



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: PB 2010-09
Date: May 25, 2010
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 79-83 Broadway

Applicant Name: Mudflat Studios

Applicant Address: 149 Broadway, Somerville MA 02145

Property Owner Name: same

Alderman: William Roche

Legal Notice: Applicant/Owner, Mudflat Studio, is seeking alterations of parking standards (SZO §9.17.2) for thirteen required parking spaces in order to internally extend the existing second floor for a by-right pottery school.

Zoning District/Ward: CCD 45 / 1

Zoning Approval Sought: Special Permit §5.1

Date of Application: March 23, 2010 – complete May 4, 2010

Dates of Public Hearings: Planning Board 6/3/10

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is approximately 10,261 sf lot on Broadway in East Somerville between Indiana and Pennsylvania Avenues. The parcel contains a large brick and masonry building which formerly housed a theater in a large portion of the building, a social club on the second floor, and a retail space on the first floor. The building currently only houses a Somerville Police substation in an office on the front, left portion of the building. The Police substation is a 24 hour operation and there are approximately 5 occupants per shift.



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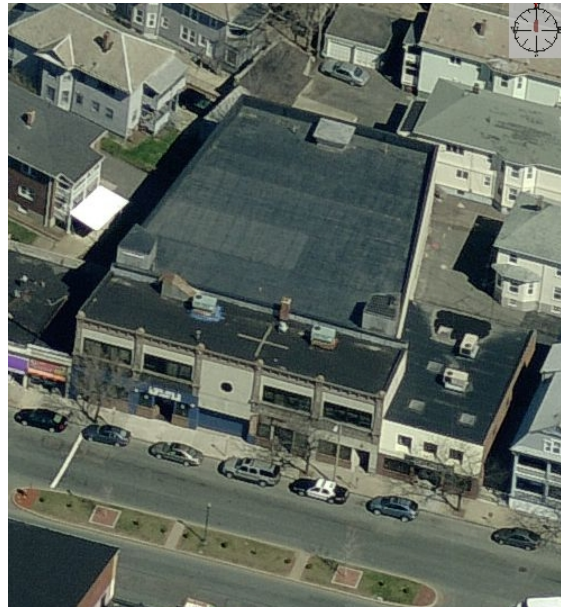
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2. Proposal: The Zoning Board of Appeals issued special permits and variances to the Applicants in 2002 for alterations to the structure, modification of parking requirements, and signage dimensions. The Applicants did not act on the permit due to financial reasons. The current proposal is very similar to the proposal that was approved in 2002.



79-83 Broadway: (top right) front façade, (bottom right) aerial view, (bottom left) rear façade



Subsequent to the legal notice for the May 6, 2010 hearing for the project, the applicant requested to bifurcate the application and only request approval for a Special Permit to alter the exterior of the structure and add signage at that time. This allowed for the Applicant to apply for a Building Permit and start interior and exterior renovations of the existing facility while the parking relief for the proposed additional floor area was finalized.

On May 6, 2010 the Planning Board approved a special permit for the site to alter the exterior of the structure and add signage under SZO §6.1.22.D.5.

The present application is to extend the second floor by 5,165 net square feet. The use of this space is for two classrooms and a lounge for the Mudflat Studios pottery school. The school is currently located at 149 Broadway and will be moving to this new location.

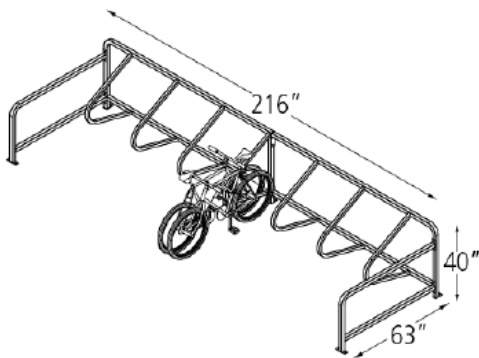
Mudflat receives deliveries of clay approximately once per month by local truck. Other deliveries are limited to UPS, FedEx or US Mail, typically 1- 3 times per week. The Applicants stated that the existing loading zone in front of the building is adequate for the expected deliveries.

