



CITY OF SOMERVILLE, MASSACHUSETTS  
STRATEGIC PLANNING AND COMMUNITY DEVELOPMENT  
JOSEPH A. CURTATONE, MAYOR

**STAFF**

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**Case #:** ZBA 2007-63-R0808  
**Date:** September 11, 2008  
**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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<b>Site:</b>	70 & 100 Inner Belt Road
<b>Applicant Name:</b>	Jim White/MDI Access
<b>Applicant Address:</b>	5627 W. 120 <sup>th</sup> St. Alsip, IL 60803
<b>Property Owner Name:</b>	CRG West
<b>Property Owner Address:</b>	One Wilshire, 624 S. Grand Ave #110, Los Angeles, CA 90017
<b>Agent Name:</b>	David Hopper/Cubellis
<b>Agent Address:</b>	281 Summer St., 5 <sup>th</sup> Floor, Boston, MA 02210
<b>Alderman:</b>	Roche

Legal Notice: Applicant and Owner seek revisions to an earlier SPSR (ZBA2007-63) in order to expand the current data-storage facility (with accessory office space) by approximately 141,000 s.f., and to modify the site plan by reducing parking spaces, adding and modifying landscaping, screening existing generators, installing and screening new generators, and altering signage and the façade. The Applicant seeks with this application to update and replace all prior conditions from previous special permits.

Zoning District/Ward: IA / 1

Zoning Approval Sought: Revision to Special Permits ZBA 2007-63 for SZO §7.11.15.1.c

Date of Application: August 7, 2008

Date(s) of Public Hearing: ZBA: September 17, 2008

Date of Decision: N/A

Vote: N/A

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**I. PROJECT DESCRIPTION**

1. Subject Property: The site is located in southeastern Somerville in the “Inner Belt” industrial district. The subject property has an area of 321,424± square feet and is zoned Industrial A (IA). There is

an existing two-story, 40' high masonry building containing 279,522 gross square feet<sup>1</sup>. The footprint of the building is approximately 134,998 square feet. Originally built as warehouse space, in 1999 the ZBA granted an SPSR to allow 119,000 square feet of the site to be used for light industrial and office use and to provide 92 additional parking spaces. The site is landscaped with grass and a variety of understory trees in accordance with the 1999 SPSR approved plan.

In December 2007, the Applicant received a special permit with site plan review (SPSR) under SZO §7.11.15.1.c for the expansion of an existing 22,667 s.f. Co-Location Data Center use within the second floor for a total of 61,436 s.f. In March 2008, the applicant received administrative approval for an additional 3,793 square feet for electrical/mechanical space within the existing first floor as part of the data facility, bringing the existing facility to a total of 65,229 s.f. The new application establishes that there was a separate pre-existing tenant space dedicated to the same data collocation use, containing 75,597 s.f., prior to the 2007 SPSR.



*Existing Structure viewed from Inner Belt Road*

2. Proposal: The Applicant now proposes to add 141,252 additional square feet of this use (including support areas such as offices and conference rooms within the mezzanine). With the new tenant fit-out, the entire building area would be permitted for the use of data collocation facility. There are expected to be ten employees at the site. To support the expansion of the existing use, nine large pieces of additional machinery, including HVAC equipment, generators, and fuel storage, would be required at the south side of the structure (replacing eight loading docks), located next to existing generators and permanent utility trailers.

Revisions to the site plan include replacement of 29 excess parking spaces with landscaping, slight reconfiguration of angled parking and the northerly entrance and exit, and the addition of gates at the northern and southern access and egress areas. Significantly, in addition to proposing louvered screening for the proposed new exterior air handling and generator equipment, the revised site plan illustrates similar, lower screening for the existing exterior support equipment (replacing existing chain link fencing and barbed wire). Bollards are illustrated between the parking lot and the western wall. Existing air

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<sup>1</sup> This includes a mezzanine level between the first and floors, containing approximately 10,000 s.f. This area was not included in the property description in the 2007 SPSR, which described the structure as containing 269,098 square feet.

conditioning units and bicycle parking are shown reconfigured along this wall. On the northern edge (along Third Avenue), additional switch gear and manholes are illustrated, together with fence and vegetative screening.

Revisions to the elevations remove seven loading docks and a trash compactor currently located at the main (western) entrance; remove references to certain small windows on the western elevation (which were apparently never installed); replace a geometric mural pattern (apparently never executed) with a muted paint scheme; enhance the entrance with added landscaping and a patio area; replace a geometric portico with a larger, simpler gateway element at the main door; and replace geometric signage with stone monument signage. Several new trees are proposed within the parking lot and along the western wall, which will soften and screen much of this windowless wall.

The Applicant has stated that certain details of the landscaping and site plans are subject to change modestly. *De minimis* changes to the building and site will be subject to Planning Staff review and approval; and it is further recommended that Planning Staff review and approval be required for subsequent additional signage.

