



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: PB 2014-01
Site: 181 & 197 Washington Street
Date of Decision: March 6, 2014
Decision: Petition Approved with Conditions
Date Filed with City Clerk: March 12, 2014

PLANNING BOARD DECISION

Applicant Name:	CPI-SCC, LLC, c/o The Somerville Community Corporation, Inc.
Applicant Address:	337 Somerville Avenue, 2 nd Floor, Somerville, MA 02143
Property Owner Name:	A&M Realty Trust & The Union Terrace Condominiums
Property Owner Address:	197 Washington Street & 205 Washington Street, Unit #7, Somerville, MA 02143
Agent Name:	Adam Dash, Esq.
Agent Address:	48 Grove Street, Suite 304, Somerville, MA 02144
<u>Legal Notice:</u>	Applicant CPI-SCC, LLC and Owners The Somerville Community Corporation, Inc and A&M Realty Trust seek a Special Permit with Site Review (SZO §5.2) to construct two mixed use buildings of approx 46,305 nsf and approx 38,040 nsf under §6.1.22.D.1 and §6.1.22.D.2. The uses include small and medium retail of approx 6,000 sf, 65 residential units per SZO §7.13.B, §7.13.C, & §7.13.E. The applicant seeks a Special Permit under SZO §5.1 to reduce the number of parking spaces SZO 9.13.F and 9.17.2.A, to share a driveway and access and shared parking per SZO §9.17.2.B. Article 13 Inclusionary Housing will apply.
<u>Zoning District/Ward:</u>	CCD 55 zone/Ward 3
<u>Zoning Approval Sought:</u>	§5.2, §6.1.22.D.2, §7.13.B, §7.13.C, §7.13.E, §5.1, §9.13.F, §9.17.2.A & §9.17.2.B
<u>Date of Application:</u>	January 16, 2014



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<u>Date(s) of Public Hearing:</u>	2/20 & 3/6/14
<u>Date of Decision:</u>	March 6, 2014
<u>Vote:</u>	5-0

Appeal #PB 2014-02 was opened before the Planning Board at the Visiting Nurse Association on February 20, 2014. 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 two hearing of deliberation, the Planning Board took a vote.

DESCRIPTION:

The proposal described below as well as the subdivision (Case Number PB 2014-02) are part of a settlement agreement with the abutters that appealed the original approval for the subject property (Case Number PB 2013-08). This modified design (and subdivision), with the appropriate approvals, would settle the appeal. The most significant change between the previous approval and this proposal is the unit count/height of the building. The original proposal was for 84 units, the approved proposal was for 74 units, the current proposal is for 65 units. The buildings are now 4 stories tall versus five. The parking is in the rear of the building, accessed exclusively off of Washington Street.

The proposal is to demolish the existing structures for new development. Each of these structures has been reviewed by the Historic Preservation Commission under the demolition delay ordinance. The Boys and Girls Club was not found to be "Significant", as the architectural integrity of the building had been degraded by significant inconsistent renovations over many years. Therefore, the HPC has no demolition delay on this structure.

FINDINGS FOR SPECIAL PERMIT WITH SITE PLAN REVIEW (SZO §5.2):

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."
3. Nature of Application: The CCD-55 district was created (originally as the "CCD" district) as a part of the Union Square rezoning study in 2009. The district was approved and applied in the Union Square area in April of 2009. Additional refinements were made when the zoning was applied to Broadway in Winter Hill and East Somerville in February 2010. Prior to this change the project area was in a Business B zoning district which allowed for a 50' building height, a 15' minimum front setback, and a 10' rear setback plus 2' for every story above the first floor.

Generally the buildings and uses capture the intentions of the CCD-55 district. The building does not reflect the full height in the district but does reflect the intent for providing a mix of uses and with a step down towards the residential neighborhood on the north side. The building provides adequate parking without developing excessive parking within this urban neighborhood, and encourages retail storefronts that will engage the pedestrian while improving the impact of the block. The project also provides on-site affordable housing.

