



2014 JUL 28 P 4: 17

CITY OF SOMERVILLE, MASSACHUSETTS  
*MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY  
DEVELOPMENT*  
JOSEPH A. CURTATONE  
MAYOR

CITY CLERK'S OFFICE  
SOMERVILLE, MA

MICHAEL F. GLAVIN  
EXECUTIVE DIRECTOR

PLANNING DIVISION  
MEMORANDUM

**TO:** John Long, City Clerk

**FROM:** Planning Division

**DATE:** July 28, 2014

**SUBJECT:** Correction of Administrative Error  
Case #: ZBA 2013-41

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Address: 90 Washington Street

Date of Decision: October 16, 2013

Date Filed with City Clerk: October 23, 2013

The decision filed with your office on October 23, 2013, had an older draft of the condition chart. A revised version is attached in order to correct the record. Please accept the attached decision as the true and correct version. Dawn Pereira, will attest the corrected version.





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CITY CLERK'S OFFICE  
SOMERVILLE, MA

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Case #: ZBA # 2013-41  
Site: 90 Washington Street  
Date of Decision: October 16, 2013  
Decision: *Petition Approved with Conditions*  
Date Filed with City Clerk: October 23, 2013

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**ZBA DECISION**

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**Applicant Name:** Cobble Hill Apartment Company  
**Applicant Address:** 150 Mount Vernon Street, Suite 520, Boston, MA 02125  
**Property Owner Name:** Cobble Hill Apartment Company  
**Property Owner Address:** 150 Mount Vernon Street, Suite 520, Boston, MA 02125  
**Agent Name:** Richard G. DiGirolamo, Esq.  
**Agent Address:** 424 Broadway, Somerville, MA 02145

Legal Notice: Applicant, Cobble Hill Center LLC, and Owner, Cobble Hill Apartments Company, seek a Special Permit with Site Plan Review under SZO §7.11.1.c to construct 159 dwelling units with a ground floor commercial component, a Special Permit under SZO §9.13.d to park on a separate lot; and a Special Permit under SZO §9.13.e for shared parking. The Applicant and Owner also seek a Variance under SZO §8.5.F for height, and a Variance under SZO §9.5.1.a for parking relief.

Zoning District/Ward: BB zone/Ward 1  
Zoning Approval Sought: §7.11.1.c, §9.13, §9.13.e, §8.5f & §9.5.1.a  
Date of Application: June 11, 2013  
Date(s) of Public Hearing: 9/18, 10/2 & 10/16/13  
Date of Decision: October 16, 2013  
Vote: 5-0\*

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\* Plan regarding number of dwelling units changed since legal advertisement.



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Appeal #ZBA 2013-41 was opened before the Zoning Board of Appeals at Somerville City Hall on September 18, 2013. Notice of the Public Hearing was given to persons affected and was published and posted, all as required by M.G.L. c. 40A, sec. 11 and the Somerville Zoning Ordinance. After three hearings of deliberation, the Zoning Board of Appeals took a vote.

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### **DESCRIPTION:**

The proposal is to demolish the existing single-story strip mall and to construct 159 dwelling units with a ground floor commercial component of approximately 13,000 square feet. The building would have six stories and be approximately 177,580 gross square feet. In addition, a new shared private street would be constructed at the east end of the development to divide this large block and to connect Washington Street with New Washington Street.

#### *Site Design*

The site design locates a building with a footprint that is 28,790 square feet along the street front of the Washington Street corridor. A 7,750 pedestrian plaza is located at the intersection of Washington Street and New Washington Street. Parking is predominantly located behind the proposed structure, though a parking lot that can accommodate 44 cars is located east of the proposed building. Additionally, a new private road would be constructed to dissect this large parcel.

The sidewalk along Washington Street would be 25.8 feet in total width (15 feet on private property and 10.8 feet on the public right of way), composed of concrete pavers, and incorporate ground cover plantings, trees, ornamental benches, bike parking and streetlights. The pedestrian plaza, to be located on the corner closest to the future Green Line Station, would be approximately 7,750 square feet and would incorporate bollards, 18" high seat walls, raised planters of varying heights, ground cover plantings, trees, and ornamental benches. The area that constitutes the plaza will be articulated through the proposed pavers and the circular geometric shape these pavers will create. Throughout the site, there will be 11 single loop bicycle racks to accommodate 22 bicycles. The sidewalk along New Washington Street is typically 12 feet in width but is approximately 6 feet at its narrowest section. Along the narrow sidewalk the building is 22 feet away and the use of the space between the sidewalk and building will be dependant upon what type of use is to locate within the corner retail space. A 5.5 foot wide sidewalk is illustrated on the plans to continue after the curb cut, to the intersection of New Washington Street and the new road, with a planter bed located between the sidewalk and the parking lot. However, Staff has conditioned that this sidewalk be constructed according to the nearly complete IBB Plan (see illustration), which calls for a 6 foot landscape buffer between the street and the sidewalk, street trees located 20-30 feet apart on center, and ADA accessibility. The remainder of the area, prior to the construction of a Phase II, would likely be seeded with grass and, in accordance with the City standards, the curbing will be granite.

The sidewalk along the new private street would be approximately 16 feet in width or 8.5 feet in width with a landscaping buffer in some areas. This sidewalk would also incorporate features such as bicycle racks and plantings. This sidewalk and new road are also conditioned to be constructed according to City standards, which include granite curbing. The new road, composed of pervious pavers, would be 16' in width and would be a shared space between pedestrians, bicyclist, and limited automobile use. In an effort to create more public open space, a 1,100 square foot piazza would be located along the east side of this road. Staff has conditioned that details regarding this shared space be submitted and approved by Staff prior to receiving a building permit. Details to submit include, but are not limited to materials, plantings, lighting, bollards, seating, artwork and/or interactive components as well as a programmatic plan for the piazza. Due to reprogramming this new road to be more pedestrian centric, there will no longer be a curb cut to access the parking lot along Washington Street in the plan; the curb cut to access this parking lot will be relocated to the east end of Washington Street. The vehicular access on the road will be limited to such uses as residential moving trucks or deliveries to businesses.

One pedestrian path will be created to lead from the parking lot along Washington Street to the sidewalk for easy access to the proposed development. This path will lead from the northwest corner of this lot to the north corner of Washington Street and the new shared road. This landscape area, approximately 416 square feet, will incorporate



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ornamental benches and a 5' wide pedestrian cut-through as well as shrubs, trees, and grass. While the remaining evergreen trees would be removed, the proposed landscaping is more appropriate for an urban corridor and would encourage pedestrian use of this space.

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#### *Residential Units*

The development will be composed of 159 residential units that would be located on floors one through six. Of the total units, studio units will compose 16%, or 25 units; one-bedroom units will compose 43%, or 69 units; one-bedroom with study units will compose 13%, or 20 units; and two-bedroom units will compose 28%, or 45 units. Studio units are approximately 500 square feet; one bedroom units are 690 square feet; one bedroom with study units are 800-830 square feet; and two bedroom units are either approximately 950 square feet. While the unit types are dispersed throughout each floor, the one-bedroom with study units composes the west end corner units and interior southeast corner units while the two-bedroom units compose the northeast corner units as well as the exterior southeast corner units. There are four residential units located along the private street that are one-bedroom units and are designed to function similar to an artist live/work studio. The units are on the ground floor and are directly accessible to pedestrian, but not directly located on the main street. The primary residential entrance would be on Washington Street, located adjacent to the east end balconies, at the west end of the lobby. The interior plan would locate a stair well near either end of the building and at the interior corner middle at the back of the lounge. Common areas for the residential component of the project consist of the lobby, a lounge, fitness room, mail room, and bike room with a capacity for 80 bikes. Combined, these common areas compose approximately 5,000 square feet of the ground floor.