The building occupies the entire site and there is no opportunity to add vehicular parking to the lot.

Mudflat Studio submitted a Transportation Demand Management plan that included the following measures to encourage multi-modal transportation:

- Offer reduced rate MBTA passes to employees at a subsidy of 50% of the cost of a Monthly Link Pass (unlimited subway and bus);
- Encourage students to car-pool whenever possible. Mudflat's administrative assistant will facilitate arrangements between students;
- Encourage artists to continue purchasing these passes and facilitate a group purchase annually. Ten authorized Mudflat studio artists currently purchase annual Artist Parking Passes from the City's Traffic and Parking Department, allowing artists to park on selected streets at designated times;
- Lease up to 5 off-site parking spaces, as available. The Applicants have been actively trying to lease parking spaces from nearby businesses that have spaces available during Mudflat's peak demand periods, which are during the evening and on weekends. The current locations that they have identified for potential off-street parking lots are the Boston Spine Clinic at the corner of Broadway and Pennsylvania, 114 Broadway, which is managed by Wellesley Real Estate, and Architectural Openings at 16 Garfield Street. If spaces are not available to lease when the school is ready for occupancy, a condition of the special permit will be that payment in lieu of parking will be required for the number of spaces that cannot be leased;
- Install one or two bike stanchions (for 2-4 bikes) within the exterior recessed area of the entryway. This satisfies the bicycle parking requirement;
- Purchase a 12-14 space bike corral for the City to install in the public right of way near the site.

Bike corrals are elongated bike racks that are placed in a parking space. One parking space allows for storage of 12-14 bicycles. This system is used in several cities such as Minneapolis, Boston, Ann Arbor and Portland, OR to significantly increase the number of bike racks. The Broadway streetscape plan allows for a space in front of Mudflat that would be between a sidewalk bumpout and a police car parking space. This is a safe location and convenient for patrons of the school. Employees and students of this art institution enjoy biking and the corral would provide a great amenity for them and the surrounding businesses.



3. Nature of Application: Since the zoning district for the property changed from Business A (BA) to Corridor Commercial District (CCD) the types of zoning permits required varies from the 2001 application.

Under SZO Section 9.17, thirteen parking space are required for the new floor area: $5,165 / 400 = 13$ (note: the parking memorandum stated that 14 parking spaces are required; however, after speaking with

the Applicant, the net and gross floor area figures were correctly stated and the parking requirement was adjusted.)

The uses in the building would be as follows:

Use	Use Cluster	SF		Parking Requirement
Mudflat Studios – 1 st & 2 nd floors	J. Protected Uses (nonprofit educational corporation)	7,520 existing 5,165 new 12,685 total	By-right	(5,165 nsf newly constructed sf) $5,165 / 400 = 13$
Artist Studios – 2 nd floor	G. Educational / Recreational / Institutional	2,200	By-right	None
Office – 1 st floor	A. Office	770	By-right	None
Retail – 1 st floor	B. Small Retail and Service	760	By-right	None

Several of the above clusters require no parking because in the Corridor Commercial District, pursuant to Section 9.4.1, for any change in use with no change in floor area, no additional parking or loading spaces shall be required for any permitted non-residential use within the floor area that lawfully existed before November 19, 2008.

For the 13 required spaces, the SZO allows these to be reduced by special permit through a Transportation Demand Management (TDM) Plan or through the Payment in Lieu of Parking (PILOP) program.¹

4. Surrounding Neighborhood: The neighborhood consists of a mix of uses including offices, retail, restaurants, and multi-family homes. Lower density residential uses are located immediately behind the subject property. Broadway is a major thoroughfare through the City, with MBTA bus lines and Sullivan Square Orange Line station servicing the area.