Below is an explanation of how the project meets the zoning requirements:



Uses

Under SZO section 6.1.22.D, if some uses in new development are by-right and some are allowed by Special Permit, the entire development shall be subject to Special Permit with Site Plan Review (SPSR) review. Since the residential use requires a special permit, the entire development requires SPSR review. The residential use falls under Use Cluster E, §7.13.E, Residential, and any number of residential units requires a special permit.

The two retail components fall into the Use Cluster B §7.13.B, Small Retail and Service, and Use Cluster C §7.13.C, Medium Retail and Service. Small Retail and Service comprises establishments of up to 1,500 net square feet and a total square footage of all of the establishments up to 10,000 net square feet is allowed by-right. This application includes the flexibility to subdivide the retail space into small retail (up to 1,500 sf) or medium retail (1,500 to 10,000 sf). For instance the CPI building could be subdivided into 3 – 1,167 square foot spaces. The use of these spaces may be any use allowed in this Use Cluster or another Use Cluster that is allowed by-right at this size, although if changing to a different Use Cluster the parking requirements would need to be evaluated and therefore may require zoning approval to be established.

Dimensional Requirements

The proposal complies with the dimensional requirements of the zoning district. Even if each building is taken as a separate project, the site is compliant, including with the approval of the small companion subdivision application from 197 and 205 Washington Street. The minimum lot area per dwelling unit is 600 square feet. The CPI building has 755 and the SCC building has 778. The maximum ground coverage is 80% and the proposed buildings covers 48% of the lot. The proposal meets the minimum landscaped area of 10%. The maximum gross floor area ratio is 3 and the proposed site has an FAR of 1.69. The height of the buildings will not be taller than the 55 foot height limit.

181 Washington Street (SCC)		
Requirements	CCD-55	Proposal
Min Lot Size	NA	27,225 sf
Min Lot Area/Dwelling Unit	600 sf	778 sf
Max Ground Coverage	80%	49%
Min Landscaped Area % of lot	10%	21%
Floor Area Ratio (based on gsf)	3	1.6
Max Height	55'	47'
Max Height Abutting RB	35'	34'
Min Front Yard	NA	2.0'
Min Side Yard (Left)	NA	21.8'
Min Side Yard (Right)	NA	5.8'
Min Rear Yard Abutting RB	20' (10' exclusively landscaped)	20.2" (10' exclusively landscaped)
Min Frontage	30'	145'

197 Washington Street (CPI)		
Requirements	CCD-55	Proposal
Min Lot Size	NA	22,660 sf
Min Lot Area/Dwelling Unit	600 sf	755 sf
Max Ground Coverage	80%	46%
Min Landscaped Area % of lot	10%	16%
Floor Area Ratio (based on gsf)	3	1.7
Max Height	55'	45'
Max Height Abutting RB	35'	n/a
Min Front Yard	NA	0'



Min Side Yard (Left)	NA	5'1"
Min Side Yard (Right)	NA	.6'
Min Rear Yard Abutting RB	20' (10' exclusively landscaped)	30.6' (10' exclusively landscaped)
Min Frontage	30'	195'

Affordable Housing

Projects in the CCD are subject to a 12.5% inclusionary housing requirement. For the proposed CPI building, this translates into the creation of four permanently affordable units at a location where none exist today. The permanently affordable units will be made available to households in accordance with the City's inclusionary housing ordinance.

In addition, every unit in the SCC building will be affordable. In the initial occupancy of the building 70% (and possibly more) of the units will be for current Somerville residents. In order to ensure that 70% of apartments are leased to Somerville residents all applicants will be divided into one of four groups: (A) Somerville residents who earn below 30% of area median income (AMI); (B) Non-Somerville residents who earn below 30% of AMI; (C) Somerville residents who earn below 60% of AMI; and (D) Non-Somerville residents who earn below 60% of AMI. In the last lottery, for St. Polycarp Village, SCC received 1,100 applications for the 31 affordable units available.