3. Nature of Application: The Applicant seeks to renovate the building in order to convert its remaining area into data collocation center use. In addition, the Applicant proposes with this application to replace all earlier conditions related to the site plan and the building design. There are a number of conditions associated with earlier permits at this site for different uses, which were originally imposed in the 1999 SPSR (ZBA1999-17) and were echoed in the December 2007 permit (ZBA2007-63); with approval of the attached site plans, floor plans, and elevations, these earlier conditions would be largely obsolete.

3. Landscaping and Parking: The site is landscaped with grass and a variety of understory trees in accordance with the 1999 SPSR approved plan. The change in use will require far less parking than is currently provided on the site, and as described above the applicant is proposing significant new landscaping where previously there were excess parking and loading spaces. Extensive landscaping and trees are proposed along the western wall of the building, as well as within a redesigned entry plaza and within the parking lot itself. Parking spaces would be relocated and replaced by landscaping immediately adjoining the building, while required handicapped spaces would be relocated closer to the primary entrance. New paths, sidewalks and ramps would be introduced to connect handicapped parking spaces to this entry. A new landscaped island at the northerly entrance would direct the one-way traffic flow, correcting an existing problem at the site.

The Applicant expects the landscaping portion of this plan to develop further beyond this approval; additional trees along the Third Avenue frontage are encouraged.

3. Surrounding Neighborhood: The Inner Belt area is an Industrial-A district generally bounded by McGrath Highway to the west, rail yards and railroad tracks to the south and east, and New Washington Street to the north. The surrounding properties feature a mix of light industrial uses. The property at neighboring 50 Inner Belt recently received SPSR approval for the same use as is proposed for this site, and is currently undergoing exterior and site renovations.

3. Linkage: Under SZO §15.2 applicants seeking special permits with site plan review for certain projects of new construction or substantial rehabilitation with a total of 30,000 G.S.F. or more must contribute a Project Mitigation Contribution to the Somerville Housing Trust Fund.

As described, the proposed tenant fit-out may not constitute “substantial rehabilitation” as defined by the Ordinance. However, should the final project meet that definition, the PMC (or initial payment thereof) will be required prior to issuance of a Certificate of Occupancy. This payment may apply to previously permitted area if it underwent substantial rehabilitation yet was below the 30,000 g.s.f. threshold.

## **II. FINDINGS FOR REVISION TO SPECIAL PERMIT ZBA 2007-63 (SZO §7.11.15.1.c)**

In order to grant a special permit with site plan review, the SPGA must make certain findings and determinations as outlined in §5.2.5 of the SZO. This section of the report goes through §5.2.5 in detail.

1. Information Supplied: The Applicant must comply "with the information requirements in Section §5.2.3;" The information provided by the Applicant allows for a comprehensive review of the proposed development and is in general compliance with the requirements set forth under §5.2.3 of the SZO.
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 with site plan review." The Applicant complies with these standards.
3. Purpose of the District: The Applicant has to ensure that the project "is consistent with the intent of the specific zoning district as specified in Article 6;" The project site is located within an industrial A (IA) zoning district. The IA zoning district seeks: “To establish and preserve areas for industrial and related uses which are not incompatible with commercial uses; uses which are most appropriately located as neighbors of industrial use including living and studio space for artists; and uses which are necessary to service the immediate needs of industrial establishments in those areas, and accessory uses to industrial uses such as day care centers, cafeterias, health facilities, and the like.”

The project is consistent with the purpose of the IA zoning district. This data facility is a light industrial use that would benefit and be compatible with the commercial uses in the area without creating any additional impacts.

4. Site and Area Compatibility: The Applicant has to ensure that the project "Is designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area, and that the scale, massing and detailing of buildings are compatible with those prevalent in the surrounding area.” The changes to the site plan and building exterior will dramatically improve the appearance of the site.
5. Consistency with Purposes of the Ordinance: The proposal is “consistent with: 1) the purposes of this Ordinance, particularly those set forth in Article 1”, including “to conserve the value of land and buildings”.
6. Functional Design: The project must meet “accepted standards and criteria for the functional design of facilities, structures, and site construction.”

Most functional areas of the site will not change. The parking area will be revised, and its functioning expected to improve, with the addition of the new traffic island. Screening of the generators will mitigate noise impacts.

6. Impact on Public Systems: The project will “not create adverse impacts on the public services and facilities serving the development, such as the sanitary sewer system, the storm drainage system, the public water supply, the recreational system, the street system for vehicular traffic, and the sidewalks and footpaths for pedestrian traffic.”

The Applicant stated that data center buildings have 75% lower occupancy than traditional office or industrial buildings. This would lower the use of water, sewer, and in general all city services. The proposal would not create adverse impacts on the streets and sidewalks with the proposed 10 employees and approximately 10 customer trips per day.

7. 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 applicant is responsible for obtaining all relevant safety and environmental permits related to the use, particularly related to the fuel tank storage and air quality monitoring. The proposal does include ten emergency diesel generators (five double-stacked) in addition to the four currently existing on the site. The Applicant has submitted an Air Quality Modeling Analysis on these generators to demonstrate compliance with the National Ambient Air Quality Standards. The model assumes greater usage of the generators than is actually planned or anticipated (they are for emergency use, with testing and maintenance planned for only one hour per week); the report states that “in no event...will the engines operate more than 300 hours per year”. The finding of the report is that “the impacts associated with the existing and proposed emergency generators in combination with other sources in the area will not cause a violation of the NAAQS”.