The Applicant looked into adding three-bedroom, or family units into the type of units to be offered at this site; however, the options by which to add this type of unit into the development plan significantly escalated the cost of construction due to the potential locations of the three-bedroom units within this particular type of construction. Also, the addition of three-bedroom units significantly increases the number of studios and reduces the number of two-bedroom units. Furthermore, while the Applicant does not anticipate that there is a strong demand in the market for families to locate in this type of a building families will occupy some of the units and they would be designed to be appropriate for a diverse population. Therefore, the existing one-bedroom with study and two-bedroom units, which constitute 28% of the proposed units, have been designed to be friendly to families in that these units offer bathrooms with tubs, as opposed to shower stalls, a variety of storage, and washers/dryers within each unit. In addition, a larger space has been designed for bike storage, to accommodate bike trailers, and the building rear has a ramp that leads from the residential entrance down to the parking lot, for stroller access as well as ADA accessibility.

#### *Commercial Space*

The proposed project would be comprised of five ground level retail spaces that range from 2,052 square feet to 3,154 square feet, for a total of 12,976 square feet. These retail spaces would be primarily accessible from Washington Street; though, depending upon how these spaces are divided, access to corner units could also be provided from New Washington Street and/or the new private street at the east end of the development. The retail entrances would be interspersed throughout the façade depending upon the length of storefront and amount of retail space.

#### *Landscaping*

Landscaping would include a variety of trees, shrubs and plantings located along the sidewalks, within the plaza, adjacent to the rear façade of the structure and within the parking lot. The pedestrian plaza, to be located on the corner near the future MBTA Green Line Station, would be approximately 7,750 square feet and would incorporate bollards, 18" high seat walls, raised planters of varying heights, ground cover plantings, trees, and ornamental benches. The area that constitutes the plaza will be articulated through the proposed pavers and the circular geometric shape these pavers will create. The raised planters with seating would serve to give the plaza definition. Staff has conditioned that the final materials to be used in the plaza shall be reviewed by the Design Review Committee and approved by Staff. The final planting selections shall also be approved by Planning Staff, prior to construction of the plaza.



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The new piazza, to be located along the east side of the new shared road, would be composed of pervious pavers and offer additional public open space. Staff has conditioned that details regarding this shared space be submitted and approved by Staff prior to receiving a building permit. Details to submit include, but are not limited to materials, plantings, lighting, bollards, seating, artwork and/or interactive components as well as a programmatic plan for the piazza.

*Parking & Traffic*

The project proposes a parking lot behind the structure comprised of 131 spaces. This includes 4 handicap accessible parking spaces, 15 compact parking spaces measuring 8'x16' (numbered 85-99 and 104-108), and an 18 foot fire lane located along the interior of the building at the western end. The fire lane will be clearly marked but not striped as this is also a driving lane for use within the parking lot. A pedestrian path would be located near the center of the lot and landscaping, which includes deciduous and evergreen trees, shrubs, and groundcover as well as streetlights, would be located in multiple islands throughout the lot to break up the visual impact and to add green space. These spaces would be not be assigned spaces, so as to be available on a first come-first serve basis to residents of the development.

The Applicant did a feasibility assessment regarding the creation of underground parking at this site. For 76 spaces of parking, or one level of structured parking underground, an additional three million dollars would be necessary, making Phase 1 of the project no longer feasible. As the current surface parking proposes 131 spaces, the creation of 76 underground parking spaces does not totally alleviate the need for surface parking. While the Applicant continues to propose the surface parking lot, Staff has created a condition to address visibility of the parking lot. This condition specifies that once parcels on the south side of New Washington Street and/or within the Inner Belt area south of the railroad tracks exceed 200,000 square feet of new development, the Green Line has opened, and Phase II of this development has not been built and is not intended to be built in the near future, a landscape buffer shall be constructed to obstruct views of this surface parking lot.

A parking lot east of the development, located along Washington Street, would provide parking for 44 vehicles. This entire parking lot will be shared between the residential and commercial uses of the proposed development. However, the logistics for how this shared parking lot will operate has been conditioned by Staff to be determined prior to receiving a building permit. One pedestrian path will be created to lead from the parking lot along Washington Street to the sidewalk for easy access to the proposed development. This path will lead from the northwest corner of this lot to the north corner of Washington Street and the new shared road. This landscape area, approximately 416 square feet, will incorporate ornamental benches and a 5' wide pedestrian cut-through as well as shrubs, trees, and grass.

The new shared private road, constructed to divide this large parcel, would be 16' in width, but allow for emergency vehicle access as 18' would be unobstructed; however, due to the modifications to this portion of the site, there will no longer be 17 parallel parking stalls on either side. While the parallel spaces are being removed from the plan, an additional 10 parking spaces were able to be added to the parking lot located along Washington Street. As the curb cut has been relocated to Washington Street, this lot would better serve patrons of the retail component and reduce the number of vehicles along the shared road.

There is also land located at the southeast portion of the development site which has been designated as a potential future parking lot for 55 additional parking spaces. A condition requires that a parking study is conducted one year after full occupancy of the proposed project to determine if the overflow parking is constructed to provide an additional 55 parking spaces. Furthermore, this parking lot will incorporate 11 compact parking stalls and also extends onto the Cobble Hill Apartments parcel and requires Special Permit approval to park on a separate lot, which is included within this proposal.

Currently, Cobble Hill Apartments has 92 standard parking spaces and 30 handicap accessible spaces for a total of 122 parking spaces. Due to the proposed development project, which necessitates a Special Permit for parking on a separate lot, the parking plan for the Cobble Hill Apartments has been modified. The new parking plan relocates all 122 parking spaces within the parcel and includes two additional parking spaces.



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### *Building Design & Materials*

The building is proposed to be a wood frame construction that is six stories in height. The materials that would compose this structure are Hardie Artisan (fiber cement) lap siding, a fiber cement panel, a metal panel system, lapped metal siding, a colored and wood-grain resin panel, and brick. The windows are composed of a metal frame with operable glass openings. Final materials are conditioned to be reviewed by the Design Review Committee and approved by Planning Staff. The structure would be divided into three main massing components: the East Block, the Middle Block, and the West Block. The use of a single "ribbon" element, which is a flush laid metal panel, unifies the individual massings into one building expression (see rendering below). This ribbon serves to define the scale and purpose of each of the three masses. The ribbon reduces the scale of the "Neighborhood Gateway" block, located farthest from the transit station, as the character of the building is related more directly to the scale of the neighborhood. The ribbon anchors the "Washington Urban Edge" block, located in the center, as an active urban edge which introduces a new scale with retail and the main residential entrance. The Middle Block is also highly visible from the new transit station; therefore, this Block will begin to establish a sense of place through association of the architecture with accessibility to the transit station. Last, the ribbon shelters the commercial component of the "Park Block," located nearest the Green Line Station in front of the plaza, and is configured to encourage views of the plaza and open space.

The East Block, or "Neighborhood Gateway," is primarily composed of Hardie Artisan lap siding with a complex yet consistent rhythm of windows and a wood-grain resin panel on the residential floors (2-6). The first floor has a glass and metal retail storefront system that extends around the corner to the new road. The ribbon element also extends around the corner, extending up through the third floor. To focus the eye lower than the full six stories of height, the ribbon projects over the sidewalk, and to create shadow and texture, the projection is composed of a flush metal panel system and incorporates two balconies.

The Middle Block, or "Washington Urban Edge," is also composed of a lapped metal siding with a central projecting component, which extends from the second through the five floors. Both ends of this massing are predominantly composed of glazed curtain wall with balconies. This glazing serves to articulate the residential entry at the east end and views of the park and transit station at the west end. The rhythm of the windows and wood grain resin panel are similar to the East Block in that the rhythm is complex yet consistent; however, the rhythm highlights the vertical expression on this massing due to the two story height of the lapped metal siding and wood grain resin panels.