A series of lotteries will be conducted to assign units. 8 units are designated for households earning less than 30% of AMI. Group A will be entered into a lottery to rent 4 of them ($6 \times 70\% = 4$). Groups A and B (Somerville residents and non Somerville residents) will both be entered in the lottery for the remaining two. The combined lottery will also be used to create a waiting list for future unit turn-over. The same process will be repeated for the 27 units designated for households earning less than 60% of AMI. Group C will enter a lottery for 19 units and Groups C and D will both enter a lottery for the remaining 8 and positions on a wait list.

Two additional units will be designated for formerly homeless households. The leasing of these units will be managed by the Somerville Homeless Coalition or other service provider.

After occupancy, SCC will use the waiting list to fill vacancies. The waiting lists for other SCC properties have over 1,900 names, and while these are people from across Metro Boston, many joined the SCC list because of current or past ties to Somerville.

Parking & Loading Requirements

The Applicant is seeking a Special Permit under SZO §9.13.F to reduce the required parking for the affordable units. Sixty-five parking spaces will be provided on site. The breakdown of the required parking spaces is as follows:

CPI Residential Units – 1 per unit, 30 units = 30 spaces

SCC Residential Units – .8 per unit, 35 units = 28 spaces

Use cluster B – Medium Retail and Service, 1 per 800 nsf

6 establishments totaling 5,915 sf / 800 = 7.39 or 7 spaces

Project Total – 65 Spaces

The applicant is also seeking a Special Permit to share a driveway and access per SZO §9.17.2.B and shared parking and loading per SZO §9.17.2.B. The only access to the parking and loading area is between the two buildings accessed from Washington Street. The shared loading is located between the buildings. Occupants of the buildings will share the parking spaces behind the building on the abutting lots. A condition of this report is that the Applicant will work with a car-sharing service to provide up to 3 spaces for car sharing such as Zipcar. These spaces can count towards the requirement per SZO §9.3.



Forty-four bicycle parking spaces will be provided on site. The breakdown of the required parking spaces is as follows:

Residential Units – .5 per unit, 65 units = 32.5 or 33 spaces

Use cluster B – Medium Retail and Service, 1 per 5,000 nsf
Retail and Service establishments totaling 5,915 sf / 5,000 = 1.183 or 1 space

Project Total – 34 spaces

The bicycle spaces for residences of the buildings are being provided by a bike room in the CPI building (accessed from the parking area), spaces on an island in the parking area, bike rooms on Levels 2 through 4 in the SCC building of both building. However, the CPI room is quite small and can only accommodate one bicycle. Since this is a condominium building, this would be deeded to one resident. It is not guaranteed that this would be deeded to a cyclist.

In total, there are 36 bicycle parking spaces being provided on site plus an additional 8 spaces (4 racks) on the sidewalk. Due to the practicality of the use of the bicycle parking spaces, especially in the CPI building, Planning Staff have placed a condition on this report to resubmit the bike parking layout.

The development standards for the CCD (SZO §6.1.22.G) are met.

6.1.22.G CCD. All new developments shall meet the following standards:

1. Penthouses and Mechanical Equipment. There is mechanical equipment on each rooftop surrounded by a screen wall. Each roof has a roof deck for residents. It has been important to Planning Staff to treat the buildings equally in finish and amenities. The vestibule to access the CPI building is roughly 18' square while the vestibule to access the CPI roof deck is truly a vestibule at roughly 8' square. A condition of this report is the Applicant shall resubmit the roof plan to accommodate equal vestibules for Planning Staff review and approval.

Since this building is only four stories it falls within the maximum height allowed for buildings in this district. The elevator and stairwell penthouses are shown on the roof plan and will be setback from the street edge and rear edge of the building by more than a 45 degree angle.