5. Impacts of Proposal: The Applicant's Traffic Engineer submitted data on the parking availability within a 600 foot radius (2.5-4 minute walk) around 79-83 Broadway. The details of the parking study and findings can be found in the attached parking memorandum. A summary of the results are:

- During the weekday afternoon there were 207 spaces or 51% of the parking supply available. Excluding resident permit parking spaces there were 43 parking spaces or 43% of the parking supply available.
- During the weekday evening there were 170 spaces or 42% of the parking supply available. Excluding resident permit parking spaces there were 40 parking spaces or 40% of the parking supply available.
- During Saturday afternoon there were 184 spaces or 46% of the parking supply available. Excluding resident permit parking spaces there were 40 parking spaces or 40% of the parking supply available.

¹ Planning staff will be presenting to the Planning Board on June 3, 2010 rates for parking spaces to be included in the PILOP program which will be adopted through the Board's Rules and Regulations.

The conclusion of the report is that the proposed project should have no noticeable impact on the area's parking supply.

The study also includes data on the transportation mode choice of students at Mudflat's current location at 149 Broadway. Thirty-five percent of the students do not drive to the art studio and this figure is only expected to increase in the new location which is closer to Sullivan Square. The data further supports the finding that the proposal will not have an adverse effect on the parking availability in the area.

6. Green Building Practices: The Applicants will use efficient lighting fixtures, occupancy sensors for lighting and a clerestory for additional daylight. The Applicants are also pursuing high efficiency air conditioning, condensing boilers, and a heat recovery system and possibly photovoltaic (PV) panels on the rooftop. The Applicants stated that they would submit elevations depicting the panels if that option is pursued. Providing for non-auto oriented modes of transportation to the site is another environmentally friendly initiative.

7. Comments:

Fire Prevention: Has been contacted but has not provided comments.

Ward Alderman: Alderman Roche is in favor of the application.

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."

The project complies with the standards for granting a special permit and the following standards of the Corridor Commercial District and parking regulations in this zone.

- The minimum parking requirements may be reduced by the SPGA for a development upon submission of a transportation demand management (TDM) plan demonstrating that such reduction will not have adverse community impacts.
- With approval of the SPGA, the applicant may make a cash payment in lieu of providing the required parking or a partial cash payment combined with other provisions of the ordinance.

Mudflat Studio provided a TDM plan that included several measures to encourage multi-modal transportation which is practical for this use that currently has one-third of its patrons taking public transportation, bicycling, or walking to the site. The following measures will encourage more people to use non-auto modes to access the site.

- Offer reduced rate MBTA passes to employees at a subsidy of 50% of the cost of a Monthly Link Pass (unlimited subway and bus)
- Purchase a 12-14 space bike corral for the City to install in the public right of way near the site

- Encourage students to car-pool whenever possible. Mudflat's administrative assistant will facilitate arrangements between students.
- Encourage artists to continue purchasing these passes and facilitate a group purchase annually. Ten authorized Mudflat studio artists currently purchase annual Artist Parking Passes from the City's Traffic and Parking Department, allowing artists to park on selected streets at designated times.

Furthermore, the applicant presented data indicating that there are available on-street parking spaces during peak usage times for the Mudflat uses.

While the CCD parking requirement is designed to require parking at urban standards where sites are well served by transit and biking facilities, there is reason for further parking reduction as allowed by special permit. In addition to the availability of spaces during peak hours, the TDM elements provide additional basis for parking relief. Staff find that the TDM elements above should allow for the reduction of parking requirements as follows:

- MBTA passes = reduction of 2 spaces, as the passes will encourage a portion of additional employees to use the T, rather than park near the site;
- Bike corral = reduction of 2 spaces, as some additional patrons may choose to bike to Mudflat due to the significant bike amenities available to the site (note that the 12-14 spaces proposed in the bike corral are beyond the SZO requirement);
- Art passes = reduction of 4 spaces, as this program reduces demand for off street parking by allowing on-street parking for legitimate users of the Mudflat building.

