



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

**PLANNING DIVISION**

**STAFF**

GEORGE PROAKIS, *PLANNING DIRECTOR*  
LORI MASSA, *SENIOR PLANNER*  
ADAM DUCHESNEAU, *PLANNER*  
DEMETRIOS PAPATHANASIOU, *INTERN*  
DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*  
FREDERICK J. LUND, *SENIOR DRAFTSMAN*

**Case #:** ZBA 2010-68-R1-3/2011

**Date:** April 20, 2011

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 100 Dover Street

**Applicant and Property Owner Name:** Ideal Engine Rebuilders Inc.

**Applicant and Property Owner Address:** 49 Day Street, Somerville, MA 02144

**Agent Name:** Dennis Serrano

**Agent Address:** 49 Day Street, Somerville, MA 02144

**Alderman:** Rebekah Gewirtz

Legal Notice: Applicant and owner Ideal Engine Rebuilders Inc. seek a revision to Special Permit ZBA 2010-68 under SZO §5.3.8. The revision is to alter the orientation of the two story addition to a ninety degree angle with the garage, omit the proposed gate adjacent to the entry drive, and alter the location and size of windows on the addition. Applicant and owner are also seeking to alter the location and size of windows on the garage, enlarge the garage doors, and make façade alterations to the garage under SZO §4.4.1. CBD zone.

Zoning District/Ward: CBD / Ward 6

Zoning Approval Sought: Revision to Special Permit under SZO §5.3.8 and §4.4.1

Date of Application: March 14, 2011

Dates of Public Meeting • Hearing: Zoning Board of Appeals **4/20/11**

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property consists of a 12,897 square foot lot with no existing landscape space. The lot abuts residences on one side and commercial buildings on the other. The building is currently being used by Ideal Engine Rebuilders Inc., and has been functioning as an auto repair center for many years. The site is close to the center of Davis Square. Currently, the main entrance to Ideal Engine Rebuilders is at 49 Day Street, and their operation runs through the block to



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include the building at 100 Dover Street. The business is consolidating their entire operation onto the parcel at 100 Dover Street and as part of this the company received a special permit (ZBA 2010-68) to construct an addition onto the garage and make site improvements.

2. Proposal: Applicant and owner, Ideal Engine Rebuilders Inc., is adding an addition to the newly renovated auto repair facility which they received a special permit for in December of 2010. The Applicant would now like to make revisions to the special permit approval they received that include alterations to both the newly approved addition and the existing garage.

#### Revisions to the Addition

The main proposed revision to the addition is the reorientation of its footprint so the structure would be realigned to sit at a 90 degree angle to the existing garage. The addition would now also have a façade consisting of split faced C.M.U. on the first floor and galvanized metal panel on the entire second floor. The rear façade and the rear portion of the addition on the side parking lot elevation would be entirely split faced C.M.U. The Applicant is proposing to paint the C.M.U. on the lower half of the first floor one color and the C.M.U. on the rest of the façade another color. Along the street front façade of the addition, the Applicant is proposing to eliminate two of the windows on the first floor and relocate the window on the second floor so that it aligns with the center window on the first floor. On the side parking lot elevation of the addition, a fourth window would be added to the second floor and the windows furthest to the rear of the property would now be very small as they are only providing light to the stairwell in the addition. The windows and doors on the side parking lot elevation would also be reconfigured to align with one another. There would also be a new door opening on the rear façade of the addition.

#### Revisions to the Existing Garage

The Applicant is proposing to take down the Dover Street façade of the garage and rebuild it with split faced C.M.U. that would match the material on the first floor of the addition. This C.M.U. would also be painted one color on the lower half of the first floor and a second color on the rest of the façade that would match the color combination on the addition. The parapet on the front façade would be reduced from having four steps on either side to having only two on the left side and one of the right, but the existing height would be retained. Further, the two existing windows on the far right of the front façade would be consolidated into one larger window and the small window opening between the garage doors would be enlarged to match the other new window. The Applicant is also proposing to increase the height of the two existing garage door openings and replace them with doors that have substantially more windows. On the side parking lot elevation of the garage, the existing C.M.U. would be painted and the two new garage doors would be increased in height by two feet from the original approval. Additionally, a door to the left of the two garage doors that was approved in the original special permit will be removed from the side parking lot elevation façade. It should also be noted that the dormer on this façade to accommodate for a truck/van lift in the garage that was also approved in the original special permit will be retained.