2. Service Areas and Loading Spaces. The loading area is between the two buildings and provides turn around space so that delivery vehicles can enter and exit the site forward facing. The mechanical spaces and trash room are accessible from the rear of the property.

3. Pedestrian Oriented Requirements. The building has separate pedestrian entrances for the residential use and retail spaces. There will be up to six (depending on tenants secured) entrances along Washington Street from a comfortable and variable-width new sidewalk.

4. Lighting. There are two light fixtures used on the site, an undetermined fixture to light the parking area and an up/down accent fixture for use on the building. A standard condition is part of this report that exterior lighting should not trespass onto adjacent properties. The accent fixture is appropriate for the CCD district.

5. Transition to Abutting Residential Districts. The applicant has complied with CCD-55 regulations by placing the building along Washington Street. The site plan complies with the setbacks for CCD



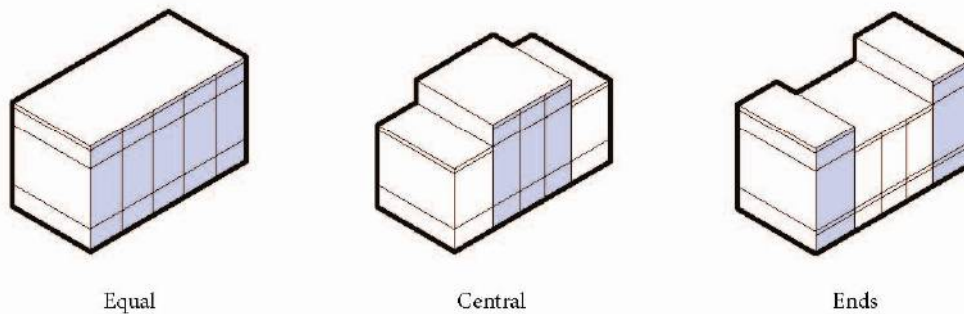
districts abutting residential zones. There is a 20' setback from the rear lot line, the outermost 10 feet will be landscaped. Between the 20' and 35' step back, the building is less than 35' tall.

6. Parking Design. Parking will be accessible from Washington Street and be hidden from view by the buildings. Views of the parking area from Washington Street will be limited to the extent between the buildings which serves as the drive aisle for the parking area and loading zone.

All new development must undergo design review under Section 5.6 of this Ordinance, with findings giving consideration to the Design Guidelines of Section 6.1.22.H.

- i. The building will fill in approximately 265' of streetwall along Washington Street.
- ii. The massing and the height of the building are articulated in a manner that is compatible with the physical character of the mixed use buildings in the surrounding area. A rhythm to the building is established with a base, middle and top, with cornice lines and vertical accents to break up the building's massing. The Applicant has started an 'ends' approach (see below), similar to the guidelines of the recently approved Northpoint Zoning District. A condition of this report is that the Applicant complete this design element on the east end of the SCC building. Revised elevations shall be submitted for Planning Staff review and approval.

Figure A. Vertical Articulation



- iii. The mass of the structure is proposed along Washington Street, away from the residential neighborhood to the north.
- iv. The retail portions of the building have storefront systems and are shown with 3 individual entrances each, which are typical elements for Somerville storefronts. However, there is potential that a single tenant would occupy more than one bay. The retail portions of the façade meet the guideline for having 75 percent transparent material on the ground floor. The windows will be conditioned to maintain the ability for pedestrians to view the interior of the space as specified in this guideline. The residential upper floors will have sufficient, typical residential windows.

Flat facades have been avoided in a variety of ways. There are vertical accent bands to break up the length of the buildings including the condition above. The 4th floors use an accent material to create a 'top' to the building. There is a variety of materials including hardie artisan plank, metal panel, and storefront systems.

- v. The exterior building materials will be high quality, durable materials including the Artisan line by Hardie in more than one color, metal panel, and precast.