The West Block, or "Park Block," continues the rhythm of windows and materials as well as vertical expression, but is oriented to encourage views of the plaza and, therefore, is recessed from the street front. This Block also offers triangular balconies that are oriented to follow the Washington streetscape.

The left massing component of the east elevation, fronting the new private shared road, is primarily composed of brick and flush fiber cement panels. Floors one through five are composed of brick while the top floor is recessed slightly and composed of fiber cement panels, which creates a "top" for this component of the building. The window system is consistent with the Washington Street façades, but the rhythm is more clear and recognizable. Residential units intended to be live/work spaces for artists are accessible from the street on this elevation

The interior, or rear elevation, is predominantly fiber cement lap siding with fiber cement panels used for the sixth floor, which is also slightly recessed. The window system and inset colored resin panels create a consistently complex rhythm that continues to unify and create regularity for the building expression as a whole. The residential components of the first floor have been articulated with glass, which articulates the entrance and lobby, fitness room, and stairwell.

### *Lighting and Signage*

The building will have wall-mounted fixtures located on each façade of the development for safety and security purposes as well as the highlight the building itself. The actual fixtures will be subject to review by the Design Review Committee and approval by Planning Staff. The address for the development, 90 Washington Street, will be



articulated on the primary façade, located on the vertical portion of the ribbon element that faces east. Signage for the retail units will be located on the sign band above each individual storefront.

#### *Trash & Utilities*

Four of five commercial spaces would have access to a rear corridor which would access a trash and loading area on the west end of the building while the fifth space would have access to a trash loading area on the east end of the building. The interior corner of the building would also house two additional trash/loading areas, one for the commercial unit and the other for residents. Mechanicals would be located on the ground floor in the southeast corner of the building as well as on the rooftop.

### **FINDINGS FOR SPECIAL PERMIT with SITE PLAN REVIEW (SZO §7.11.1.c) and SPECIAL PERMITS (§9.13.d & §9.13.e)**

In order to grant a special permit with site plan review, the SPGA must make certain findings and determinations as outlined in §5.2.5 of the SZO. This section of the report goes through §5.2.5 in detail.

1. Information Supplied: The Board finds that the information provided by the Applicant conforms to the requirements of §5.2.3 of the SZO and allows for a comprehensive analysis of the project.
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 with site plan review."

In accordance with the SZO §5.2.4, Design Guidelines for Business Zones, the guidelines have been met.

1. Maintain a strong building presence along the primary street edge, continuing the established streetwall across the front of the site so as to retain the streetscape continuity; however, yards and setbacks as required by Article 8 shall be maintained.
2. Differentiate building entrances from the rest of the primary street elevation, preferably by recessing the entry from the plane of the streetwall or by some other articulation of the elevation at the entrance.
3. Make use of the typical bay widths, rhythms and dimensions prevalent in buildings adjacent to the site, especially in new construction or substantial redevelopment.
4. Clearly define these bay widths, rhythms and dimensions, making them understandable through material patterns, articulations and modulations of the facades, mullion design and treatment, etc.
5. Provide roof types and slopes similar to those of existing buildings in the area.
6. Use materials and colors consistent with those dominant in the area or, in the case of a rehabilitation or addition, consistent with the architectural style and period of the existing building. Use of brick masonry is encouraged, but not considered mandatory.
7. When parking lots are provided between buildings, abutting the primary street and breaking the streetwall, provide a strong design element to continue the streetwall definition across the site, such as a low brick wall, iron works or railing, trees, etc.
8. Locate transformers, heating and cooling systems, antennae, and the like, so they are not visible from the street; this may be accomplished, for example, by placing them behind the building, within enclosures, behind screening, etc.
9. Sites and buildings should comply with any guidelines set forth in Article 6 of this Ordinance for the specific base or overlay zoning district(s) the site is located within.

The proposed development maintains a strong building presence due to the 69 foot height proposal which serves to delineate the street edge, maintain eyes on the street, and create a sense of place. All existing setback requirements have been maintained. The residential entry into the structure has been differentiated and the intent of the design of the retail spaces will distinguish each storefront from each other. The rhythm of the bay widths and dimensions are consistent along the street front, which are defined to distinguish the residential entry and individual retail spaces. The roof is flat, which is consistent with others in the area, though this is not the predominant roof type. The design incorporates compatible materials and details that are consistent with the architectural history and building stock of



the City. The parking lot along Washington Street does not incorporate a streetwall but does have a 10 foot landscape buffer which is continued across the private road and along Cobble Hill Apartments. Utility infrastructure would not be visible from the street and are screened either by trees and shrubs or located on the rooftop.

In considering a special permit under §9.13 of the SZO the Applicant must be able to demonstrate that granting the requested special permit would not cause detriment to the surrounding neighborhood through any of the criteria as set forth under SZO §9.13, which are as follows:

- 1) increase in traffic volumes;
- 2) increased traffic congestion or queuing of vehicles;
- 3) change in the type(s) of traffic;
- 4) change in traffic patterns and access to the site;
- 5) reduction in on-street parking;
- 6) unsafe conflict of motor vehicle and pedestrian traffic.

A study regarding the impact to traffic was submitted by the Applicant. This study concluded that while the trip generation projections estimate the worst case scenario to be 458 trips during the peak morning hours and 519 trips during the peak evening hours, the trip generation projections and corresponding traffic capacity analyses substantially overstate the traffic delays resulting from this project due to the conservative nature of the traffic projections. The study does not account for transit mode split due to the proximity to Sullivan Square Station nor a transit mode split credit due to proximity of the future Green Line; credits for reduced parking supply which limits the number of vehicles to be parked at the site; and the mixed-use nature of the project to reflect trips internal to the site. Regarding vehicular traffic operations for future build out conditions, the Washington Street at McGrath Highway intersection would continue to operate at the lowest level of service during at least one peak hour; the level of service would decrease during at least one peak hour at two both signalized intersections; and eight unsignalized intersections would continue to operate at the lowest level of service during at least one peak hour while the level of service would decrease at two unsignalized intersections at two locations during the morning peak hour period. In addition to the conservative estimates by the traffic study, future implementation of the IBB Plan, roadway improvements associated with the Green Line Extension and access to the Community Path have also not been taken into consideration when generating this traffic impact analysis. While the IBB Plan and Community Path are not currently quantifiable, as the Green Line has moved into the final design phase and contracts are being awarded, the roadway improvements associated with implementing the Green Line Station are expected to commence in early 2017. A new traffic signal sequence and timing plan is proposed at the intersection of Washington Street and McGrath Highway to incorporate pedestrian accommodations as well as other complete street enhancements to increase the pedestrian quality. The intersection at Washington Street and Tufts Street will gain a traffic signal due to the pick-up/drop-off area and this area is proposed to be widened to provide four lanes, which would improve traffic operations and pedestrian safety.

#### *Existing Parking*

A parking analysis was also prepared for this project. Parking space utilization data was collected between the hours of 1-2 p.m. and 8-9 p.m. on two separate occasions in May 2012 within a ½ mile from the project site. The study noted a total of 745 on-street parking spaces, ½ of which were available on average in the afternoon (58%) or evening (63%) equating to 470 spaces. An estimate of the parking demand for the proposed project estimates 249 and 208 spaces, dependant upon the chosen method, which are both lower that what is required by the SZO and do not account for proximity to Sullivan Station or the future Green Line Station. Data accounting for the number of cars per household indicate one vehicle or less in Somerville according to [www.city-dat.com](http://www.city-dat.com). A 2007 Cambridge parking memorandum that analyzed the rate of auto ownership near a transit station was also submitted as part of this application and analysis. This data illustrated that half the units surveyed had no registered vehicles and when comparing registered vehicles to number of dwelling units, this ratio was less than 0.75 cars per unit. On-site parking at the surveyed developments averaged 0.5 spaces per unit. Mode split data indicates that 55% of Somerville residents travel to work by an alternate mode of transportation and that almost 1/3 use public transit. This is likely to increase with the opening of the Green Line at Washington Street.