#### Revisions to Site Plan

The Applicant is proposing to remove the pedestrian gate between the addition and the driveway to the property that was approved in the original special permit. As part of this, the Applicant would like to relocate the existing gate and fence along Dover Street three parking spaces deeper into the lot to allow customers to pick up their vehicles after business hours. The Applicant is also proposing to add a trash/dumpster area at the rear of the parking lot. Furthermore, the Applicant would also like to install crushed stone or mulch in the area that is currently shown on the originally approved site plans as having one parallel parking spot and surrounding landscaping on the south side of the addition where it meets the garage.

3. Nature of Application: The Applicant received a special permit to expand the existing automotive garage on the site (ZBA 2010-68), but they would now like to make alterations to the site plans and elevations for the project and they have not yet received their Certificate of Occupancy. This requires special permit approval under SZO §5.3.8. Additionally, dimensional requirements in the CBD are governed by SZO §8.5. The existing building violates CBD setback requirements, and therefore the alterations to the garage and the construction of the addition require a special permit for the alteration of a nonconforming structure under §4.4.1.
4. Surrounding Neighborhood: The surrounding neighborhood consists of two and three story residences in addition to retail and office buildings. The site is located between the commercial center at Davis Square and the abutting residential neighborhoods. The site has easy access to the attractions of Davis Square and the transit station.
5. Impacts of Proposal: While the nature of the existing automotive use on the site can have significant impacts on adjacent properties, the impact of the proposed façade, window, and building orientation revisions to the addition and the modifications to the garage doors, windows, and façade are extremely limited. In fact, Staff views the majority of the proposed changes to the project as welcome changes that will enhance the façade of the garage and the addition.
6. Green Building Practices: None were indicated on the application.



Existing Conditions of the North Façade



View of the existing façade and space overlooking the new addition.

7. Comments:

*Fire Prevention:* Have been notified and are awaiting comments.

*Ward Alderman:* Alderman Gewirtz has been contacted but has not provided comments at this time.

**II. FINDINGS FOR SPECIAL PERMIT (SZO §5.1):**

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

1. Information Supplied: The Staff finds that the information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits.

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."

In considering a special permit under §4.4 of the SZO, Staff finds that the proposed revisions to special permit ZBA 2010-68 and the proposed alterations to the existing garage would not be substantially more detrimental to the neighborhood than the existing structure.

All developments within the CBD district that require a special permit with design review or special permit with site plan review should comply with the following guidelines to the highest degree practicable.

1. Across the primary street edge, the building should complete the streetwall.

2. At the street level, provide continuous storefronts or pedestrian arcade which shall house either retail occupancies, or service occupancies suitably designed for present or future retail use.
3. Massing of the building should include articulation, which will blend the building in with the surrounding district. At the fourth floor, a minimum five-foot deep setback is recommended.
4. Locate on-site, off-street parking either at the rear of the lot behind the building or below street level; parking should not abut the street edge of the parcel.
5. Provide access to on-site, off-street parking from either a side street or alley. Where this is not possible, provide vehicular access through an opening in the street level facade of the building of a maximum twenty-five (25) feet in width.

While this particular request for approval does not require compliance with these items, they should be considered for any project within the CBD district. The project will complete a greater portion of the street wall along Dover Street, further limiting the expanse of open parking area that is visible along the street. While the façade has garage entrances along the street, the addition and the proposed changes to the street front façade of the garage will provide a more pedestrian-friendly feel to that portion of the building. The proposed upgrades to the garage doors (the addition of transparent material) will also create a more cohesive and open look for the building. The building's massing is shorter than many other structures on the street, and while this does not contribute to a strong street presence for the existing building, the addition provides a more significant anchor to the structure. The structure has been a part of the neighborhood for many years, and the limited architectural detailing that is on the existing building will be preserved and enhanced.

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

The Staff finds that the proposal, as conditioned, **is consistent** with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to promoting "to provide for and maintain the uniquely integrated structure of uses in the City; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality."

Staff also finds that the proposal, as conditioned, **is consistent** with the purposes established for the Central Business District, which are "to preserve and enhance central business areas for retail, business services, housing, and office uses and to promote a strong pedestrian character and scale in those areas. A primary goal for the districts is to provide environments that are safe for and conducive to a high volume of pedestrian traffic, with a strong connection to retail and pedestrian accessible street level uses."

