



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: PB 2013-05
Date: October 16, 2014
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 771 McGrath Highway / 240 Mystic Avenue

Applicant Name: CPC-T Holdings, LLC

Applicant Address: 1601 Trapelo Rd, Suite 280, Waltham MA 02451, Attn: John J. Englert

Property Owner Name: The Stop & Shop Supermarket Company LLC

Property Owner Address: 1385 Hancock Street, Quincy MA 01269, Attn: Kirk Jackson

Alderman: Maureen Cuff-Bastardi

Legal Notice: Applicant, CPC-T Holdings, LLC, and Owner, The Stop & Shop Supermarket Company LLC, seek an amendment to a Planned Unit Development Preliminary Master Plan (PUD-PMP) approved by the Planning Board on Sept 6, 2001 and Nov 1, 2001 under SZO §16.11 to construct a 75-unit residential building. Waivers are requested for a reduction in the requirement for landscaped area, signage area and height and reduced setbacks under SZO §16.5.4 and 16.5.5*. Zone BA / PUD-B. Ward 1.

Dates of Public Hearing: Planning Board October 16, 2014

**Waivers for signage area and height are not needed.*

I. PROJECT DESCRIPTION

1. Subject Property: The property is a 311,421 square foot area that is bound by Mystic Avenue to the north, McGrath Highway to the west, Blakeley Avenue to the south and Cross Street to the east. There is a Stop & Shop Supermarket located on the property with a parking field and a landscaped area at the back of the lot between Cross Street East and Garfield Street.
2. Prior Approval: On September 6, 2001, the Planning Board granted Planned Unit Development-Preliminary Master Plan (PUD-PMP) (case # 01.58) approval subject to certain conditions, for the subject property.



The Master Plan entailed demolishing the existing commercial and industrial buildings on the site and constructing an 81,103 square foot supermarket with a 73,763 square foot footprint and a 7,340 square foot mezzanine, along with a 25,000 square foot non-medical office building for a total of 106,103 square foot of development at the site. The industrial and commercial uses included a 89,435 square foot Somerville Lumber facility, approximately 44,805 square feet of additional lumber sheds and accessory buildings for Guber & Sherman Metals and the Kimball Machine Company for a total of 134,240 square feet of development. The permitted number of parking spaces was 352 parking spaces and twenty percent of the lot area was to be landscaped area (approximately 64,775 square feet).

On November 1, 2001, the Planning Board granted conditional approval of a Special Permit with Site Plan Review (SPSR) for final level approval of the PUD to construct the supermarket. An SPSR for the office building was never requested and the land was kept as a landscaped area.

On May 6, 2004, the Planning Board granted an amendment to the PUD to make changes to the on-site and off-site traffic and parking patterns, changes to building design and landscaping and requested language changes to two conditions contained in the PUD approval.



3. Background: The City secured grants to fund the purchase of three parcels on Cross Street East and located Harris Park, which is adjacent to the PUD, farther down at 15-25 Cross Street East. The new park, called Chuckie Harris Park, was completed in 2013.

In 2011, in order to try to improve the safety of Harris Park as the park was relocated, the Ward Alderman at the time requested that the Commissioner of Public Works place Jersey Barriers to prohibit motor vehicles from entering Cross Street East at the Harris Park boundary line. The street has been closed to vehicles ever since.

2. Proposal: The proposal is to amend the Planned Unit Development Master Plan to change the building form and the use of the 25,000 square foot office building that was part of the original approval.

Under §16.8 of the SZO, an “[a]pplication for PUD is a type of special permit with site plan review, requiring two stages of review. A PUD applicant shall first file a preliminary master plan demonstrating a comprehensive land use plan for the entire PUD tract. Upon approval of this plan, the applicant may then submit special permit with site plan review applications for definitive plans of each portion or phase of development of the PUD tract.” It is important at this point to note that under the SZO, approval of a PUD preliminary master plan “shall not be constructed as final authorization of development.” By their very nature, many of the details of a project will need to be resolved in subsequent stages of review. Nonetheless, approval of a preliminary master plan, with or without conditions, is deemed an approval of the proposed (or conditioned) plans with respect to FAR, density, general types of uses, building coverage, generalized open space plans, and infrastructure systems. As such, it may be considered a binding approval and is only granted if the Board is satisfied that the proposed plan conforms to the purposes and standards of the SZO.

Major changes are defined in §16.11.2 as any change that is not minor and minor is defined as a change which does not propose any new general type of use beyond those approved initially, does not increase the building ground coverage, floor area ratio or residential density of the PUD, does not decrease any specified area regulations or enumerated parking ratios, nor substantially change access, circulation, or infrastructure on or adjacent to the site. Since the proposal changes all of these items, it is a major change that is processed through the normal PUD special permit with site plan review procedure, requiring public hearings before the SPGA and full review of compliance with the requirements of this Ordinance. Only the SPGA, or Planning Board in this case, shall have the authority to make a major amendment to the PUD plan.