This analysis concluded that the project should be considered a Transit-Oriented Development (TOD) district and would have negligible impact on the parking supply of the surrounding neighborhood due to vehicle ownership rates, proximity to public transportation, the mode-split data, the average of 530 parking spaces available on a weeknight (within 1/2 mile).

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While the study did not recommend any mitigation measures due to the conservative nature by which the data was collected and analyzed, Traffic and Parking requires mitigation efforts to be done through the purchase of a traffic controller to improve the level of service at a signalized intersection in the vicinity of the proposed development. Therefore, a condition has been added to provide a state of the art traffic controller and repaint all the pavement markings on Washington Street, from New Washington Street to the Boston city/line, as well as inventory and replace all signs along the above described corridor.

There is also land located at the southeast portion of the development site which has been designated as a potential future parking lot for 55 additional parking spaces. A condition requires that a parking study is conducted one year after full occupancy of the proposed project to determine if the overflow parking is constructed to provide an additional 55 parking spaces. Furthermore, this parking lot also extends onto the Cobble Hill Apartments parcel and requires Special Permit approval to park on a separate lot, which is included within this proposal.

3. Purpose of District: The Applicant has to ensure that the project "is consistent with the intent of the specific zoning district as specified in Article 6".

The residential portion proposal is largely consistent with the purpose of the Business B district, §6.1.7, which is, "To establish and preserve general commercial and high density residential areas consisting of multi-family developments, shopping centers, commercial strips and automobile related establishments where customers reach individual businesses primarily by automobile."

The subject parcel is currently located within a BB zoning district which is not adequate to address the needs of a future transit station. While this district is compatible with regard to the allowed density and height, though to a lesser degree, this type of district is auto-oriented, whereas the area for a future transit station should be pedestrian and transit-oriented. This project will create housing near transit, including 20 affordable units where none previously existing; a streetwall and pedestrian plaza which will enhance the pedestrian quality of this corridor while the piazza will provide public open space along the new shared private road, which will both add to the network growing of public spaces, and incorporate a mix of uses to increase the neighborhood amenities that will activate the street and help establish a sense of place. Together, these will catalyze market interest in high-value commercial and office redevelopment to transform the larger area into a vibrant and pedestrian centered corridor that illustrates a clear sense of place.

4. Site and Area Compatibility: The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area, and that the scale, massing and detailing of the buildings are compatible with those prevalent in the surrounding area".

The soil survey establishes that the existing soil is categorized as "Urban Infill" and there are no natural features of the site. The surrounding neighborhood is a mix of uses and building types. A residential neighborhood is located north of the project site which is composed of two- and three-story dwellings while auto-oriented uses extend along Washington Street. Industrial buildings and uses are located south of the project site, and rail road tracks separate Cobble Hill from the Inner Belt area. The future Green Line Station at Washington Street will be a located one block west of the project site. The Holiday Inn Hotel and other commercial and industrial uses are located east of the project site.

The SomerVision Comprehensive Plan discusses that the area north of the subject parcel is an area to enhance and conserve while the areas south and west of the railroad tracks, as well as the subject parcel, should be transformed into dynamic, mixed-use and transit-oriented districts to facilitate economic growth and complement the existing neighborhoods. Similarly, the "Urban Streetscape and Adaptive Re-Use Plan for the Inner Belt and Brickbottom



Districts," otherwise known as the IBB Plan which is to be completed by the end of 2013, is envisioned as mid-rise buildings along the district edges, with the potential for high-rise construction in the core of the Inner Belt District. This Washington Street corridor would serve as the Inner Belt Gateway, facilitate a sense of place and long-term, high value mixed-use development would be a primary goal as well as multi-modal infrastructure.

The proposal is to construct a mixed-use development that will implement the SomerVision Comprehensive Plan and the not yet released IBB Plan which will address transportation infrastructure and new zoning as appropriate to the pedestrian and transit-oriented nature of this proposal. This project will create housing near transit, including 20 affordable units where none previously existing; a streetwall and pedestrian plaza which will enhance the pedestrian quality of this corridor and add to the network growing of public spaces, and incorporate a mix of uses to increase the neighborhood amenities that will activate the street and help establish a sense of place. Together, these will enhance the neighborhood north of Washington Street and facilitate larger development interest in the area to further the transformation of this district.

The proposed structure is taller than the surrounding buildings, comprised of a modern design aesthetic, and proposes a mix of uses. However, this development is compatible in scale, design and use with the neighborhood as this corridor is intended to become pedestrian and transit-oriented, which requires a larger scale and density as well as a mix of uses. SomerVision calls for a clear vision for the desired scale and type of redevelopment within transformative mixed-use areas that speak to the City's economic and urban design goals. The scale will create a strong streetwall while the design is compatible to and consistent with the architectural history and building stock of the City. The mix of uses will add residential to an area served by transit as well as increase neighborhood amenities while activating the streetfront.

5. Functional Design: The project must meet "accepted standards and criteria for the functional design of facilities, structures, and site construction."

The structure will function well as a mixed-use building as the five retail spaces and residential lobby would all be accessible from either Washington Street or one of the two side streets. In addition the residential units to be accessible from the new road are designed to operate as artist studio live/work spaces and would help activate this new private street. The sidewalk along New Washington Street will extend to the corner of the new private street to complete the pedestrian experience of this newly subdivided parcel. The strong streetwall and pedestrian plaza will help establish a sense of place along the corridor while the piazza along the new shared road will enhance this as public open space and encourage pedestrian activity. The parking is predominantly located behind the building while the east parking lot will be redeveloped in the future in a way that continues the streetwall and further enhance the pedestrian quality of the corridor that leads to Sullivan Station.

6. Impact on Public Systems: The project will "not create adverse impacts on the public services and facilities serving the development, such as the sanitary sewer system, the storm drainage system, the public water supply, the recreational system, the street system for vehicular traffic, and the sidewalks and footpaths for pedestrian traffic."

The approval of a Special Permit with Site Plan Review shall be contingent upon a determination by the City Engineer that no adverse impact on public systems will result from the proposed development. The change in use from a single story retail strip mall to a mixed-use residential development would not appear to greatly impact the City sanitary sewer system. Planning Staff has proposed a condition that requires the Applicant to demonstrate that the project is in compliance with the City stormwater policy. The Stormwater Management Report explains that the increase in impervious area would be offset by providing adequate detention and recharge through a subsurface infiltration system to match or reduce run-off rates and volumes to existing condition levels.

7. 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."



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Staff does not foresee the proposed project resulting in any environmental impacts beyond activities that are typically associated with residential units or a retail use that is less than 5,000 square feet.

8. Consistency with Purposes: "Is consistent with: 1) the purposes of this Ordinance, particularly those set forth in Article 1 and Article 5; and 2) the purposes, provisions, and specific objectives applicable to the requested special permit with site plan review which may be set forth elsewhere in this Ordinance, such as, but not limited to, those at the beginning of the various sections."

The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to promote "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 protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; to encourage housing for persons of all income levels; and to preserve and increase the amenities of the municipality."

The proposal is to construct a mixed-use development that will implement the SomerVision Comprehensive Plan and the not yet released IBB Plan that addresses transportation infrastructure as appropriate to the pedestrian and transit-oriented nature of this proposal. This project will create housing near transit, including 20 affordable units where none previously existing; a streetwall and pedestrian plaza which will enhance the pedestrian quality of this corridor while the piazza will provide public open space along the new shared private road, which will both add to the network growing of public spaces, and incorporate a mix of uses to increase the neighborhood amenities that will activate the street and help establish a sense of place. Together, these will catalyze market interest in high-value commercial and office redevelopment to transform the larger area into a vibrant and pedestrian centered corridor that illustrates a clear sense of place.