While new automobile-oriented uses are not encouraged in the walkable center of the Davis Square business district, this existing business has provided a benefit to the community for many years and meets a need for local residents, while also offering automobile repair services in a location with access to alternative forms of transportation. The existing structure is also more oriented to pedestrian activity and, while a multi-story mixed-use building would provide more street life, the existing building respects the pedestrian-oriented nature of the neighborhood, and the revisions and alterations to the special permit will improve upon this condition. Finally, with regard to the interior of the addition, Staff is seeking to understand how the proposed second floor meets accessibility requirements. Staff recommends that the applicant address how the structure meets ADA and MAAB requirements for accessibility without the requirement for further modifications to the exterior of the structure to meet interior accessibility requirements.

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

The proposed window and building orientation revisions to the addition and the modifications to the garage doors and windows provide an improvement to the built environment, further the street wall along the sidewalk edge, and provide an interesting design element to the existing building. However, Staff would like to see a defined design separation between the new addition and the existing garage. It would be preferable to have a different type of façade material or different coloring of the façade that would distinguish the new addition from the existing garage.

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

The proposed automotive use can have existing impacts from noise and emissions. All of these impacts will not become more significant with the proposed façade, window, and orientation revisions to the addition nor the modifications to the garage doors, windows, or façade. However, Staff is not supportive of the proposal to install crushed stone or mulch in the area where the parallel parking space is proposed. This area was proposed to consist of pervious pavers and landscaping in the original special permit to handle a large amount of the drainage at this property. Staff has included a condition to retain these elements of the site plan.

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

Staff is concerned that the existing condition requires vehicles to cross the pedestrian way for access to the garage and that the site has multiple curb openings for access to the site. Nonetheless, the curb openings are pre-existing and are clearly marked. There is one curbcut that intersects exactly where the proposed addition is slated for construction, and this curbcut will be unnecessary with the completion of the addition and should be removed.

Additionally, Staff finds that in order to ensure maximum landscaping, Staff recommends that the proposed parallel parking space marked on the plan should **not** be paved over but should be reinforced with grass pavers in order to allow for additional landscaping onsite. Staff understands that this parking space will only be used when all other parking on the site has been used. Grass pavers are a cost effective solution as opposed to hardtop paving, crushed stone, or mulch and allow for vegetative growth and additional pervious surface.