- vi. The Washington Street and Boston Street elevations have the same materials and a base, middle, and top. The other elevations are the Artisan product line by Hardie. The windows on both buildings will be the same quality and pattern as the Washington and Boston Street elevations.
- vii. A signage band has been provided on the building but there are no additional details about signage at this time. Review and approval of the specifications of the lighting scheme and materials of the signage will be a condition of approval and if additional signage locations are desired, a new special permit will be required.
- viii. The uses on the ground floor will be pedestrian-oriented as they are proposed to be in the retail and service cluster. The SZO classifies these uses to be pedestrian-oriented uses because they are typically uses that people frequent and are open to passersby.
- ix. The proposal does not include artist live/work spaces.
- x. Units in the CPI building range from 700-1,050 square feet. There are one and two bedroom units. SCC's building has units that range from 681 to 1406 square feet. There are one, two, and three bedroom units proposed. The affordable rental units will accommodate a variety of family sizes.
- xi. The existing sidewalks in front of the site are roughly 6' wide. The Site Layout Plan proposes a new sidewalk ranging from 9.5' wide at Washington Terrace to 21.5 feet wide at Boston Avenue. The changes in width are due to the curvature of the street. This satisfies the requirements of the SZO. However, the design also includes a bike lane in each direction, 12 new parking spaces (most likely metered), and the existing bus stop. The sidewalk extension and striping would be an improvement for Washington Street since the current striping is vague for motorists, pedestrians, and cyclists.

There are several transportation planning initiatives affecting this area of Washington Street. Due to this, Planning Staff has suggested an and/or condition (A+B or C below).

A. Build the sidewalk and related street trees, etc. from the corner of Boston Ave to the Corner of Washington Terrace

B. Install pavement markings from Boston Ave to the Post Office, including the crosswalks, bike lanes, etc. with thermoplastic in a format acceptable to the city

OR:

C. If, in the sole discretion of the City of Somerville, the City determines that adjacent work and forthcoming projects on Washington Street deem it necessary to delay a portion of or all of this work, then the applicant will pay the City the cost of having the City complete this work, based upon a construction estimate provided to the City by the City's own consultant team.

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 proposal is consistent with the purpose of the CCD district and the Arts Overlay district. The purpose of a CCD district is, "to promote appropriate infill development along heavily traveled transportation corridors." The proposal will increase investment in the neighborhood in the heavily travelled Washington Street corridor. There is a mix of commercial space and residential units that will contribute to the active mix of uses. Parking behind the building will improve pedestrian safety on the block. Cyclist access will improve with the bike lane along Washington Street. The entrances along the sidewalk promote pedestrian activity.

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 building form is appropriate for the site because the massing is along the Washington Street corridor and completes the streetwall. This building will be a new landmark for the area. The proposed building includes detailing to break up the façade including vertical articulation, cornice lines, and a variety of materials that creates a modern looking building that relates to the surrounding area. The land uses of retail and service tenants with residential units above are compatible with the uses in the surrounding area.

Although the current site has a front lawn, it is underutilized and not used as a civic space. The courtyard at the entrance to the CPI building is more likely to be used by the public. The revised design does not have a residential courtyard for SCC residents since there are now 3 units facing the old courtyard. Planning Staff proposed an alternative design for the three residential units facing Boston Street. Each of these units could have a private entrance from the exterior and shared outdoor space. A condition of this report is that this option is explored and submitted to Planning Staff for review and possible approval.

5. Impacts of Proposal: The proposal will redevelop the sites in a way that mostly fulfills the purpose of the zoning district by creating an appropriate infill development that provides a scale and uses that are desired along the commercial corridor. The development will improve the streetscape by providing an attractive building that creates a street wall where there is currently a vacant property and an underutilized property. This site will be one of the first redevelopments in the area and it will hopefully be a catalyst along with the City's work to revitalize the neighborhood.

