setback per Article 5.1.9.a

- a. There are special circumstances related to the shape of the parcel that make it unusual to the HR zoning district. Due to the MDC taking parcel the property has two front lot lines,

one running with McGrath Highway and the other curvilinear. To built to the primary front setbacks would result in a building type that is undesirable for a desired use in the district.

- b. Literal enforcement of the ordinance would result in substantial financial hardship by forcing the building into an undesirable location on the lot burdening the easement and creating a building type product that is not suitable for lab tenants who prefer rectilinear open layouts.
- c. The desired relief can be granted without substantial detriment of the public good. McGrath Highway will always take on a unique urbanism because of access needs and abutments of the Squire Bridge both on this side of the street and at Twin City Mall.

Relief from a driveway in a frontage area per Article 15.1.17.c.ii

- a. There are special circumstances related to the shape of the lot because of the access easement on the property to assure proper egress from 51 McGrath Highway.
- b. Literal enforcement of the ordinance would result in substantial hardship by putting the property owners in violation of the legal obligations of the access easement.
- c. The desired relief can be granted without substantial detriment of the public good by designing the access easement area as secondary to the primary circulation around the building.

Relief to allow for the upper story facades of a building to project over the façade of the ground story per Article 2.3.a.iv and 2.4.4.a

- a. There are special circumstances related to the lot because of the access easement and MDC taking parcel. Without relief the project would either have to decrease the size of the upper stories to comply and therefore substantially under-build or increase the size of the ground story and encroach on the access easement.
- b. Literal enforcement of the ordinance would result in substantial hardship by reducing the size of the project by over 100,000 SF which does not meet the intent of the High Rise district.
- c. The desired relief can be granted without substantial detriment of the public good because the desired massing is minimized on the front façade and visually screened because of building placement on the sides.

Relief to allow a building façade to not be parallel with the front lot line per Article 2.4.4.b.i.a.

- a. There are special circumstances related to the lot because it is not rectilinear and has two front lot lines. To make the front façade parallel would result in an undesirable building footprint.
- b. Literal enforcement of the ordinance would result in substantial hardship because the front façade would be irregularly shaped with curves and multiple corners.
- c. The desired relief can be granted without substantial detriment of the public good because the desired massing is generally oriented towards McGrath Highway in a rational fashion that both meets desired building footprints and makes the front façade present along the street edge.

ADDITIONAL INFORMATION

If the variances are approved, the building type will proceed with the Site Plan Approval process which includes neighborhood meetings, design review, and review by the Planning Board.

PROPOSED CONDITIONS

1. Relief granted is a maximum and cannot exceed the dimensions detailed in Figure 2 dated September 23, 2020.
2. Upper stories may not project beyond any story below with the exception of the relief granted at the ground and second story.