In considering a special permit under §9.13 of the SZO the SPGA may grant such a special permit only when consistent with the purposes set forth in Section 9.1.

A study regarding the impact to traffic was submitted by the Applicant. This study concluded that while the trip generation projections estimate the worst case scenario to be 458 trips during the peak morning hours and 519 trips during the peak evening hours, the trip generation projections and corresponding traffic capacity analyses substantially overstate the traffic delays resulting from this project due to the conservative nature of the traffic projections. The study does not account for transit mode split due to the proximity to Sullivan Square Station nor a transit mode split credit due to proximity of the future Green Line; credits for reduced parking supply which limits the number of vehicles to be parked at the site; and the mixed-use nature of the project to reflect trips internal to the site. Regarding vehicular traffic operations for future build out conditions, the Washington Street at McGrath Highway intersection would continue to operate at the lowest level of service during at least one peak hour; the level of service would decrease during at least one peak hour at two both signalized intersections; and eight unsignalized intersections would continue to operate at the lowest level of service during at least one peak hour while the level of service would decrease at two unsignalized intersections at two locations during the morning peak hour period. In addition to the conservative estimates by the traffic study, future implementation of the IBB Plan, roadway improvements associated with the Green Line Extension and access to the Community Path have also not been taken into consideration when generating this traffic impact analysis. While the IBB Plan and Community Path are not currently quantifiable, as the Green Line has moved into the final design phase and contracts are being awarded, the roadway improvements associated with implementing the Green Line Station are expected to commence in early 2017. A new traffic signal sequence and timing plan is proposed at the intersection of Washington Street and McGrath Highway to incorporate pedestrian accommodations as well as other complete street enhancements to increase the pedestrian quality. The intersection at Washington Street and Tufts Street will gain a traffic signal due to the pick-up/drop-off area and this area is proposed to be widened to provide four lanes, which would improve traffic operations and pedestrian safety.



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### *Existing Parking*

A parking analysis was also prepared for this project. Parking space utilization data was collected between the hours of 1-2 p.m. and 8-9 p.m. on two separate occasions in May 2012 within a ½ mile from the project site. The study noted a total of 745 on-street parking spaces, ½ of which were available on average in the afternoon (58%) or evening (63%) equating to 470 spaces. An estimate of the parking demand for the proposed project estimates 249 and 208 spaces, dependant upon the chosen method, which are both lower than what is required by the SZO and do not account for proximity to Sullivan Station or the future Green Line Station. Data accounting for the number of cars per household indicate one vehicle or less in Somerville, according to [www.city-dat.com](http://www.city-dat.com). A 2007 Cambridge parking memorandum that analyzed the rate of auto ownership near a transit station was also submitted as part of this application and analysis. This data illustrated that half the units surveyed had no registered vehicles and when comparing registered vehicles to number of dwelling units, this ratio was less than 0.75 cars per unit. On-site parking at the surveyed developments averaged 0.5 spaces per unit. Mode split data indicates that 55% of Somerville residents travel to work by an alternate mode of transportation and that almost 1/3 use public transit. This is likely to increase with the opening of the Green Line at Washington Street.

This analysis concluded that the project should be considered a Transit-Oriented Development (TOD) district and would have negligible impact on the parking supply of the surrounding neighborhood due to vehicle ownership rates, proximity to public transportation, the mode-split data, the average of 530 parking spaces available on a weeknight (within ½ mile).

While the study did not recommend any mitigation measures due to the conservative nature by which the data was collected and analyzed, Traffic and Parking requires mitigation efforts to be done through the purchase of a traffic controller to improve the level of service at a signalized intersection in the vicinity of the proposed development. Therefore, a condition has been added to provide a state of the art traffic controller and repaint all the pavement markings on Washington Street, from New Washington Street to the Boston city/line, as well as inventory and replace all signs along the above described corridor.

There is also land located at the southeast portion of the development site which has been designated as a potential future parking lot for 55 additional parking spaces. A condition requires that a parking study is conducted one year after full occupancy of the proposed project to determine if the overflow parking is constructed to provide an additional 55 parking spaces. Furthermore, this parking lot is also extends onto the Cobble Hill Apartments parcel and requires Special Permit approval to park on a separate lot, which is included within this proposal.

9. Preservation of Landform and Open Space: The Applicant has to ensure that “the existing land form is preserved in its natural state, insofar as practicable, by minimizing grading and the erosion or stripping of steep slopes, and by maintaining man-made features that enhance the land form, such as stone walls, with minimal alteration or disruption. In addition, all open spaces should be designed and planted to enhance the attractiveness of the neighborhood. Whenever possible, the development parcel should be laid out so that some of the landscaped areas are visible to the neighborhood.”

There are no remaining natural features on site. As discussed previously, the soil has been categorized as “Urban Infill.” The Stormwater Management Report explains that the project will disturb 3.7 acres of land and that a Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan has been submitted. The erosion and sedimentation control shall be installed and maintained as identified in the Site Plans, Sheet C-4.

Open space for the development was designed to enhance the pedestrian experience along this corridor and to assist in the creation of a network of public spaces. These spaces are located along Washington Street while grass and trees create a landscape buffer between the parking lots and the sidewalk.

10. Relation of Buildings to Environment: The Applicant must ensure that “buildings are: 1) located harmoniously with the land form, vegetation and other natural features of the site; 2) compatible in scale, design and use with those buildings and designs which are visually related to the development site; 3) effectively located for



solar and wind orientation for energy conservation; and 4) advantageously located for views from the building while minimizing the intrusion on views from other buildings.”

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There are no remaining natural features on site. As discussed previously, the soil has been categorized as “Urban Infill.”

The proposed structure is taller than the surrounding buildings, comprised of a modern design aesthetic, as opposed to the historic residential and industrial building stock that surrounds this parcel. However, this development is compatible in scale, design and use with the neighborhood as this corridor is intended to become pedestrian and transit-oriented, which requires a larger scale and density as well as a mix of uses. The scale will create a strong streetwall while the design is contemporary and appropriately incorporates human scale elements. Views from the neighboring parcels will be enhanced as they will no longer look to industrial buildings in the Inner Belt and will instead view a new building that symbolizes an exciting transition for this corridor and the City.

The proposal is to construct a mixed-use development that will compliment and enhance the pedestrian and transit-oriented nature of this proposal. This project will create housing near transit, including 20 affordable units where none previously existing; a streetwall and pedestrian plaza which will enhance the pedestrian quality of this corridor while the piazza will provide public open space along the new shared private road, which will both add to the network growing of public spaces, and incorporate a mix of uses to increase the neighborhood amenities that will activate the street and help establish a sense of place. Together, these will catalyze market interest in high-value commercial and office redevelopment to transform the larger area into a vibrant and pedestrian centered corridor that illustrates a clear sense of place.

11. Stormwater Drainage: The Applicant must demonstrate that “special attention has been given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Storm water shall be removed from all roofs, canopies, and powered area, and routed through a well-engineered system designed with appropriate storm water management techniques. Skimming devices, oil, and grease traps, and similar facilities at the collection or discharge points for paved surface runoff should be used, to retain oils, greases, and particles. Surface water on all paved areas shall be collected and/or routed so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved area. In larger developments, where practical, the routing of runoff through sheet flow, swales or other means increasing filtration and percolation is strongly encouraged, as is use of retention or detention ponds. In instances of below grade parking (such as garages) or low lying areas prone to flooding, installation of pumps or other devices to prevent backflow through drains or catch basins may be required.”