The request in the application to extend the limits of the PUD to the centerline of Cross Street East adjacent to the subject property is not going to be evaluated as part of this application. Changing the zoning map would require Board of Alderman approval and is not needed as part of this proposal.

The proposal is for a 75-unit residential building including 9 affordable units and 1 model unit. The number of units and design of the building has changed greatly since the SPSR application was submitted to the Planning Department in 2013. The Applicants have been meeting with neighbors and responding to concerns about the increase density in the neighborhood, massing of the building, traffic, parking, and access from Cross Street East among others. The number of units has decreased from 121 and the form of the building has been designed to appear as modern triple-deckers in scale on the eastern side of the building that faces the neighborhood. The main pedestrian entrance is on Mystic Avenue and the garage entrances are on Garfield Street. The only vehicular access from Cross Street East to the site is for emergency vehicles.

The proposed building is 3-stories in height and there are stoops along the eastern side of the building. The unit mix includes 16 studios, 39 one-bedrooms, 14 two-bedrooms, and 6 three-bedrooms. The building footprint will be on the land currently owned by Stop & Shop.

Dimensions/Parking

DIMENSIONAL / PARKING REQUIREMENTS	PUD-B	Existing	Proposed PUD
Minimum lot size	75,000 sf	311,421 sf	311,421 sf
Front yard setback	15 ft	15.3 from McGrath	15.3
Side yard setback (left)	15 ft	178.3	21.5
Side yard setback (right)	15 ft	34.4	15
Rear yard setback	15 ft	392.8 from Cross	0 (waiver needed)
Rear yard setback abutting an RA district line	1/3 height but <15 ft	432.8	15
Maximum Floor area ratio (FAR)	3.0	0.26	0.46
Ground Coverage	65%	23.95%	37.57%
Maximum height, feet/stories	70 stories / 100 feet	28 / 2 stories	39.5/ 3 stories
Maximum height within 30 feet of RA district line 3 stories / 40 feet	3 stories / 40 feet	NA	39.5/ 3 stories
Minimum lot area/per dwelling unit	1000	NA	4152
Landscaped area*	20%	22.6%	17.6% (waiver needed)
Parking Total	Res (167) Comm (156) Total (323)	355	390
Bicycle Parking	41	6	36 (a condition will require at least 41)
Loading	4	5	5

* 50% of the landscaping is required to be usable open space.

Parking

Parking on the site will primarily be located in a garage on the ground floor of the building.

Landscaping / Usable Open Space

The Applicant is requesting that the City permanently close Cross Street East for non-emergency vehicles. This request is part of the proposed plan by the Applicant to renovate the street and old Harris Park. The City will retain ownership and the Applicant will build and maintain these spaces. The design of the park will be for passive uses to complement the active new Chuckie Harris Park down the street. The land on which the road is located and the park will be open to the public.

Waivers

The proposal also includes requests for waivers from a reduction in rear yard setback and a reduction in landscape area with full compliance of landscaped area on an abutting parcel. Both of these dimensions

are met if considering the land that makes up Cross Street East and the old Harris Park; however, this land is not technically part of the PUD.

The minimum landscaped area for a PUD is 20 percent. Without Harris Park the total landscaped area will be 17.6%. Including the park and street right of way the amount of landscaped area will be 23.9%.

The minimum rear setback for a PUD is 15 feet. The building will be along the property line and the stairs and stoops overhang the right of way, which will be discontinued. The structure outside of the PUD boundary, which is a Business A district, such as the overhang of stoops and stairs, will be evaluated as part of the SPSR application.

6. Green Building Practices: The project will follow LEED for new construction guidelines. Additional sound attenuation construction techniques will be used abutting Mystic Avenue and air filtration will be installed due to the proximity of Interstate 93.

7. Comments:

Fire Prevention: Generally access to the site is acceptable. The Applicant must meet with Fire Prevention to discuss the details of the location of water lines, the type of fire protection, and access to the building.

Traffic & Parking: Traffic and Parking requests an expanded traffic analysis.

Wiring Inspection: Has not yet provided comments.

Highway: There must be a flat granite curb between the asphalt street and the pavers for the pedestrian walkway at the end of Cross Street East and signage as well as some other indication that the road does not continue for vehicles past Pennsylvania Avenue.

Office of Sustainability and Environment: Two charging stations for electrical vehicles shall be provided in the parking garage.

Lights and Lines: Lights and Lines is currently reviewing the application.