### **III. RECOMMENDATION**

#### **Special Permit under SZO §5.3.8 and §4.4.1**

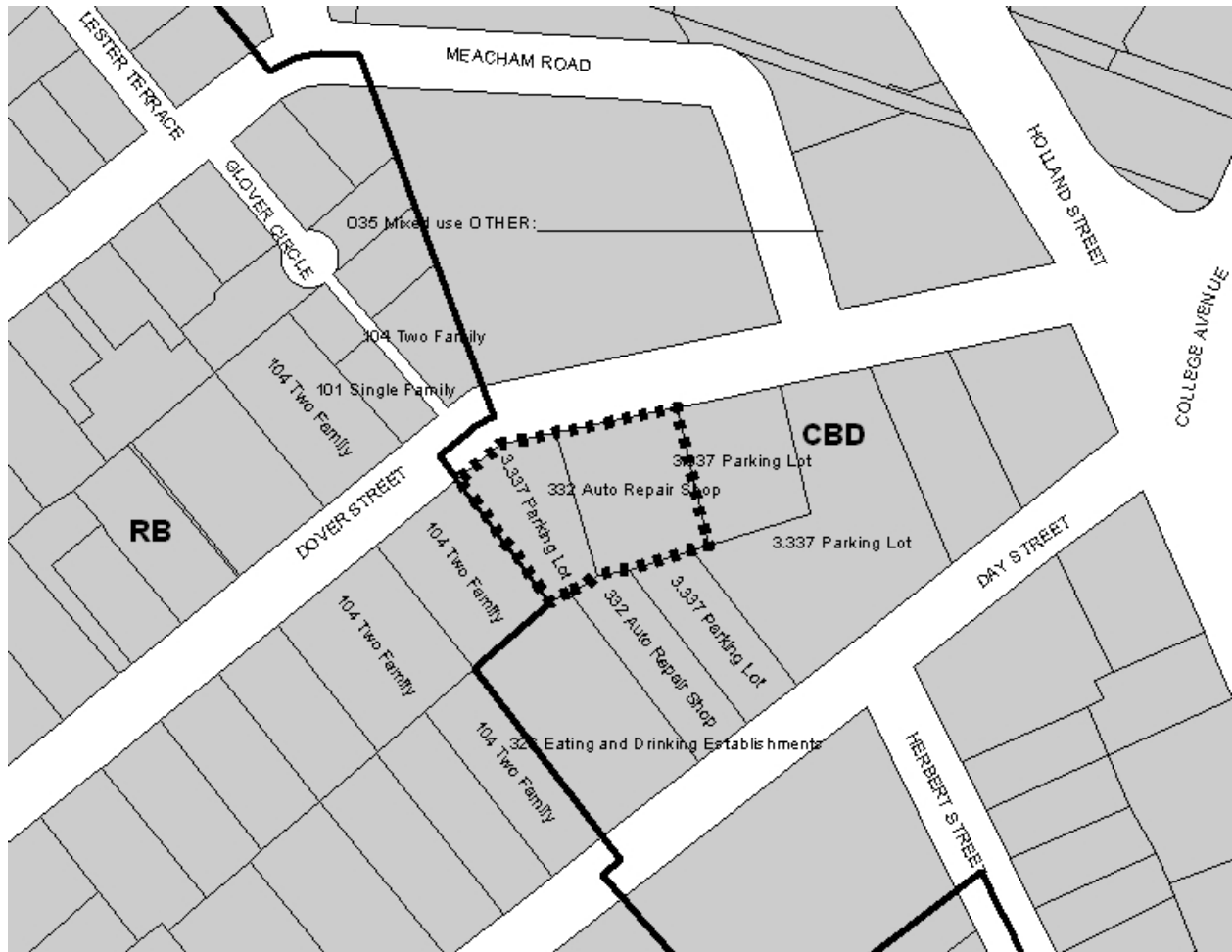
Based on the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes								
Approved Plans												
1	<p>Approval is for the expansion to the existing automotive garage on the site <u>and for revisions to Special Permit ZBA 2010-68 under SZO §5.3.8 to alter the orientation of the two story addition to a ninety degree angle with the garage, omit the proposed gate adjacent to the entry drive, and alter the location and size of windows on the addition. Approval is also to alter the location and size of windows on the garage, enlarge the garage doors, and make façade alterations to the garage under SZO §4.4.1.</u> This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>(March 14, 2011)</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>November 3, 2010 (March 31, 2011)</td><td>SPA REV-1</td></tr><tr><td>April 10, 2011 (April 13, 2011)</td><td>Site plans and elevations submitted to OSPCD (Sheet L-1 and A-0 – A-6)</td></tr></table> <p>Any changes to the approved site plan and elevations that are not <i>de minimis</i> must receive SPGA approval.</p>	Date (Stamp Date)	Submission	(March 14, 2011)	Initial application submitted to the City Clerk’s Office	November 3, 2010 (March 31, 2011)	SPA REV-1	April 10, 2011 (April 13, 2011)	Site plans and elevations submitted to OSPCD (Sheet L-1 and A-0 – A-6)	BP/CO	Plng.	
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Impact of Approved Project												
2	The Applicant shall design the parallel parking space on the side <u>of the garage</u> facing the addition with grass pavers and landscaping instead of <del>the proposed asphalt paving, crushed stone, or mulch</del> , and provide updated <u>landscaping plans for the site showing this change to for Planning Staff review and approval.</u>	BP/CO	Plng.									
3	The applicant shall ensure that the interior layout meets ADA and MAAB requirements for access to the <u>mezzanine second floor of the addition.</u>	BP	Plng.									
4	The Applicant shall provide material and color samples for the exterior elements of the new addition <u>and the new Dover Street façade on the garage for to</u> Planning Staff for review and approval.	BP	Plng.									

5	The Applicant shall provide a signage plan to Planning Staff for review and approval. Signage shall meet all zoning regulations.	BP	Plng.	
6	The Applicant shall close any portion of curb not being used for vehicle access on Dover Street, and shall provide curb and sidewalk repairs that meet the requirements of DPW/City Engineer.	CO	Eng./DPW	
7	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	
8	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.	Perpetual	ISD	
9	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards.	Perpetual	Plng. / ISD	
10	<u>Applicant shall provide a pedestrian sidewalk or path from the sidewalk on Dover Street to the front door of the business and provide updated plans showing this change to Planning Staff.</u>	<u>BP</u>	<u>Plng.</u>	
11	<u>The color or texture of the façade on the new addition shall be different from the color or texture of the façade on the existing garage to visually separate the two elements.</u>	<u>BP</u>	<u>Plng.</u>	
12	<u>Applicant shall not paint the new C.M.U. that is being installed on the addition or the garage. The Applicant shall acquire C.M.U. in the color that they desire for the façade.</u>	<u>CO</u>	<u>Plng.</u>	
<b>Construction Impacts</b>				
13	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	

14	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>Public Safety</b>				
15	Applicant shall comply with Fire Prevention Bureau's requirements.	CO	FP	
<b>Final Sign-off</b>				
16	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	Plng.	



100 Dover Street