



City of Somerville

ZONING BOARD OF APPEALS

City Hall 3rd Floor, 93 Highland Avenue, Somerville MA 02143

TO: Zoning Board of Appeals
FROM: Public Space & Urban Forestry and Planning & Zoning Staff
SUBJECT: 31 Tufts Street, P&Z 20-004
POSTED: 17 June 2021

RECOMMENDATION: Approve with Conditions

Staff memos are used to communicate background information, analysis, responses to public comments, review of statutory requirements and other information from the Planning & Zoning staff to the Review Board members.

This memo summarizes the development review application submitted for 31 Tufts Street, 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 7 June 2021 and is scheduled for a public hearing on 23 June 2021. Any Staff recommended findings, conditions, and decisions in this memo are based on the information available to date prior to any public comment at the scheduled public hearing.

LEGAL NOTICE

E3 Development LLC proposes to develop a Pocket Park in the Urban Residence district, which requires Site Plan Approval.

SUMMARY OF PROPOSAL

E3 Development LLC is proposing to develop a Pocket Park. The proposed civic space will produce 5,360 square feet of open space, including 4,520 square feet of landscaped area, and will provide 14 large canopy trees and 104 linear feet of seating.

ADDITIONAL REVIEW NECESSARY

31 Tufts Street is located in a Transit Area in the Urban Residence zoning district in the East Somerville neighborhood represented by Ward 1 Councilor Matt McLaughlin. The proposed civic space requires Site Plan Approval. Site Plan Approval is the administrative review and approval of conforming development to address any potential impacts as necessary. The Zoning Board of Appeals is the decision-making authority for all discretionary or administrative permits required for the UR zoning district. The building proposed for this site has been designed to comply with all standards and requirements for a by-right apartment building in the Urban Residence district and is not at this time subject to Board approval.

NEIGHBORHOOD MEETINGS

As part of the community process for the larger 31 Tufts Street project, the development team conducted several meetings with members of the community. A meeting to discuss the community's priorities and needs for a civic space was hosted by Ward Councilor Matt McLaughlin on 10 March 2020, from 6pm to 8pm in the Cafeteria of the Capuano School Cafeteria. On 30 March 2021, a follow up meeting was hosted by Ward Councilor Matt McLaughlin via remote participation.

DESIGN REVIEW

The proposal was reviewed by the Somerville Urban Design Commission via the GoToWebinar meeting platform on 23 February 2021. The Commission voted that evening and provided its official recommendation on 8 March 2021.

ANALYSIS

The 31 Tufts Street site is a ca. 13,000 square foot parking lot at the corner of Tufts and Glen Streets, currently owned by the City of Somerville. In November of 2018, the City issued a Request for Proposals (RFP) to develop the site in keeping with priorities set by the Ward Councilor and local community. Potential teams were asked to provide schematic proposals for uses including (but not limited to):

- Affordable housing
- Publicly accessible open space
- Artist housing or live/work space
- Arts and education space
- A mix of uses that could establish a sense of place within the neighborhood

In April of 2019, E3 Development LLC was selected, based on their proposal for a 100% affordable housing development of 12 to 18 units and a privately owned public space to be shared by residents of the building and residents of the larger neighborhood. An initial meeting was held with the community in November 2019 to allow the team to meet with the neighbors, share their initial research, and collect feedback on the needs and goals of the neighborhood.

In December 2019, the passage of the new Somerville Zoning Ordinance established new entitlements for the site, particularly the ability to pursue a proposal that provided no on-site parking, due to its location within the quarter-mile walkshed from a proposed new transit station. Following consultation with the neighborhood, confirming that they would prefer a larger civic space to on-site parking, the City and the development team pursued a change in zoning district from Civic to Urban Residence. This change was supported by the Ward Councilor and approved by the City Council on 28 May 2020, enabling the by-right development of a conforming apartment building without on-site parking, and a civic space at the corner of Tufts and Glen Streets.

Following the 2020 zoning map change, the E3 development team, as part of their proposal to redevelop the 31 Tufts Street property submitted a unique proposal for a

high density, mixed affordability, passive house development that could also contribute at least 5,000 square feet of accessible open space to the neighborhood. The development process is following two approval paths. The building and its landscaping has been designed to meet the requirements and standards for development of a 100% affordable, Net Zero Ready apartment building of 16 units, and will proceed through the ISD managed approval process outlined for by right development in the Urban Residence zoning district.

All civic spaces proposed for the City of Somerville are permitted by Site Plan Approval, which is the administrative review and approval of conforming development proposals so as to address and mitigate any potential impacts. The development team studied local conditions to survey parks, playgrounds, and other civic spaces within a half-mile radius of the site, and worked collaboratively with Public Space and Urban Forestry Division Staff and the neighborhood to bring forward a proposal that balanced needs and goals identified in the community engagement process and provide crucial amenities needed in the neighborhood.

