



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2012-90
Date: December 6, 2012
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 116 Sycamore Street

Applicant Name: Zipcar, Inc.
Applicant Address: 25 First Street, 4th Floor, Cambridge, MA 02141
Property Owner Name: 112-116 Sycamore Street, LLC, c/o RCG, LLC
Property Owner Address: 17 Ivaloo Street, Suite 100, Somerville, MA 02143
Agent Name: Richard G. Di Girolamo, Esq.
Agent Address: 424 Broadway, Somerville MA 02145
Alderman: Tony Lafuente

Legal Notice: Applicant Zipcar, Inc. and Owner 112-116 Sycamore Street, LLC, seek a Special Permit under SZO §4.5.3 in order to expand an existing nonconforming use, a multi-family dwelling (SZO §7.11.1.c), to a multi-family dwelling use with three (3) parking spaces for car-sharing or flex-car spaces (SZO §7.11.11.14.a). RB zone. Ward 4.

Zoning District/Ward: RB zone / Ward 4

Zoning Approval Sought: Special Permit under SZO §4.5.3

Date of Application: October 22, 2012

Date of Public Hearing: Zoning Board of Appeals – **December 12, 2012**

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 21,170 square foot lot located near the intersection of Sycamore Street and Medford Street. The property contains two, three story multi-family buildings, 112 Sycamore Street and 116 Sycamore Street, that have a combined total of 29 residential units. The two buildings also have a combined 18,096 square feet of living space and there are a total of 29 parking spaces on the property, three (3) of which are currently being used as car-share or flex-car spaces by Zipcar. In April of 1971, the Zoning Board of Appeals granted Variances from the Table of Use Regulations, Floor Area Ratio, and the Front Yard Setback Requirements to construct the 12 unit building



at 112 Sycamore Street. In May of 1972, the Zoning Board of Appeals granted Variances from the Table of Use Regulations, Floor Area Ratio, Building Height, the Side Yard Setback Requirements, and Parking to construct a 16 unit building at 116 Sycamore Street.

2. Proposal: The Applicant is proposing to legalize the three (3) existing car-share or flex-car spaces that are being operated by Zipcar in the 29 space parking lot at 112 and 116 Sycamore Street. To do this the Applicant is seeking a Special Permit to expand the existing nonconforming use of the property as a multi-family dwelling (Somerville Zoning Ordinance (SZO) §7.11.1.c). Currently, the multi-family dwelling use at the property is only providing one parking space per dwelling unit. The car-share spaces in the lot are occupying space numbers 17, 18, and 19 on the site plan, which are at all at grade and adjacent to one another behind the 116 Sycamore Street building. The parking spaces are identified as Zipcar spaces by markings on the pavement as well as small signs that are attached to the chain link fence at the rear of the property.

3. Nature of Application: The Applicant is applying for a Special Permit to legalize the three (3) existing parking spaces for car-share or flex-car spaces (SZO §7.11.11.14.a) at the property. A car-share or flex-car space use is not permitted in the RB district. The existing use of the property as a multi-family dwelling unit property (SZO §7.11.1.c) is also not permitted in the RB zoning district. Therefore, the Applicant is seeking to expand the existing nonconforming multi-family dwelling use via a Special Permit from the Zoning Board of Appeals under SZO §4.5.3, to a multi-family dwelling use with three (3) car-share or flex-car spaces at the property.

4. Surrounding Neighborhood: The subject property is located in an RB District. The surrounding area is comprised of a mixture of single-, two-, three-, and multi-family dwellings between 2½ and 3 stories in height. The Winter Hill Community School and playground, as well as St. Ann's Parish, are located directly across the street from this property.

5. Impacts of Proposal: There does not appear to be any negative impacts of providing three (3) car-share spaces at the site. While the 29 existing parking spaces at the property are well short of the 48 parking spaces that are required by the Somerville Zoning Ordinance (the property is also nonconforming with regard to parking), the legalization of the existing car-share spaces would not be detrimental to the property or the surrounding neighborhood. The landlord currently leases the existing on-site parking spaces to the residents of the apartments and all of the tenants have a chance to lease a parking space. However, many of the tenants do not have cars or they choose not to lease an on-site space and therefore there are several spaces in the 29 car parking lot that are not being used. The positive impact is that Zipcar estimates that for every active Zipcar there are 15-20 fewer individually owned cars on the road. If the Zipcar spaces were to be legalized via this Special Permit, it would simply be a legalization of a use that has already been occurring at the property. The Zipcar spaces are already in this location and have been operating at the property for some time now. The legalization of these Zipcar spaces by expanding the existing nonconforming use to a multi-family dwelling use with three (3) car-share or flex-car spaces at the property would not appear to be detrimental to the surrounding area.