The project appears to meet the stormwater requirements. Documentation regarding how the site will address the wastewater generation component of the stormwater policy will be submitted prior to a building permit being issued. As required by the stormwater policy, the Applicant will be required to comply with the inflow/infiltration (I/I) removal required due to increases in wastewater generation at the project site. The I/I mitigation must be met prior to issuance of a building permit. This can be accomplished by one of three methods:

1. An increase in stormwater infiltration;
2. Pay \$4 per gallon (at the 4:1 ratio) to the City to fund future I/I removal projects; or
3. Identify, design and construct I/I removal projects to provide the required mitigation.

12. Historic or Architectural Significance: The project must be designed “with respect to Somerville’s heritage, any action detrimental to historic structures and their architectural elements shall be discouraged insofar as is practicable, whether those structures exist on the development parcel or on adjacent properties. If there is any removal, substantial alteration or other action detrimental to buildings of historic or architectural significance, these should be minimized and new uses or the erection of new buildings should be compatible with the buildings or places of historic or architectural significance on the development parcel or on adjacent properties.”



The proposal would redevelop an under utilized parcel of land in a manner consistent with the SomerVision Comprehensive Plan which indentifies this corridor as an area to transform, enhance and link with Union Square. The design incorporates compatible materials and details that are consistent with the architectural history and building stock of the City.

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The existing strip mall is located within the boundaries of the Inner Belt Industrial Park District, whereby buildings located within this district are excluded from review under the Demolition Review Ordinance, due to the general understanding that these buildings are not historically significant and should be redeveloped.

13. Enhancement of Appearance: The Applicant must demonstrate that “the natural character and appearance of the City is enhanced. Awareness of the existence of a development, particularly a non residential development or a higher density residential development, should be minimized by screening views of the development from nearby streets, residential neighborhoods of City property by the effective use of existing land forms, or alteration thereto, such as berms, and by existing vegetation or supplemental planting.”

a mixed-use development that will implement the SomerVision Comprehensive Plan and the not yet released Inner Belt/Brickbottom Plan. This project will create housing near transit, including 20 affordable units where none previously existing; a streetwall and pedestrian plaza which will enhance the pedestrian quality of this corridor while the piazza will provide public open space along the new shared private road, which will both add to the network growing of public spaces, and incorporate a mix of uses to increase the neighborhood amenities that will activate the street and help establish a sense of place. Together, these will catalyze market interest in high-value commercial and office redevelopment to transform the larger area into a vibrant and pedestrian centered corridor that illustrates a clear sense of place.

14. Lighting: With respect to lighting, the Applicant must ensure that “all exterior spaces and interior public and semi-public spaces shall be adequately lit and designed as much as possible to allow for surveillance by neighbors and passersby.”

Lighting for on-site parking shall be directed downward so as not to spill onto adjacent properties or into the night sky. Light fixtures for the parking lot and building will be reviewed by the Design Review Committee and approved by Planning Staff prior to construction.

While streetlights and wall-mounted light fixtures will remain lit throughout the night for auto and pedestrian safety, Staff has added a condition that allows the businesses signage to remain lit until the last business establishment closes operations for the day. Staff has also conditioned that light is not allowed to spill onto nearby residential properties. This likely means that signage will be lit later during the weekend than during the week.

require review and approval from the Design Review Committee as well as Planning Staff.

15. Emergency Access: The Applicant must ensure that “there is easy access to buildings, and the grounds adjoining them, for operations by fire, police, medical and other emergency personnel and equipment.”

The proposed building will be accessible from two public streets, one private road and from the rear parking lot. An 18’ fire lane will be clearly marked at the rear of the building.

The new private shared road is proposed to be 16’ in width; however, there will be 18’ of unobstructed access to ensure emergency accessibility to this side of the structure.

16. Location of Access: The Applicant must ensure that “the location of intersections of access drives with the City arterial or collector streets minimizes traffic congestion.”

There will be four new curb cuts as part of this proposal. Two would be located along New Washington Street while two would be located along Washington Street. On Washington Street the existing curb cut will be closed and one



will be installed at the east end of the proposed development to access end of the private shared street. A second curb cut would be added to access the parking lot along Washington Street. In addition, as a new private road would be created between the proposed development and the Cobble Hill Apartments, a new curb cut would be located on New Washington Street at the south end of the shared private road and a second to allow access for the main parking lot behind the structure, which is accessible from New Washington Street

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BY THE CLERK OF THE CITY  
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A study regarding the impact to traffic was submitted by the Applicant. This study concluded that while the trip generation projections estimate the worst case scenario to be 458 trips during the peak morning hours and 519 trips during the peak evening hours, the trip generation projections and corresponding traffic capacity analyses substantially overstate the traffic delays resulting from this project due to the conservative nature of the traffic projections. The study does not account for transit mode split due to the proximity to Sullivan Square Station nor a transit mode split credit due to proximity of the future Green Line; credits for reduced parking supply which limits the number of vehicles to be parked at the site; and the mixed-use nature of the project to reflect trips internal to the site. Regarding vehicular traffic operations for future build out conditions, the Washington Street at McGrath Highway intersection would continue to operate at the lowest level of service during at least one peak hour; the level of service would decrease during at least one peak hour at two both signalized intersections; and eight unsignalized intersections would continue to operate at the lowest level of service during at least one peak hour while the level of service would decrease at two unsignalized intersections at two locations during the morning peak hour period. In addition to the conservative estimates by the traffic study, future implementation of the IBB Plan, roadway improvements associated with the Green Line Extension and access to the Community Path have also not been taken into consideration when generating this traffic impact analysis. While the IBB Plan and Community Path are not currently quantifiable, as the Green Line has moved into the final design phase and contracts are being awarded, the roadway improvements associated with implementing the Green Line Station are expected to commence in early 2017. A new traffic signal sequence and timing plan is proposed at the intersection of Washington Street and McGrath Highway to incorporate pedestrian accommodations as well as other complete street enhancements to increase the pedestrian quality. The intersection at Washington Street and Tufts Street will gain a traffic signal due to the pick-up/drop-off area and this area is proposed to be widened to provide four lanes, which would improve traffic operations and pedestrian safety.

While the study did not recommend any mitigation measures due to the conservative nature by which the data was collected and analyzed, Traffic and Parking requires mitigation efforts to be done through the purchase of a traffic controller to improve the level of service at a signalized intersection in the vicinity of the proposed development. Therefore, a condition has been added to provide a state of the art traffic controller and repaint all the pavement markings on Washington Street, from New Washington Street to the Boston city/line, as well as inventory and replace all signs along the above described corridor.

17. Utility Service: The Applicant must ensure that “electric, telephone, cable TV and other such lines and equipment are placed underground from the source or connection, or are effectively screened from public view.”

All utilities are conditioned to be located underground.

18. Prevention of Adverse Impacts: The Applicant must demonstrate that “provisions have been made to prevent or minimize any detrimental effect on adjoining premises, and the general neighborhood, including, (1) minimizing any adverse impact from new hard surface ground cover, or machinery which emits heat, vapor, light or fumes; and (2) preventing adverse impacts to light, air and noise, wind and temperature levels in the immediate vicinity of the proposed development.”

The proposal will maintain 32% of the lot for landscaping (this figure will increase slightly as a result of enhancing the plans for the quality and public open space of the new private shared road), which would include trees, shrubs and groundcover. Washington Street includes several tree pits, ornamental benches, and a pedestrian plaza as well as a variety of plantings and groundcover. While the landscaping is predominantly located in the rear of the lot and is comprised of islands within the parking area, there will be a condition to have a 6 foot landscape buffer between the



sidewalk and the parking lot on New Washington Street. There will also be landscaped areas along the sidewalk on Washington Street and street trees along the three streets abutting the project.