Engineering: Engineering is reviewing the stormwater management plan and sewer connections. New sanitary connection flows over 2,000 GPD require a 4:1 removal of infiltration and/or inflow by the Applicant.

Ward Alderman: Alderman McLaughlin has held a neighborhood meeting and does not have any comments at this time.

Design Review Committee: The Design Review Committee reviewed the proposal at two meetings.

The DRC made the following recommendations on the design and discussed the following topics at the August 14, 2014 meeting:

- Add an entry on the southern corner.
- The entry for the building needs to be identified.
- The site will be capped because of environmental reasons so underground parking is not an option.
- There looks like there are residential units in the stair towers on the western side of the building and this is confusing.
- The building looks homogeneous on the western side.
- The screens at the edge of the courtyards should be further developed.
- The DRC would like to do a material review.

The DRC made the following recommendations on the design on September 25, 2014.

- The screening of the courtyard is necessary but needs a more thoughtful execution. The focus should be on the courtyard experience. The screen presented needs articulation. It is also a great opportunity for art. The
- The first floor is almost entirely parking but looks residential in the window form – it will be dark at night.
- Address the sides of the building as if they are the side.
- The quality of the fiber cement panels in large cuts tend to be wavy and will lessen the quality of the building. Consider alternate materials.

Public: Planning Staff will edit the report to provide any updated public comments should the Planning Board chose not to act on this case on October 16, 2014, thereby allowing public comments to be incorporated into the report and the conditions, if applicable. To date as a result of the October hearing re-notification, Planning Staff has received one written comment on this project from East Somerville Main Streets.

II. FINDINGS FOR REVISION TO PUD-PMP:

A. General Application Requirements

Application requirements are identified in Section 16.8 of the SZO. Section 16.8.2 and 16.8.3 identifies the general information required for a preliminary PUD PMP approval and final level approval. Section 16.8.2.H and 16.8.3 identifies that the Special Permit with Site Plan Review requirements in Section 5.2 are required for both phases of approval. Staff finds the SPSR-A meets the application submittal requirements in the above listed sections. Detailed findings are contained in Appendix A.

B. Required Findings of Fact for PUD

Section 16.10.1 of the SZO indicates that PUD preliminary master plan approval shall be considered preliminary approval that recognizes that the plan is in general accordance with provisions of the Somerville Zoning Ordinance (SZO). Findings are then required under 16.1, 16.4, 16.5.3, 16.7 and 16.9 of the SZO. Staff determined that the PMP meets the required findings for a PUD PMP and indicated that some issues would require further review at the SPSR-A submittal. Detailed findings are contained in Appendix B.

C. Requirements for SPSR (SZO §5.2.5 and 5.1.4)

The SZO requires that the PMP be reviewed to ensure that projects under the PMP can meet the standards required for SPSR in the ordinance. Parts a-h of Section 5.2.5 must be addressed when SPSR-A requests are submitted. The Staff finds that projects submitted for a revision to the PMP meets the findings required as identified in Appendix C.

D. Waiver Standards

The SPGA may waive dimensional standards required for PMP or Special Permit with Site Plan Review applications, if the SPGA finds that a waiver would result in a better site plan than the strict compliance with the stated standards, the PUD design furthers the Purpose and PUD Design Guidelines and the granting of such a waiver will not cause detriment to the surrounding neighborhood., per Section 16.5.4. Staff find that the requested waivers from landscaped area and rear yard are acceptable. The Staff finds that projects submitted for a revision to the PMP meets the findings required as identified in Appendix D.

III. RECOMMENDATION

Revision to Planned Unit Development Preliminary Master Plan under §16.11.2

Based on the materials submitted by the Applicant and the attached findings, the Planning Staff finds that the application for a revision to a planned unit development under the Preliminary Master Plan approved by the Planning Board on September 6, 2001 and as amended on May 6, 2004 meets the goals of the City for this site, the purposes of the district, and the provisions and purposes of the Ordinance. Therefore, the Staff recommends **CONDITIONAL APPROVAL** of the requested revision to the PUD-PMP.

Approval constitutes an approval of changing the uses in the Master Plan to include the grocery store that has already been constructed and 75-residential units on the eastern portion of the lot. Approval is not for the final site and building design. These elements will be reviewed as part of the Special Permit with Site Plan Review application.

Planning staff recommends approval of the waivers for the landscaped area and rear yard setback because they will be practically accounted for with the inclusion of area outside of the PUD boundary.

To mitigate any potential negative impacts and to provide the best project possible, the Staff recommends attaching **CONDITIONS** in Appendix E that need to be satisfied within the designated timeframe for compliance. Appendix G lists the conditions of the original PUD approval.

The recommendation is also 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.

