



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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October 3, 2013

The Honorable Board of Aldermen
City Hall
93 Highland Avenue
Somerville, MA 02143

Re: An ordinance (#195279) requesting an Amendment to the Zoning Ordinance to add a new Section 6.6: North Point Special District, modify Section 5.4; Design and Site Plan Review, and make related modifications to Sections 2, 3, 5, 6, 7, 8 and 17

Dear Honorable Board of Aldermen:

In keeping with its lawful responsibilities, the Planning Board submits to your Honorable Board its recommendation on an ordinance to create a new zoning district for the area of North Point in Somerville. To work with this new district a new Neighborhood Development Plan review process was created. To improve process for North Point and other areas of the City, the amendment also recommends modification and renaming of the existing Site Plan Approval process, revisions and additions to definitions, and the addition of a section to Article 3 that concerns the Planning Board. This amendment was addressed in a staff report provided to your honorable board dated September 17, 2013. Planning Staff also submitted this initial staff report to the Planning Board.

On September 19, 2013, at 6:00 p.m. the Planning Board and Land Use Committee of the Board of Aldermen jointly held a duly advertised public hearing in the Aldermanic Chambers in City Hall. The purpose of the hearing was to solicit public comments on the proposed amendments and to evaluate the amendments in the context of testimony received and the findings and analysis of the Planning Staff. Subsequently the Planning Board met on October 3, 2013 at the VNA at 259 Lowell Street to discuss the amendment and take a vote.



This report from the Planning Board to the Board of Aldermen will focus on the discussion at the joint hearing and Planning Board meeting and the Planning Board's final recommendation.

Joint Public Hearing

At the public hearing on September 19, 2013, George Proakis, Director of Planning, explained the proposal. Thomas O'Brien from the HYM Group, the current owners of North Point, also give a presentation on their short plans and long term goals for developing the area in Cambridge, Somerville and Boston.

The Committee wanted some assurance that the development would be commercial for the portion in Somerville. They wanted a guarantee beyond the protection of the Planning Board review and approval requirement of the master plan and special permit requirement for residential units. Commercial would be by-right after the master plan approval.

Five people spoke in support of the development being commercial and not residential. One suggested that a percent of the commercial development should be required before residential is allowed to ensure that the commercial is built. Also a bridge across the Fitchburg line to Inner Belt and the extension of the Community Path in East Somerville is essential for Somerville.

The Land Use Committee and Planning Board left the written record open until September 27, 2013. No additional testimony was received.

Planning Board Meeting / Recommendation

On October 3, 2013 George Proakis, Director of Planning, presented the proposed changes to the amendment to the Planning Board. The changes address the concern regarding the guarantee of commercial development in Somerville and fixed grammatical errors.

The changes include the following:

General

- Spelling and grammatical corrections have been made.

Definitions

- The language of "development site" was corrected.
- "Mixed-Use Building" was removed because it is not used in the ordinance.

Purpose

- The initials MDC were corrected to DCR.

Permitting Process

- "Pedestrian desire line" was added to the definitions.

Design and Site Plans

- The following text was added to the review process for Civic Space

For civic spaces with less than 10% of their land area within the City of Somerville, The Planning Board may approve design and site plans that do not comply with the provisions set forth in §6.6.6 Civic and Recreation Spaces, as applicable for each type, upon finding that the submitted plan demonstrates:

1. satisfaction of §6.6.3.B.3.b.i.(a) and §6.6.3.B.3.b.i.(b), above, and
2. compliance with an approved plan of an abutting jurisdiction.

- The following text was added to the review process for Lots

For lots with less than 10% of their land area within the City of Somerville, The Planning Board may approve design and site plans that do not comply with the provisions set forth in §6.6.7 Lots, §6.6.8 Permitted Uses, §6.6.9 Building Types, §6.6.10 Parking and Loading, and §6.6.11 Environmental Performance, as applicable, upon finding that the submitted plan demonstrates:

1. satisfaction of §6.6.3.B.3.c.i.(a) and §6.6.3.B.3.c.i.(b), above, and
2. compliance with an approved plan of an abutting jurisdiction.

Neighborhood Structure

- The word “orientation” in 6.6.4.D.3 was changed to “exposure to the sun”.
- The following subsection was added:

Build Out

1. No less than sixty-five percent (65%) of the gross floor area built within the City of Somerville shall be dedicated to non-residential principal uses.
2. No less than three-hundred and fifty thousand (350,000) square feet of gross floor area built within the City of Somerville shall be dedicated to non-residential principal uses.

