



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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PLANNING DIVISION

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GERARD AMARAL, (ALT.)

Case #: PB 2016-21
Site: Northpoint Parcel JK (DSPR)
Date of Decision: December 8, 2016
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: December 9, 2016

PLANNING BOARD DECISION

Applicant Name:	DW NP Property, LLC
Applicant Address:	One Kendall Square, Suite B 3201, Cambridge, MA 02139
Property Owner Name:	DW NP Property, LLC
Property Owner Address:	One Kendall Square, Suite B 3201, Cambridge, MA 02139
Agent Name:	Mark Johnson

<u>Legal Notice:</u>	NorthPoint Parcel J/K: (Case # PB 2016-18) Applicant/Owner DW NP Property LLC requests a Special Permit under §6.6.10.G for four loading docks on the secondary front lot line as part of a Commercial Office, R&D/Laboratory, or Other Use on Parcel JK within the overall NorthPoint development site.
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<u>Zoning District/Ward:</u>	North Point Special District (NPSD). Ward 1.
<u>Zoning Approval Sought:</u>	§6.6.10.G
<u>Date of Application:</u>	November 3, 2016
<u>Date(s) of Public Hearing:</u>	December 8, 2016
<u>Date of Decision:</u>	December 8, 2016
<u>Vote:</u>	5-0

Appeal #PB 2016-21 was opened before the Planning Board at Somerville High School Library on December 8, 2016. 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 one hearing of deliberation, the Planning Board took a vote.



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
(617) 625-6600 EXT. 2500 • TTY: (617) 666-0001 • FAX: (617) 625-0722
www.somervillema.gov

DESCRIPTION:

The new Parcel JK building is an approximately 370,000 gross square foot Commercial Building to be used for a combination of Commercial Office, R&D and/or Laboratory, and Retail and Consumer Services uses. The proposed building will be approximately 143 feet high, plus three levels of underground parking containing approximately 348 parking spaces. The Ground Floor includes approximately 15,000 square feet of Retail and Consumer Services, accessed from the street or public area of the building lobby. The Site is located in the middle of NorthPoint and will eventually be surrounded with other commercial and residential uses in the larger mixed-use development. Because of the master planned nature of NorthPoint, the Applicant has a vested interest in ensuring high quality development on all sides of the Site and can control the overall condition in NorthPoint over multiple parcels to create the desired urban streetscape.

Parcel JK is approximately 62,502 square feet, proposed to be located on the south side of Dawes Street with a ground coverage ratio of 79.9% building coverage and 20.1% open space.

FINDINGS FOR DESIGN & SITE PLAN REVIEW (SZO §6.6.3.B & 6.6.9):

Based on review of the submitted Design & Site Plan Review Application, the Board finds that the proposal meets all of the requirements outlined in §6.6.3 of the SZO. This section of the report goes through the findings required by §6.6.3.B in detail.

Design and Site Plans.**1. Submittal and Review.**

The submittal package includes all the required information. This review of the Design & Site Plan meets the procedural requirements of Section 5.4 of the Somerville Zoning Ordinance.

2. Scope.

The application included the entire site and building design information as required, even though only a portion of the site is within the City of Somerville.

3. Findings and Compliance.

This section of the report goes through the findings required by §6.6.9-11 in detail.

6.6.9. Building Types.**A. General.****1. Facades shall be built parallel to a front lot line or to the tangent of a curved front lot line.**

The Dawes street façade is built parallel to the front lot line.

2. Height limits do not apply to mechanical penthouses; cellular, radio, and internet transmission equipment; or vents or exhausts.

The proposed building is 142'-3" high, measured from the mean grade, which is within the 150' height limit for a Commercial Building Type.

3. The floor plate of any story shall not be larger in area than the story below.

No floorplate is larger than the story below it.

B. Residential High-Rise.

Not applicable.

C. Commercial High-Rise.

Not applicable.



D. Commercial Building.

Form

- a. Minimum of 80% of the façade must be within the façade build out area.
100% of the Dawes Street façade is within the Façade Build-Out area.
- b. Floor plates may be a maximum of 50,000 SF.
The largest floor plate is Level 2 which is a total of 48,958 SF.
- c. Minimum Height = 4 Stories. Maximum height = 150 feet.
The building is 9 stories and 142'-3" to the penthouse measured from the mean grade.
- d. Continuous façade.
No particular length of the Dawes Street façade is greater than 100' in horizontal width.

Fenestration

Ground Floor; Secondary 50% min.
Upper Floors 30% min. - 50% max.
Blank Wall 20 feet max.

The Dawes Street façade complies with the listed requirements - Ground Floor at 53.8% glazing and Typical Floors at 32.9%. The facade does not include any blank walls.

Development Standards.

- a. A minimum of 60% of the ground floor frontage shall be occupied by active uses.
The Applicant has received a Special Permit to allow the loading docks to be located on a secondary frontage (Dawes Street) due to the constraints of the site. A Variance from this active use requirement is also requested as case #ZBA2016-137 due to the necessary location of the loading docks and service spaces.
- b. Ground floor uses shall be limited to 200' of frontage for each use.
Each of the ground floor uses is less than 200' of frontage. However, it should be noted that the active uses of retail and tenant space are accessed from the Cambridge sides of the building.
- c. Ground floor uses shall have individual entrances with access directly onto a sidewalk for each use.
The ground floor uses that are located on the Dawes Street façade have individual entrances onto the sidewalk as practical. Many of the uses are "back-of-house" and service functions that are accessed internally for security reasons.
- d. Upper story uses shall be accessed by a prominent common lobby entrance.
The common lobby to access upper story uses is located on the south side of the building facing North Street and the NorthPoint Common in Cambridge.
- e. Fenestration shall be calculated for the wall area of each floor.
The Dawes Street façade complies with the listed requirements. See above.