Therefore, the required number of parking spaces should be reduced to 5 spaces based on the TDM plan and the data submitted which shows availability of on-street parking during the peak demand of the pottery studio. Staff are requesting that the Applicants lease 5 off-site space or utilize the payment in lieu of parking for 5 spaces if no spaces are available for lease. If less than 5 spaces are leased, payment in lieu of parking shall be utilized for the remaining spaces.

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 conserving the value of land and buildings and encouraging the most appropriate use of land throughout the City. The proposal is also consistent with the purpose of the district, which includes, but is not limited to providing an active mix of uses that are accessible by multiple modes of transportation, discouraging significant trip-generating uses and promoting pedestrian and bicycle 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 characteristics of the built and unbuilt surrounding area, including land uses."

The building is compatible with the built surrounding area and land uses. There are several pedestrian oriented uses along Broadway in East Somerville including retail, restaurants, and offices. The pottery school will add to this use mix and renovate the building to improve the pedestrian experience. The TDM plan and potential payment in lieu of parking will address transportation to the site in an area that is pedestrian oriented and where many sites lack on-site parking.

5. 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 find that the transportation and on-street parking data supplied by the Applicants, along with the TDM plan and potential payment in lieu of parking, result in a situation where the parking requirements for the additional floor area within the building will not result in conditions that create traffic congestion or traffic accidents on the site or in the surrounding area.

III. RECOMMENDATION

Special Permit under §5.1

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

#	Condition	Timeframe for Compliance	Verified (initial)	Notes									
1	Approval is to extend the second floor of the by-right nonprofit pottery school by 5,165nsf and for a reduction in 8 spaces through the TDM plan and 5 spaces through off-site parking or the PILOP program. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	Plng.										
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>March 23, 2010</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>March 23, 2010</td><td>Modified plans submitted to OSPCD (2nd floor plan (SP003))</td></tr><tr><td>May 3, 2010</td><td>Traffic and parking memo</td></tr></table>				Date (Stamp Date)	Submission	March 23, 2010	Initial application submitted to the City Clerk’s Office	March 23, 2010	Modified plans submitted to OSPCD (2 nd floor plan (SP003))	May 3, 2010	Traffic and parking memo	
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Any changes to the approved plans that are not <i>de minimis</i> must receive SPGA approval.													
2	The Applicant or Owner shall meet the Fire Prevention Bureau’s requirements.	CO	FP										
3	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										

4	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	
5	The Applicant shall offer reduced rate MBTA passes to employees at 50% of the cost of a Monthly Link Pass or similar pass that covers subway & bus.	Cont.	Plng.	
6	The Applicant shall purchase and cover the shipping and installation costs for a 12-14 space bike corral for the City to install in the public right of way near the site.	CO	Plng./ OSPCD	
7	The Applicant shall encourage artists to continue purchasing artists parking passes and facilitate a group purchase annually.	Cont.	Plng./ T&P	
8	The Applicant shall encourage students to car-pool whenever possible. Mudflat's administrative assistant shall facilitate arrangements between students.	Cont.	Plng./ T&P	
9	The Applicant shall lease 5 off-site parking spaces. The lease agreement must be approved by the Planning and Traffic and Parking Staff. If 5 spaces are not available to lease when the school is ready for occupancy, payment in lieu of parking will be required for the number of spaces that cannot be leased. The payment in lieu of parking will be required for any or all spaces that are not covered in a lease. Payments may be made over a three year period as required by SZO section 6.1.22.G.7.	CO	Plng./ T&P	
10	If the lease for off-site parking spaces terminates, the Applicant must find another site to provide off-site parking to be approved by Planning Staff or the Applicant shall, at that time, begin the three years of payments to the payment in lieu of parking fee account equivalent to the cost of the lost spaces at the 2010 rate adopted by the Planning Board.	Cont.	Plng.	
11	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.	