Civic Space

- The size of a dog park may now be reduced by Special Permit.

Permitted Uses

- “Laboratory” was added as a use under the “R&D and/or Laboratory” use category and Product Assembly was removed. The assembly of products may occur as part of any of these uses (limited to 25% of the sq. ft.) rather than as a permitted principal use dedicated to manufacturing in itself.
- Educational and Institutional uses were added to Commercial Office category
- The performance standard for “Retail Sales” principal uses was rewritten from “The manufacturing, assembly, and/or packaging of merchandise shall be prohibited” to “The manufacturing, assembly, and/or packaging of merchandise shall be prohibited unless ancillary to the sale of products from the same location.”
- The performance standards for the “R&D and/or Laboratory” use category were consolidated to apply to all uses falling within this category.
- The performance standard “Wholesale storage of flammable liquids, gas, or explosives shall be prohibited” was changed for all “R&D and/or Laboratory” uses to “The storage of flammable liquids, gas, or explosives for off-site use shall be prohibited” for clarification purposes.
- “Professional Services” under the “Commercial Office” use category was changed to “Business Services”. Professional Services was being used incorrectly.
- “Professional Services” and “Studio Space” were added as principal uses under the “Commercial Office” use category.
- A row for the “Interim” use category was added to Table 6.6.8 because it was missing.
- “Surface Parking Lot” was added to the “Interim” use category.

Design Standards for All Building Types

- The design standard for towers was changed. The original language read as:

“The minimum separation distance between towers on adjacent lots and/or for multiple towers built on a single lot shall be equal to the widest dimension of either towers floor plate, to a minimum of eighty (80) ft., measured from the exterior walls and excluding balconies.”

The new language reads as:

“To provide appropriate privacy and level of natural light into buildings, the separation distance between all towers shall be a minimum of eighty (80) ft., measured from the exterior walls and excluding balconies. The separation distance between towers may be decreased to a minimum of fifty (50) ft. by Special Permit through the use of creative architectural solutions such as offset towers/views, non-parallel walls, and/or tapering or curved tower forms, that increase the actual or perceived tower separation distance, provided that both privacy and natural light are provided and no adverse environmental conditions are created.”

Parking Management

- The language “Parking spaces shall be rented, leased, or sold as an option of the rental, lease, or purchase of a dwelling unit or non-residential floor space” was changed to “Parking spaces shall be rented, leased, or sold as an option rather and a requirement of the rental, lease, or purchase of a dwelling unit or non-residential floor space.”

Parking Access

- The language “Pedestrian exits from all parking lots and parking structures shall lead directly to a public sidewalk (i.e., not directly into a building) except underground levels which may be exited by pedestrians directly into a building” was changed to “A minimum of one pedestrian exit from any parking lot and/or parking structure shall lead directly to a public sidewalk (i.e., not directly into a building) except underground levels which may be exited by pedestrians directly into a building.”

Environmental Performance

- The language “Pedestrian level winds shall not exceed an effective gust velocity of 12 mph for outdoor seating areas; 15 mph for bus stops, building entrances, and other areas where pedestrians stand; and 19 mph for any adjacent sidewalk or other pedestrian walkways for more than 1% of the hourly mean wind speed” was changed to “Pedestrian level wind velocities shall not exceed acceptable levels for various activities existing or proposed at particular locations.”
- The language “Shadows cast by buildings shall not cover more that fifty percent (50%) of the area of any public common or plaza between the hours of 10am and 2pm on any day from March 21 to September 21, inclusive, in any calendar year” was changed to “Shadows cast by buildings shall not adversely limit at grade access to sunlight on sidewalks and civic and recreation spaces.
- The language that was changed (above) will be moved to the Rules and Regulations of the Planning Board.

The Planning Board recommended that staff change the language regarding the commercial use requirement. The commercial use clusters should be listed specifically instead of using the word “nonresidential” so that developers are clear in understanding the uses that are allowed and desired. Representatives from the HYM Group requested that the hotel use is not listed because they do not intent to build a hotel in this location. The Planning Board accepted the request and recommended that all nonresidential uses are listed except for the hotel use.

Following due consideration, Kevin Prior made a motion to **RECOMMEND APPROVAL** the proposed amendment as amended. James Kirylo seconded the motion, which carried 5-0.

Sincerely,

A handwritten signature in blue ink that reads "Kevin Prior". The signature is written in a cursive style with a large, stylized initial 'K'.

Kevin Prior
Chair