



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** ZBA 2014-18

**Date:** May 1, 2014

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT<sup>1</sup>**

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**Site:** 399 Highland Avenue

**Applicant Name:** Rockland Trust

**Applicant Address:** 288 Union Street, Rockland, MA 02370

**Property Owner Name:** Rockland Trust

**Property Owner Address:** 288 Union Street, Rockland, MA 02370

**Alderman:** Rebekah Gewirtz

Legal Notice: Applicant and Owner, Rockland Trust, seek a Special Permit under SZO §4.4.1 to alter the commercial façade of a nonconforming two-story structure, which includes modifications to windows, doors, and storefront materials as well as relocated existing signage. CBD zone. Ward 6.

Dates of Public Hearing: **Wednesday, April 16, 2014**

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**I. PROJECT DESCRIPTION**

1. Subject Property: The parcel is 5,165 square feet, comprised of a two-story masonry structure, currently in use as Rockland Trust Bank. The structure has a footprint of 4,429 square feet and fronts both Highland Avenue and Grove Street with no setback. There is on-site parking behind the building on Grove Street. The building is located in Davis Square, within the Central Business District.

There has been no prior zoning relief.

2. Proposal: The Applicant proposes to alter the front and right side façades by introducing a ~~Hardie panel storefront system that incorporates~~ large aluminum-framed storefront windows with blue awnings. The glass arched entryway will not be altered other than the top portion of the glass arch will be frosted

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<sup>1</sup> Updated through May 1, 2014 to reflect changes since the last Staff Report, issued April 10, 2014. Added text is colored orange and removed text is ~~erased-out~~ and colored orange.

due to the location of a dropped ceiling to house mechanicals directly on the other side of the glass. ~~to have one entry door with glazed panels on either side as well as Hardie panels. Additionally, this paneling will be inserted within the archway above the entry, and the signage will be placed in front of this feature.~~ Large windows will be located to the left of the new entry door and at the corner. As the structure is composed of unreinforced masonry, the portion to the right of the entryway is necessary to retain intact for structural purposes. Four windows will be located along the Grove Street façade with a brick veneer between. Sconces will be located on either side of the entry door as well as intermittently within the new portions of the façade. This signage will stay in the two existing locations and is no longer proposed to change; however, the awnings are considered part of the signage due to the color of blue that is being proposed.



399 Highland: Front and right side façades

3. Green Building Practices: There are no green building practices identified.
4. Comments:

*Fire Prevention:* Has been contacted and does not foresee any issues or concerns.

*Wiring Inspection:* Has been contacted but has not yet submitted comments.

*Ward Alderman:* Has been contacted but has not yet submitted comments.

## II. FINDINGS FOR SPECIAL PERMIT (SZO §4.4.1):

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."

The existing structure is nonconforming in accordance with maximum ground coverage at 86%, which exceeds the allowed 80%; landscape area at 0%, which requires a minimum of 10%; and floor area ratio at 2.25, which exceeds the allowed 2.0. Therefore, a Special Permit is required under SZO §4.4.1 to alter the façade of a nonconforming structure.

The existing frontage is a total of 142 feet in length, which includes 66 feet along Highland Avenue and 76 feet along Grove Street. Existing signage is approximately 60 square feet, which includes the blade sign on Highland and two channel lit signs. The addition of 6 brand color awnings increases the signage to approximately 164 square feet, while more than 200 square feet would be allowed due to the corner location and frontage.

In considering a special permit under §4.4.1 of the SZO, Staff find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The alterations proposed will substantially modify the primary and right side façades, which will serve to activate this corner of the street, create a more pedestrian friendly environment, and increase the safety of this corner due to the windows and lighting.

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

The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to "promoting the health, safety, and welfare of the inhabitants of the City of Somerville; to provide for and maintain the uniquely integrated structure of uses in the City; to provide adequate light and air; and to encourage the most appropriate use of land throughout the City."

The proposal is consistent with the purpose of the Central Business District, §6.1.5, which is, "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."

The proposed project engages the street through the installation of large storefront windows and lighting. These changes will activate the street and increase the safety of this corner, becoming a more pedestrian friendly streetscape and urban environment.

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 building is located in Davis Square, within the Central Business District. The surrounding neighborhood is a mix of office, large and small retail, parking lots and residential dwellings.

The proposed project engages the street through the installation of large storefront windows and lighting. These changes will activate the street and increase the safety of this corner, becoming a more pedestrian friendly streetscape and urban environment.

### III. RECOMMENDATION

#### Special Permit under §4.4.1

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

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information

submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes													
1	Approval is for a Special Permit to alter the commercial façade of a nonconforming two-story structure, which includes modifications to windows, doors, and storefront materials as well as relocated existing signage. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Plng.														
	Date (Stamp Date)				Submission	(March 6, 2014)	Initial application submitted to the City Clerk’s Office	July 11, 2012 (April 9, 2014)	Plot plan submitted to OSPCD	January 28, 2014 (April 9, 2014)	Existing plan submitted to OSPCD (EX4)	April 1, 2014 (April 9, 2014)	Proposed plan submitted to OSPCD (A1 & A2)	April 25, 2014 (April 28, 2014)	Proposed plan submitted to OSPCD (A2)	(April 9, 2014) (April 28, 2014)	Rendering
	Date (Stamp Date)				Submission												
	(March 6, 2014)				Initial application submitted to the City Clerk’s Office												
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	April 1, 2014 (April 9, 2014)				Proposed plan submitted to OSPCD (A1 & A2)												
	April 25, 2014 (April 28, 2014)				Proposed plan submitted to OSPCD (A2)												
(April 9, 2014) (April 28, 2014)	Rendering																
Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.																	
<b>Construction Impacts</b>																	
2	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														
<b>Design</b>																	
3	The Applicant shall make best efforts to match in color and size the new brick veneer/mortar with the existing brick veneer/mortar.	CO	Plng.														
<b>Public Safety</b>																	
4	The Applicant or Owner shall meet the Fire Prevention Bureau’s requirements.	CO	FP														
5	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.														

<b>Signage</b>				
6	Signage will be limited in size and location to that shown in the elevation diagrams.	CO/Cont.	Plng.	
<b>Final Sign-Off</b>				
7	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.	

*399 Highland: Front and right side façades*