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19. Signage: The Applicant must ensure that “the size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall reflect the scale and character of the proposed buildings.”

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Signage locations are illustrated on the plans. Signage details, which includes lighting and material will be reviewed by the Design Review Committee and approved by Staff prior to construction to ensure that the implementation of the signage is similar in nature to that on the elevations/renderings. While streetlights and wall-mounted light fixtures will remain lit throughout the night for auto and pedestrian safety, Staff has added a condition that allows businesses signage to remain lit until the last business establishment closes operations for the day and does not allow light to spill onto nearby residential properties. This likely means that signage will be lit later during the weekend than during the week.

20. Screening of Service Facilities: The Applicant must ensure that “exposed transformers and other machinery, storage, service and truck loading areas, dumpsters, utility buildings, and similar structures shall be effectively screened by plantings or other screening methods so that they are not directly visible from either the proposed development or the surrounding properties.”

A transformer and generator on top of a concrete pad are to be located within the rear parking lot, near the new private road. These are proposed to be screened with a variety of trees and shrubs including evergreens to mitigate views of the equipment from the parking lot and the street. There are three trash/loading areas at the rear of the building, so there will not be dumpsters located within the parking lot. The rear of the building would have a small landscape buffer of grass between the structure and the sidewalk as screening of this equipment cannot prevent trucks from loading/unloading as well as utility companies from reading and maintaining meters and other miscellaneous equipment.

Screening of Parking: The parking will be predominantly located behind the proposed structure, though a parking lot will be located along Washington Street, east of the proposed development. The rear lot will have a landscape buffer which will include grass and trees to mitigate views of the parked cars. The small lot will have a 10 foot landscape buffer and 28 foot buffer on the corner, next to the private road. This lot will be screened with trees and shrubs to help prevent a clear viewshed of the parked vehicles. However, once the new zoning has been implemented, there is the opportunity to redevelop this lot and continue the streetwall along Washington Street. Therefore, these parking stalls will likely be located elsewhere on the lot, or may no longer be necessary per the new parking requirement.

Staff has added a condition to address visibility of the rear parking lot. This condition specifies that once parcels on the south side of New Washington Street and/or within the Inner Belt area south of the railroad tracks exceed 200,000 square feet of new development, the Green Line has opened, and Phase II of this development has not been built and is not intended to be built in the near future, a landscape buffer shall be constructed to obstruct views of this surface parking lot.

22. 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.

A study regarding the impact to traffic was submitted by the Applicant. This study concluded that while the trip generation projections estimate the worst case scenario to be 458 trips during the peak morning hours and 519 trips during the peak evening hours, the trip generation projections and corresponding traffic capacity analyses substantially overstate the traffic delays resulting from this project due to the conservative nature of the traffic projections. The study does not account for transit mode split due to the proximity to Sullivan Square Station nor a transit mode split credit due to proximity of the future Green Line; credits for reduced parking supply which limits



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#### **FINDINGS FOR VARIANCE UNDER (SZO §8.5.F and §9.5.1.a)**

While 306 parking spaces are required for the project as currently proposed, this calculation does not account for the proximity to transit, which would be accounted for once the zoning requirement is updated to reflect the current needs and goals of the City, as outlined in the SomerVision Comprehensive Plan.

1. *Explain any special circumstances affecting the land or structure (related to soil conditions, shape or topography) that are unusual and do not affect other properties and any hardship that results from these special circumstances.*

Special circumstances affecting the land relative to the proposed project is the shape of the lot which is located in a Business B zoning district. The shape of this parcel and the nature of the existing parking requirement create an inefficient layout with regard to site design as a majority of the site is necessary to be designated for parking, which still does not meet the parking requirement. Therefore, the proposed building must be taller than the existing zoning permits, to allow the maximum area of the lot to be designated as surface parking. Reducing the height of the building would make the project no longer feasible and while the site plan could incorporate more parking, this would be done at the expense of eliminating landscape and open space. This would not be an appropriate balance as, for the new transit station and gateway corridor to be a successful mixed-use and transit-oriented transformational district, quality public space and a pedestrian friendly corridor will need to incorporate green and open space.

2. *Explain if and how the variance is the minimum approval necessary to grant reasonable relief to the owner and results in a reasonable use of the land or structure.*

The height and parking variances are the minimum necessary to grant reasonable relief for the applicant. Due to goals of having a substantial transit oriented development at this site and the parking requirements, a project would be difficult to present on this site that would not require a variance. Meeting the parking requirement or reducing the height of the building would change the project to a degree that would not



match the urban design standards and transportation demand data that point to a project of this quality and magnitude.

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- 3. Explain if and how the granting of the variance will be in harmony with the SZO and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

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The granting of the height and parking variances will be in harmony with the Somerville Zoning Ordinance and not be injurious to the neighborhood or otherwise detrimental to the public welfare, as the proposed structure and uses are consistent with the SomerVision Comprehensive Plan which identifies this corridor as a transformational area. This proposal is also consistent with early results of the Inner Belt/Brickbottom Plan, which identifies transportation improvements and appropriate zoning for a successful pedestrian and transit-oriented district.

**DECISION:**

Present and sitting were Members Herbert Foster, Orsola Susan Fontano, Richard Rossetti, Danielle Evans and Elaine Severino. Upon making the above findings, Susan Fontano made a motion to approve the request for a Special Permit with Site Plan Review and a Special Permit. Richard Rossetti seconded the motion. Susan Fontano made a motion to approve the request for a Variance. Richard Rossetti seconded the motion. Wherefore the Zoning Board of Appeals voted 5-0 to **APPROVE** the request. In addition the following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes
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1	Approval is for a Special Permit with Site Plan Review to construct 159 dwelling units with a ground floor commercial component, a Special Permit to park on a separate lot, a Special Permit for shared parking, a Variance for height, and a Variance for parking relief. This approval is based upon the following application materials and the plans submitted by the Applicant:	CO / BP	ISD/Plng. 2014 JUL 28 P 4: 18	CITY CLERK'S OFFICE SOMERVILLE, MA														
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>(June 11, 2013)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>January 31, 2013 (September 12, 2013)</td> <td>Subdivision plan submitted to OSPCD</td> </tr> <tr> <td>September 11, 2013 (September 12, 2013)</td> <td>Plans submitted to OSPCD (T, A0.1, C-1, C-2, C-3, C-4, C-5, C-6, C-7, Ex-1, L-1, L-2, A1.00, A1.01, A3.01, A3.02, A3.03, A3.04, &amp; A3.05)</td> </tr> <tr> <td>September 4, 2013 (September 12, 2013)</td> <td>Balcony Study</td> </tr> <tr> <td>September 24, 2013 (September 25, 2013)</td> <td>Alternative 2 Proposed Parking Design</td> </tr> <tr> <td>September 11, 2013 September 25, 2013)</td> <td>Roof Plan &amp; Unit Types (Sheets A1.02 &amp; A1.03)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(June 11, 2013)	Initial application submitted to the City Clerk's Office	January 31, 2013 (September 12, 2013)	Subdivision plan submitted to OSPCD	September 11, 2013 (September 12, 2013)	Plans submitted to OSPCD (T, A0.1, C-1, C-2, C-3, C-4, C-5, C-6, C-7, Ex-1, L-1, L-2, A1.00, A1.01, A3.01, A3.02, A3.03, A3.04, & A3.05)	September 4, 2013 (September 12, 2013)	Balcony Study	September 24, 2013 (September 25, 2013)	Alternative 2 Proposed Parking Design	September 11, 2013 September 25, 2013)	Roof Plan & Unit Types (Sheets A1.02 & A1.03)
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	(June 11, 2013)				Initial application submitted to the City Clerk's Office													
	January 31, 2013 (September 12, 2013)				Subdivision plan submitted to OSPCD													
	September 11, 2013 (September 12, 2013)				Plans submitted to OSPCD (T, A0.1, C-1, C-2, C-3, C-4, C-5, C-6, C-7, Ex-1, L-1, L-2, A1.00, A1.01, A3.01, A3.02, A3.03, A3.04, & A3.05)													
	September 4, 2013 (September 12, 2013)				Balcony Study													
	September 24, 2013 (September 25, 2013)				Alternative 2 Proposed Parking Design													
September 11, 2013 September 25, 2013)	Roof Plan & Unit Types (Sheets A1.02 & A1.03)																	
Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.																		
<b>Affordable Housing/Linkage</b>																		
2	Affordable Housing Implementation Plan (AHIP) should be approved by the OSPCD Housing Division and executed prior to issuance of Building Permit. Affordable units shall be provided on-site.	BP	Housing															
3	Written certification of the creation of affordable housing units, any fractional payment required, or alternative methods of compliance, must be obtained from the OSPCD Housing Division before the issuance of a Certificate of Occupancy (C.O.). No C.O. shall be issued until the OSPCD Housing Division has confirmed that the Affordable Housing Restriction has been approved and recorded and the developer has provided the promised affordable units on-site.	CO	Housing															
<b>Pre-Construction</b>																		
4	The Applicant must contact the Engineering Department to obtain a street address prior to a building permit being issued.	BP	Eng															