The retail component of the building will ensure that the ground floor is active and interesting for pedestrians. It will also provide services for the residents in the area. The retail spaces will start to create a link between the existing storefronts at 163 Washington Street and Union Square. The commercial tenants will bring a stable presence like the Somerville Boys and Girls Club used to be. The residential component will add more residents to the Square to support the businesses and add to the vibrancy of the Square. The housing will also help meet the demand for housing near transit both nationally and in the Boston area. In rezoning Union Square careful consideration was taken to map the rezoning in areas where infill or redevelopment was desired, leaving the existing intact neighborhoods out of the study area. The intent was to increase the housing supply in certain areas so that supply meets the increased demand with the introduction of the new Green Line station, thereby reducing the potential for dramatic spikes in housing prices that could cause displacement of existing residents. Even before the Green Line station is built there is a demand for housing in the area. It is located near Union Squares and along three bus routes, the 86, 88, 91, and CT2.

The existing Cota-Struzzio funeral home is located along the rear property line which abuts the residential district. The Boys and Girls Club is along Washington and Boston Street, the site is mostly paved. The proposed buildings will be setback from the rear property line more than the existing buildings. Also, there will be a heavily landscaped area on the southeastern property line that will buffer the site from the neighbors. The proposed development is only slightly taller than the existing buildings on site. The CCD zoning district allows for a building 5 feet taller than the previous zoning district for this property. The height of these two buildings is 3' to 5' shorter than the dimensional requirement of the previous district. This design is part of the settlement and the current height is agreeable to the Appellants. The proposed buildings should block some traffic noise from Munroe Street. A shadow study was submitted with the application. The shadows from the new development rarely reach abutting properties. Portions of the property at 205 Washington Street will be shadowed in the mornings.

The traffic study states that the proposal is expected to add a small amount of traffic to the roadway system; however, the level of service will be maintained. Three curb cuts will be eliminated as part of the project and the streetscape will be drastically improved.

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



The buildings will function well as a mixed-use building. The retail spaces and residential lobby are accessible from the street and courtyards. The parking behind the building provides spaces for the residential units and retail uses of the project.

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 Drainage Report submitted with the application confirms that this project adheres to the City storm water management policy. The design includes collection, detention, and infiltration of storm water to achieve reduction of offsite flows. As conditioned, the Applicant will work with City Engineering Staff to comply with all regulatory requirements.

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.”

The proposed primarily residential building will not result in any environmental impacts beyond activities that are typically associated with residential units.

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 promoting the health, safety, and welfare of the inhabitants of the City of Somerville; to encourage housing for persons of all income levels; and to preserve and increase the amenities of the municipality. The proposal fills two underutilized parcels with development that’s appropriate for Commercial Corridor Districts. The development provides new options for housing including 35 affordable rental units.

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.”

Due to the existing funeral home lawn the site will be less pervious post construction. However, developing around the hill is not practical and does not comply with the street wall requirements of the CCD districts. Landscaping will be added to the site to buffer the residential neighbors to the north and some landscaping will be added to the courtyards. Landscaped areas in this infill districts are encouraged to be along residential abutters. To increase permeability of the site and reduce a heat island effect, a condition of this report is to make parking spaces 33 through 47 permeable pavers such as grasscrete. This will increase the permeability of the site by 2,400 square feet.

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.”



There are no natural features that remain on the eastern portion of the site where the Boys and Girls Club building is located. The hill that leads to the Cota-Struzziero Funeral Home will be removed. The existing retaining wall at the back of the property will be maintained. The building design visually relates to the development site as detailed in the design guidelines in Finding 2. The building is oriented to the street and the massing is shifted away from the residential abutters.

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 paved 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 meets the stormwater and sanitary sewer requirements. The Engineering Department will contact the Applicant’s engineer to obtain this information and it is a condition of approval.

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.”

Against Staff recommendation, the Somerville Historic Preservation Commission deemed the Cota-Struzziero Funeral Home significant. The building was then deemed preferably preserved. The 9 month demolition delay expired in November, 2013. The HPC did not find the Boys and Girls Club preferably preserved. See the Historic Preservation comments section above for more detail.