The proposed design has been developed in concert with local and City stakeholders and has received support from the neighborhood, the Urban Design Commission and the Public Space and Urban Forestry Division. Following successful approval of the required building and civic space permits, the Applicant will proceed to the City Council to execute a land disposition agreement transferring the ownership of the site to the Applicant to construct, manage, and maintain the resulting project.

CONSIDERATIONS & FINDINGS

The Zoning Board of Appeals is required by the Somerville Zoning Ordinance to deliberate each of the following considerations at the public hearing. The Board must discuss and draw conclusions for each consideration, but may make additional findings beyond this minimum statutory requirement.

Site Plan Approval Considerations

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.
3. Mitigation proposed to alleviate any impacts attributable to the proposed development.

Information relative to the required considerations is provided below:

Site Plan Approval + Special Permit

1. *The comprehensive plan and existing policy plans and standards established by the City.*

The proposal will assist significantly in achieving goals laid out in the SomerVision 2030 Comprehensive Plan concerning public space, as well as the Somerville Open Space and Recreation Plan, including, but not limited to the following:

- To contribute publicly accessible open space towards the goal of developing 125 acres of open space by 2030.
- To create and program a network of vibrant public open spaces and shared use paths throughout the city that are multi-purpose, promote healthy living, and reflect changing recreational interests and cultural opportunities.

The proposed civic space will remain privately owned and maintained by the Applicant, and will be open to the public. In order to meaningfully and successfully contribute to the City's open space inventory, the space must be clearly identified and readable as open to the public. In learning from other cities and towns, privately owned public spaces that include clear signage with the owner or management company's contact information, a statement that the space is open to the public, as well as naming the civic space all contribute to ensuring the space is understood by the community as a public amenity.

2. The intent of the zoning district where the property is located.

The intent of the Urban Residence zoning district is, in part: "To permit the development of multi-unit detached and semi-detached residential buildings on individual lots," and "To permit increased residential density for apartment buildings meeting the definition of a Net Zero Ready Building or 100% affordable housing."

The proposal will provide for the development of a Net Zero Ready apartment building with 16 units of housing in a range of sizes from studios to three-bedroom units, intended to be 100% affordable. The civic space that is currently before the Board in this Site Plan Approval application is designed as an amenity to be provided both to residents of the building and residents of the neighborhood, to help address the lack of passive, contemplative open space in an area that would otherwise be impacted by the proposed increased density.

3. Mitigation proposed to alleviate any impacts attributable to the proposed development.

Public Space and Urban Forestry Staff believe this civic space proposal includes a number of amenities in response to community feedback and will contribute to expanding the types of civic space uses and activities in the neighborhood. No other mitigation is proposed due to a perceived lack of remaining negative impacts directly attributable to the proposed civic space.

PERMIT CONDITIONS

Should the Board approve the required Site Plan Approval for the Pocket Park Civic Space, Public Space and Urban Forestry Staff and Planning & Zoning Staff recommend the following conditions:

Validity

- This Decision must be recorded with the Middlesex South Registry of Deeds.
- Construction documents submitted as part of the Civic Space Permit application must be substantially equivalent to the approved plans and other materials submitted for development review.

Utilities

- Alterations to the design or location of the transformer is a major amendment to the approved plans, and is permitted only as a Plan Revision in accordance with Article 15 of the Somerville Zoning Ordinance.

Public Space

- The property owner shall provide a right of first refusal to the Somerville Memorialization Committee to name the pocket park.
- The property owner shall name the pocket park as specified by the Somerville Memorialization Committee.
- The pocket park must be provided with signage conforming to the standards in the Division of Public Space & Urban Forestry Park Specifications Handbook and including, at minimum, the name of the pocket park, the management company's contact information, and a statement that the space is open to the public, along with the hours of operation.
- The property owner is responsible for all of the associated maintenance, security, insurance, and other applicable costs associated with the pocket park.

Public Record

- Physical copies of all development review submittal materials, as permitted by the Planning Board, must be submitted to the Planning & Zoning Division for the public record.
- A copy of the recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted to the Planning & Zoning Division for the public record.

Construction Documents

- An updated outdoor lighting plan and fixture schedule including notation of any timing devices used to control the hours set for illumination, and supplier cut sheet specifications of chosen lighting fixtures must be submitted to confirm compliance with SZO 10.7.4.d.ii and table 10.7.2. All luminaires must have light sources with a color temperature or correlated color temperature (CCT) of 3000 Kelvin or less, and a color rendering index of sixty-five (65) or higher.