5	The Applicant shall work with the Engineering Department to determine the street name should be for the private road.	BP	Eng.	
6	The Applicant will be required to demonstrate that the updated project plans meet the current City of Somerville stormwater policy. Utility, grading, and drainage plans must be submitted to the Engineering Department for review and approval.	BP 2014	Eng.	
7	The Applicant shall submit a proposed grading and drainage plan, stamped by a registered PE in Massachusetts that demonstrates compliance with the City's stormwater policy.	BP	Eng.	
8	The Applicant shall develop a demolition plan in consultation with the City of Somerville Inspectional Services Division. Full compliance with proper demolition procedures shall be required, including timely advance notification to abutters of demolition date and timing, good rodent control measures (i.e. rodent baiting), minimization of dust, noise, odor, and debris outfall, and sensitivity to existing landscaping on adjacent sites.	Demolition Permitting	ISD	
<b>Construction Impacts</b>				
9	The applicant shall post the name and phone number of the general contractor at the site entrance where it is visible to people passing by.	During Construction	Plng.	
10	The Applicant shall at his expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard.	CO	DPW	
11	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	During Construction	T&P	
<b>Design</b>				
12	The Applicant shall provide final material samples for siding, trim, windows, doors, and light fixtures (to the Design Review Committee for review and comment) and to Planning Staff for review and approval prior to construction.	BP	Plng.	
13	Each balcony shall be sized to accommodate a circle with a diameter of five feet.	BP	Plng.	
14	The address, 90 Washington, illustrated on the east facing ribbon element between the East and Middle blocks shall be written vertically, so as to read from top to bottom.	BP	Plng.	
15	The Applicant shall continue to work with Planning Staff on the square projecting element of the east elevation of the East Block. Staff shall approve this component prior to a building permit being issued.	Prior to BP	Plng.	

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16	The fiber cement paneling located on the top floor of the rear façade shall extend the length of this floor to the glazed window bay located in the corner, and continue after this bay across the top floor of the west facing building component.	Prior to BP	Plng.	
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17	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng./ ISD	
18	There shall be a 6 foot deep landscape buffer between the road and sidewalk along New Washington Street. This landscaped buffer shall have street trees placed between 20 to 30 feet apart on center. This sidewalk shall be at least 5 feet wide and constructed in accordance with City standards.	BP	Plng./ISD	
19	There shall be a minimum of one tree for each 1,000 sf of required landscaped area under SZO §10.3.	BP	Plng./ISD	
20	The electric, telephone, cable TV and other such lines and equipment shall be placed underground from the source or connection. The utilities plan shall be supplied to the Wiring Inspector before installation.	Installation of Utilities	Wiring Inspector	
21	The small landscape area adjacent the Washington St parking lot shall have a 5' diagonal pedestrian path with no less than 2 benches, facing the path. The remainder of this area shall be grass, shrubs, and trees. The Applicant shall submit a plan and receive Staff approval regarding this space prior to receiving a building permit.	BP	Plng.	
22	All new sidewalks will be installed by the Applicant in accordance with the specifications of the Highway Superintendent. Specifically, all driveway aprons shall be concrete.	CO	Plng.	
23	Evergreen trees and shrubs, similar to those that surround the transformer, shall be added throughout the rest of the rear parking lot area. There shall be a minimum of 75 evergreen trees/shrubs added to this lot beyond what is illustrated and does not include the proposed deciduous trees.	CO	Plng.	
24	Applicant will supply 11 bicycle racks, as specified on the plans, for public use, to be located along sidewalks throughout the site.	CO	Plng.	
25	All new streets shall be constructed by the Applicant in accordance with the specifications of the Highway Superintendent and in accordance with City standards.	CO	ISD	
26	If not taken off-site, snow plowed from the development can only be stored in the landscaped area in the back of the site.	Cont.	ISD	
27	The new shared street shall include but is not limited to including pavers, plantings, seating, interactive components or artwork, bollards, signage, and lighting as well as a programmatic plan for the piazza located along the east side. The plans shall be reviewed and approved by Planning Staff prior to being issued a Building Permit.	Prior to BP	Plng.	



28	A landscape buffer shall be constructed to obstruct views from the abutting sidewalk of the rear surface parking lot once parcels on the south side of New Washington Street and/or within the Inner Belt area south of the railroad tracks exceed 200,000 square feet of new development, the Green Line has opened, and Phase II of the proposed development has not been built and is not intended to be built in the near future.	Perpetual	Plng 2014 JUL 28 P 4: 18 CITY CLERK'S OFFICE SOMERVILLE, MA
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Attest, by the Zoning Board of Appeals:

Herbert Foster, *Chairman*  
Orsola Susan Fontano, *Clerk*  
Richard Rossetti  
Danielle Evans  
Elaine Severino

Attest, by the Administrative Assistant:

  
Dawn M. Pereira

Copies of this decision are filed in the Somerville City Clerk's office.  
Copies of all plans referred to in this decision and a detailed record of the SPGA proceedings are filed in the Somerville Planning Dept.

**CLERK'S CERTIFICATE**

Any appeal of this decision must be filed within twenty days after the date this notice is filed in the Office of the City Clerk, and must be filed in accordance with M.G.L. c. 40A, sec. 17 and SZO sec. 3.2.10.

In accordance with M.G.L. c. 40 A, sec. 11, no variance shall take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title.

Also in accordance with M.G.L. c. 40 A, sec. 11, a special permit shall not take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and either that no appeal has been filed or the appeal has been filed within such time, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The person exercising rights under a duly appealed Special Permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.

The owner or applicant shall pay the fee for recording or registering. Furthermore, a permit from the Division of Inspectional Services shall be required in order to proceed with any project favorably decided upon by this decision, and upon request, the Applicant shall present evidence to the Building Official that this decision is properly recorded.

This is a true and correct copy of the decision filed on \_\_\_\_\_ in the Office of the City Clerk, and twenty days have elapsed, and  
FOR VARIANCE(S) WITHIN



\_\_\_\_\_ there have been no appeals filed in the Office of the City Clerk, or  
\_\_\_\_\_ any appeals that were filed have been finally dismissed or denied.  
FOR SPECIAL PERMIT(S) WITHIN  
\_\_\_\_\_ there have been no appeals filed in the Office of the City Clerk, or  
\_\_\_\_\_ there has been an appeal filed.

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CITY CLERK'S OFFICE  
SOMERVILLE, MA  
Date

Signed \_\_\_\_\_ City Clerk