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.”

The proposal replaces two underutilized buildings with two mixed use buildings. The proposal includes landscaped buffers along the residential district and a courtyard accessible to the public.

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.”

All site lighting will be directed downward without spilling onto adjacent properties and the night sky. This is a condition of approval.

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 building will be accessible from Washington and Boston Streets and between the two buildings.

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.”

Only one existing curbcut will be maintained on Washington Street. Three curb cuts, two on Washington Street and one on Boston Street, will be closed.

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 will be located underground. The HVAC units will be located on the roofs of each building and screened.

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 exceed the amount of landscaping required on the site. The proposed residential building will not result in any adverse impacts beyond activities that are typically associated with residential units. The trash room is in the building and not visible from a public way.

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.”

A signage band has been provided on the building but there are no additional details about signage at this time. Review and approval of the specifications of the lighting scheme and materials of the signage will be a condition of approval and if additional signage locations are desired, a new special permit will be required.

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.”

There is a transformer and emergency generator located in the parking areas behind the buildings. The other utility rooms are accessed from the rear of the building.

21. Screening of Parking: The parking spaces will be located behind the building. The rear lot line will be landscaped.

DECISION:

Present and sitting were Members Kevin Prior, Elizabeth Moroney, Joseph Favaloro, Michael Capuano and Gerard Amaral with James Kirylo absent. Upon making the above findings, Kevin Prior made a motion to approve the request for a Special Permit. Elizabeth Moroney seconded the motion. Wherefore the Planning Board voted 5-0 to **APPROVE** the request. In addition the following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes	
1	Approval is for a Special Permit with Site Review (SZO §5.2) to construct two mixed use buildings of approx 46,305 nsf and approx 38,040 nsf under §6.1.22.D.1 and §6.1.22.D.2. The uses include small and medium retail of approx 6,000 sf, 65 residential units per SZO §7.13.B, §7.13.C, & §7.13.E. The applicant seeks a Special Permit under SZO §5.1 to reduce the number of parking spaces SZO 9.13.F and 9.17.2.A, to share a driveway and access and shared parking per SZO §9.17.2.B. Article 13 Inclusionary Housing will apply. This approval is based upon the following application materials and the plans submitted by the Applicant:	CO / BP	ISD/Png.		
	Date (Stamp Date)				Submission
	January 16, 2014				Initial application submitted to the City Clerk's Office
	January 30, 2014				Modified plans submitted to OSPCD (A1.00 Fire Floor Plan, A1.01 Second Floor Plan, A1.02 Third Floor Plan, A1.03 Fourth Floor Plan)
January 31, 2014	Modified plans submitted to OSPCD (A1.04 Roof Plan, A3.00 Elevations, A3.01 & A3.02 Shadow Studies, A3.03 & A3.04 Perspective View)				



Date (Stamp Date)	Submission			
January 10, 2013	Modified plans submitted to OSPCD (L1.00 Landscape Plan)			
January 13, 2013	Modified plans submitted to OSPCD (C1.00 Existing Conditions, C2.00 Certified Plot Plan, C3.00 Site Layout Plan, C4.00 Site Grading and Utilities Plan, C5.00 Site Sections/Details)			
Any changes to the approved site plan, elevations, or use that are not <i>de minimis</i> must receive SPGA approval.				
Affordable Housing/Linkage				
197 Washington Street				
2	Affordable Housing Implementation Plan (AHIP) should be approved by the OSPCD Housing Division and executed prior to issuance of Building Permit. Four (4) affordable units shall be provided on-site.	CO	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	
4	No Certificate of Occupancy shall be issued until the OSPCD Housing Division has confirmed that the Condominium Documents have been approved and the Developer has agreed to a form of Deed Rider for the Affordable Unit(s).	CO	Housing	
181 Washington Street				
5	All housing units at 181 Washington Street (SCC) are proposed as affordable. If this changes, no less than 12.5% of the total units will be affordable and an Affordable Housing Implementation Plan (AHIP) should be approved and executed by the OSPCD Housing Division.	Perpetuity	Housing	
6	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	
Pre-Construction				