6. Green Building Practices: None indicated by the Applicant, but car-sharing has been shown to reduce car ownership and therefore reduces the number of vehicles that are stored and driven in the City.

7. Comments:

Fire Prevention: Has been contacted but has not yet provided comments.

Ward Alderman: Alderman Lafuente has been contacted but has not yet provided comments.

Traffic & Parking: Has been contacted but has not yet provided comments.



Existing/Proposed Location of Car-Share Spaces

II. FINDINGS FOR SPECIAL PERMIT (SZO §4.5.3, §5.1)

In order to grant a Special Permit, the SPGA must make certain findings and determinations as outlined in §5.1.4 of the SZO. This section of the report goes through §5.1.4 in detail.

1. Information Supplied: The Staff finds that the information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permit.
2. Compliance with Standards: The Applicant must comply "with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit."

While the 29 existing parking spaces at the property are well short of the 48 parking spaces that are required by the Somerville Zoning Ordinance (the property is nonconforming with regard to parking), the legalization of the existing car-share spaces would not be detrimental to the property or the surrounding neighborhood. The Zipcar spaces have been operating in this location for some time now and they are active proof that the car-share spaces are not detrimental to the surrounding neighborhood. Zipcar

estimates that for every active Zipcar there are 15-20 fewer individually owned cars on the road. A large number of the existing parking spaces on the property are not being used by the residents of 112 or 116 Sycamore Street which means that many of the residents do not own vehicles or they are parking their cars on the street in the surrounding area. By having these Zipcar spaces on site, it will encourage future new tenants to not have a vehicle since they will have easy access to the Zipcar spaces.

3. Consistency with Purposes: The Applicant has to ensure that the project "is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles."

The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to promoting "the health, safety, and welfare of the inhabitants of the City of Somerville; to provide for and maintain the uniquely integrated structure of uses in the City; to lessen congestion in the streets; to facilitate the adequate provision of transportation; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality."

The proposal is also fairly consistent with the purpose of the district (6.1.2. RB - Residence Districts), which is, "To establish and preserve medium density neighborhoods of one-, two- and three-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts." While the car-sharing use is a nonconforming use for this particular zoning district, the use is still residential in nature and is compatible with the surrounding neighborhood. Many different users will have access to the vehicles, which will provide more transportation options to residents in the area.

4. Site and Area Compatibility: The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses."

The spaces are well set back from Sycamore Street as they are located behind the 116 Sycamore Street building. They are not visible from Sycamore Street or any other public way. The car-share spaces are a compatible use in this residential neighborhood as they will be easily accessible for a number of residents in the surrounding area. Staff find that the car-share spaces would have minimal affects on the physical character of the area as the Zipcar spaces are already located, and would continue to be located, in an existing 29 space parking lot and the spaces hold the potential to reduce car ownership and the need for parking in the neighborhood.

5. Adverse Environmental Impacts: The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception.

The three (3) car-share spaces should have a positive impact on the environment. Zipcar data shows that car-sharing services reduce the need for single-owner vehicles and therefore should reduce traffic congestion in the streets and increase the amenities of the municipality. Providing easier access to Zipcars will encourage residents in the surrounding neighborhood to reduce or eliminate their need to have their own personal vehicle.

6. Vehicular and Pedestrian Circulation: The circulation patterns for motor vehicles and pedestrians which would result from the use or structure will not result in conditions that create traffic congestion or the potential for traffic accidents on the site or in the surrounding area.

The car-share spaces will not change the circulation pattern at the site because they are already existing parking spaces on the property.