E. Design Standards for All Building Types.

1. Facade Articulation.

- a. Building facades shall be articulated vertically with a rhythm of bays to create an equal, central, and/or ends focused composition.

The Dawes Street façade has been designed with an equal composition.

- b. Facades greater than 100' in horizontal width shall have a change in vertical plane that divides the building form into distinct massing elements that break up its apparent mass.

The Dawes Street façade has been designed with 3 projecting bays at 66'-6" in horizontal width with 28' spacing between the bays to break up the apparent mass.

- c. Building facades shall be articulated with clearly defined base, middle, and top.

The Dawes Street façade has been designed with a base defined by the podium level, a middle defined by the tenant floors, and a top defined by the two story penthouse.

2. Fenestration.

- a. All openings shall be square or vertical in proportion, excluding windows for first floor Retail and Consumer Service or Commercial Office uses.



The Dawes street façade features vertically proportioned fenestration.

b. Each horizontal element of a building (base, middle, and top) shall have a fenestration pattern that is aligned vertically and horizontally.

The Dawes street façade features vertically & horizontally aligned fenestration.

3. Towers

Not applicable.

6.6.10. Parking and Loading.

A. Motor Vehicle Parking.

1. Development proposals will not be required to provide off-street motor vehicle parking, but may elect to provide off-street motor vehicle parking according to Table 6.6.10.

This project includes a total of 15,000 GSF of retail space and 336,000 GSF of Office/Lab space, requiring between 0 to 475 spaces per Table 6.6.10, and will provide a total of 348 spaces.

B. Bicycle Parking.

1. Short term outdoor bicycle racks shall be provided near the main entrances of any Retail & Consumer Service uses.

Per Table 6.6.10, 15 spaces minimum are required. The project will provide 42 Short-Term Spaces.

2. Sheltered, long-term bicycle parking shall be provided internal to a building for all other use categories.

Per Table 6.6.10, 68 spaces minimum are required. The project will provide 110 Long-Term Spaces.

C. Parking Location.

1. All off-street parking spaces shall be located in underground parking structures, except lots abutting rail rights-of-way.

All off-street parking spaces are located underground.

D. Parking Management.

Not applicable. All parking management will be reviewed and administered by the City of Cambridge.

E. Parking Access.

1. A minimum of one pedestrian exit from any parking lot/structure shall lead directly to a public sidewalk except underground levels which may be exited directly into a building.

The underground garage has an exit stair discharging directly to the sidewalk at the corner of Dawes and North First Streets.

2. Vehicular entrances to parking lots or parking structures shall not be permitted along any primary front lot line.

The entrance to the below grade parking has been located along Dawes Street which is not the building's primary front lot line.

3. Vehicular entrances to parking lots, parking structures, loading docks, and service areas shall be no wider than twenty-four (24) feet along any front lot line.

All entrances to loading docks and to the below grade parking are 12'-0" wide.

F. Above-Ground Parking Structures.

Not applicable.

G. Loading Docks and Service Areas.

1. Loading docks and service areas shall not be permitted along front lot lines except by special permit.



Because all sides of the project's lot are considered either primary or secondary front lot lines, this project has been approved for a special permit to allow the loading docks to be located along Dawes Street.

6.6.11. Environmental Performance.

The Applicant has provided detailed information about the anticipated environmental performance of the building. The submitted package includes a Wind Speed Study including documentation of a wind tunnel study model, a report detailing the air intake and exhausts for the specialty lab uses, a narrative regarding noise mitigation, and Shadow Studies (Net and Cumulative). Staff finds the information provided meets the intent and requirements of this section.



DECISION:

Present and sitting were Members Kevin Prior, Joseph Favaloro, Dorothy Kelly Gay, Rebecca Lyn Cooper and Gerard Amaral with Michael Capuano absent. Upon making the above findings, Dorothy Kelly Gay made a motion to approve the request for a Special Permit. Gerard Amaral 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	<p>Approval is for the NorthPoint Parcel JK Design & Site Plan Review application for a 370,000 gross square foot Commercial Building spanning the boundary of Somerville and Cambridge. 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>September 28, 2016</td><td>Initial application submitted to the City Clerk's Office including all appendices</td></tr></table> <p>Any changes to the approved special permit that are not <i>de minimis</i> must receive approval from the Planning Board.</p>	Date (Stamp Date)	Submission	September 28, 2016	Initial application submitted to the City Clerk's Office including all appendices	DSP/BP/CO	Planning/ISD	
Date (Stamp Date)	Submission							
September 28, 2016	Initial application submitted to the City Clerk's Office including all appendices							
Design								
2	The project's elevations, and/or renderings, shall be presented to the DRC for review and approval at the time of Building Permit application for initial review of material specifications.	BP	Planning					
3	The project shall be presented to the DRC via an on-site mock-up panel or sample materials board and reviewed for color and texture palette during construction but prior to material installation.	Construction	Planning/ISD					



Attest, by the Planning Board:



Kevin Prior, Chairman



Joseph Favaloro


Dorothy A. Kelly Gay

Rebecca Lyn Cooper



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 _____