5	The Applicant will be required to demonstrate that the updated project plans meet the current City of Somerville Sewer Policy as it relates to wastewater generation and an increase greater than 2,000 GPD.	BP	Eng.	
6	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	
7	The Applicant shall update and resubmit a phasing plan in the case of the buildings not being built at the same time.	BP	Plng	
Construction Impacts				
8	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.	
9	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	
10	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	
Design				
11	The 'ends' design approach shall be carried through to the east end of the SCC building. A revised elevation should be submitted to Planning Staff for review and approval.	BP	Plng/ ISD	
12	The Applicant will develop an alternative plan for the units on the first floor of the SCC building that allows for direct access from the outside. The plan shall include a site plan for the "front yards" to these units at the corner of Washington and Boston Streets. Plans shall be submitted to Planning Staff for review and approval.	BP	Plng.	
13	The Applicant may submit a roof plan with equal vestibules to Planning Staff for review and approval.			
14	The Applicant shall resubmit the bicycle parking plan for Planning Staff review and approval.	BP	Plng.	
Site				
15	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD	



16	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	
17	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.	
18	The Applicant will A. Build the sidewalk and related street trees, etc. from the corner of Boston Ave to the Corner of Washington Terrace B. Install pavement markings from Boston St to the Post Office, including the crosswalks, bike lanes, etc. in a format acceptable to the city OR: C. If, in the sole discretion of the City of Somerville, the City determines that adjacent work and forthcoming projects on Washington Street deem it necessary to delay a portion of or all of this work, then the applicant will pay the City the cost of having the City complete this work, based upon a construction estimate provided to the City by the City's own consultant team.	CO	Plng.	
19	The Applicant shall make parking spaces 33 through 47 permeable pavers such as grasscrete or similar.	BP	Plng.	
Traffic & Parking				
20	The Applicant will offer 3 parking spaces to car-sharing companies. The spaces shall be maintained for a car sharing company unless the applicant can prove to the Planning Staff that no car share company is willing to use the spaces.	CO	Plng	
Miscellaneous				
21	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	Cont.	ISD	
22	A revised phasing plan shall be submitted for review and approval.	BP	Plng	
23	In the case of a phased project, no Certificate of Occupancy shall be issued for the constructed building unless the other building is under construction OR until the project complies with the updated phasing plan.	CO	Plng/ISD	
24	The CPI and SCC buildings and their shared open space and parking shall be maintained by one management company	Cont.	ISD	
Public Safety				
25	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
26	To the extent possible, all exterior lighting must be confined to the subject property, cast light downward and must not intrude, interfere or spill onto neighboring properties.	CO	Plng.	
Signage				



27	Signage will be limited to the signage band on the elevations. Signage plans shall be submitted to Planning Staff for review and approval when a tenant is secured. Signage lighting after 10p.m. facing residential property will be turned down or off.	CO/Cont.	Png.	
Final Sign-Off				
28	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	Png.	
29	1) special permit decision should make clear that it is not personal to the applicant CPI-SCC LLC, and that it will run with the land upon completion and issuance of a Certificate of Occupancy 2) special permit decision should permit the phased construction of the buildings, including the possibility that the later phase may never be built 3) special permit decision should make clear that a violation at one property will not cause a violation of the other property under the permit 4) special permit decision should make clear that after the first phase receives a Certificate of Occupancy, the completed phase should be allowed to transfer ownership of that property to a new owner entity and the special permits shall still remain valid for the second phase.	Perp.	Png.	

Attest, by the Planning Board:



Kevin Prior, Chairman



Elizabeth Moroney



Joseph Favaloro



Michael A. Capuano, Esq.



Gerard Amaral

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.

Signed _____ City Clerk Date _____