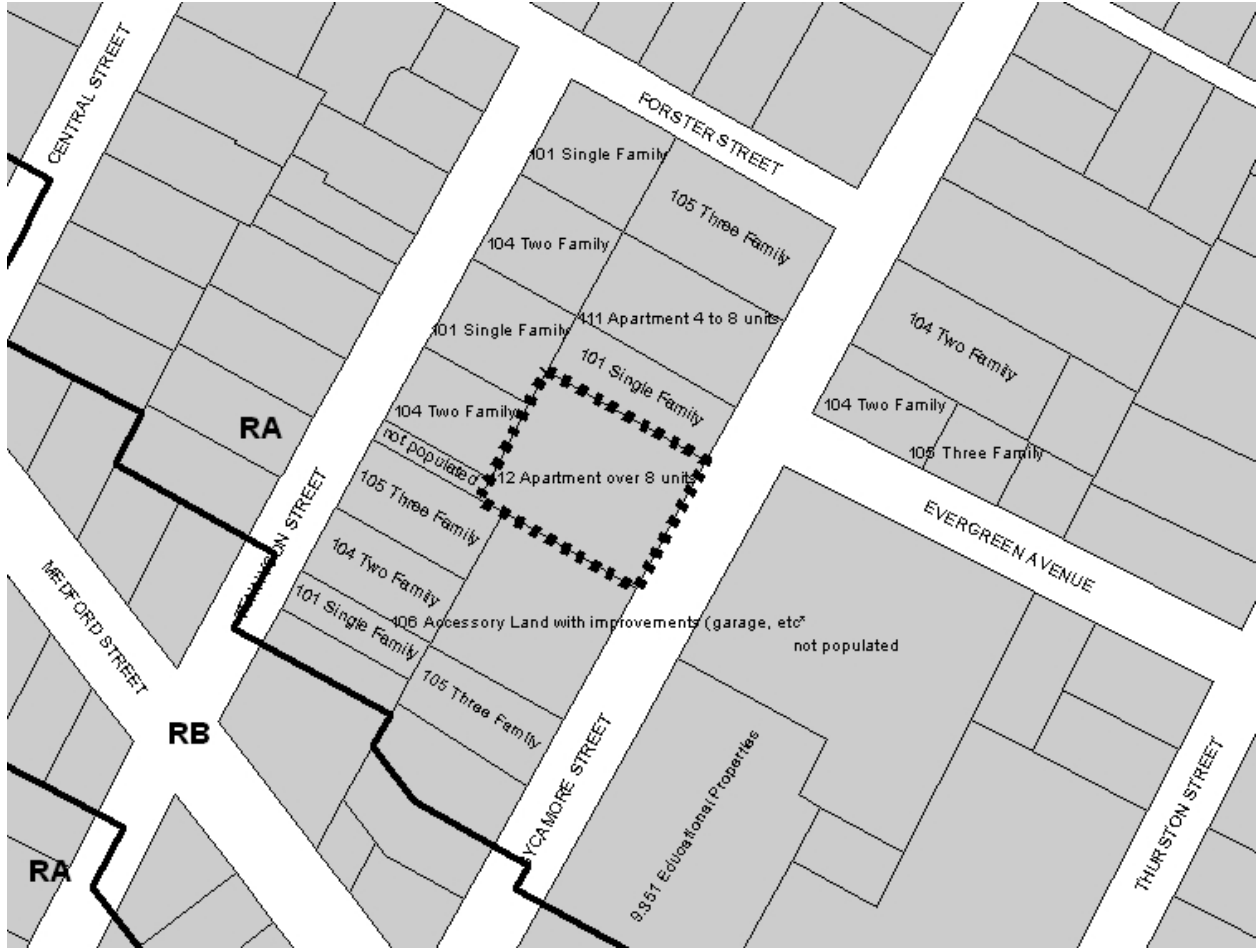
III. RECOMMENDATION

Special Permit under §4.5.3, §5.1, and §7.11.11.14.a

Based upon the materials submitted by the Applicant, the above findings, and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

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								
1	Approval is to expand an existing nonconforming use, a multi-family dwelling (SZO §7.11.1.c), to a multi-family dwelling use with three (3) parking spaces for car-sharing or flex-car spaces (SZO §7.11.11.14.a) in the locations indicated on the site plan. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Plng.									
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>(October 22, 2012)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>(November 16, 2012)</td> <td>Site Plan</td> </tr> <tr> <td>(November 16, 2012)</td> <td>Signage</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(October 22, 2012)	Initial application submitted to the City Clerk's Office	(November 16, 2012)	Site Plan	(November 16, 2012)	Signage
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Any changes to the approved use or site plan that are not <i>de minimis</i> must receive SPGA approval.												
2	The Applicant shall contact Planning Staff 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.	Final Sign Off	Plng.									



116 Sycamore Street