With the exception of the air quality monitoring that is required due to the generators, the use is low-impact and not anticipated to have adverse environmental impacts. The minimal vehicle traffic to and from the site is a notable benefit of the proposed use.

8. Consistency with Purposes: “Is consistent with: 1) the purposes of this Ordinance, particularly those set forth in Article 1 and Article 5; and 2) the purposes, provisions, and specific objectives applicable to the requested special permit with site plan review which may be set forth elsewhere in this Ordinance, such as, but not limited to, those at the beginning of the various sections.”

As the required findings of Article 5 have been made, and the proposal satisfies the purposes of Article 1, including “to provide for and maintain the uniquely integrated structure of uses in the City” and “to conserve the value of land and buildings” and of Article 6, as already described, the proposal is consistent with the purposes of the SZO.

9. Preservation of Landform and Open Space: The Applicant has to ensure that “the existing land form is preserved in its natural state, insofar as practicable, by minimizing grading and the erosion or stripping of steep slopes, and by maintaining man-made features that enhance the land form, such as stone walls, with minimal alteration or disruption. In addition, all open spaces should be designed and planted to enhance the attractiveness of the neighborhood. Whenever possible, the development parcel should be laid out so that some of the landscaped areas are visible to the neighborhood.”

No changes are proposed to the landform. The replacement of several parking and loading spaces with landscaping will improve the quality and quantity of open space.

10. Relation of Buildings to Environment: The Applicant must ensure that “buildings are: 1) located harmoniously with the land form, vegetation and other natural features of the site; 2) compatible in scale, design and use with those buildings and designs which are visually related to the development site; 3) effectively located for solar and wind orientation for energy conservation; and 4) advantageously located for views from the building while minimizing the intrusion on views from other buildings.”

The surrounding area contains a mixture of aging buildings and new or revitalized buildings, together with a mix of industrial, warehouse and office uses. The proposed changes to the site and building design will enhance the building’s appearance and increase the compatibility of this industrial use with its office neighbors.

11. Stormwater Drainage: The Applicant must demonstrate that “special attention has been given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Storm water shall be removed from all roofs, canopies, and powered area, and routed through a well-engineered system designed with appropriate storm water management techniques. Skimming devices, oil, and grease traps, and similar facilities at the collection or discharge points for paved surface runoff should be used, to retain oils, greases, and particles. Surface water on all paved areas shall be collected and/or routed so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved area. In larger developments, where practical, the routing of runoff through sheet flow, swales or other means increasing filtration and percolation is strongly encouraged, as is use of retention or detention ponds. In instances of below grade parking (such as garages) or low lying areas prone to flooding, installation of pumps or other devices to prevent backflow through drains or catch basins may be required.”

No changes are proposed to the existing facilities. Additional landscaping will contribute to the reduction of stormwater runoff.

12. Historic or Architectural Significance: The project must be designed “with respect to Somerville’s heritage, any action detrimental to historic structures and their architectural elements shall be discouraged insofar as is practicable, whether those structures exist on the development parcel or on adjacent properties. If there is any removal, substantial alteration or other action detrimental to buildings of historic or architectural significance, these should be minimized and new uses or the erection of new buildings should be compatible with the buildings or places of historic or architectural significance on the development parcel or on adjacent properties.”

This finding is not applicable.

13. Enhancement of Appearance: The Applicant must demonstrate that “the natural character and appearance of the City is enhanced. Awareness of the existence of a development, particularly a non residential development or a higher density residential development, should be minimized by screening views of the development from nearby streets, residential neighborhoods of City property by the effective use of existing land forms, or alteration thereto, such as berms, and by existing vegetation or supplemental planting.”

As previously noted, the proposed changes will enhance the appearance of the building and site.

14. Lighting: With respect to lighting, the Applicant must ensure that “all exterior spaces and interior public and semi-public spaces shall be adequately lit and designed as much as possible to allow for surveillance by neighbors and passersby.”

No changes are proposed to the lighting plan, but recommended conditions of approval would restrict light trespass and glare.

15. Emergency Access: The Applicant must ensure that “there is easy access to buildings, and the grounds adjoining them, for operations by fire, police, medical and other emergency personnel and equipment.”

The revised site plan illustrates swing gates at the entrances and exits of the site. If these are included in the final design, these facilities will require approval by the Planning Staff as well as the Fire Prevention Bureau.

16. Location of Access: The Applicant must ensure that “the location of intersections of access drives with the City arterial or collector streets minimizes traffic congestion.”

The proposal meets all requirements of the zoning regarding parking and driveway dimensions. Traffic will enter and exit from 30' wide driveway and curb cuts on Inner Belt Road and Third Avenue. The proposal uses the existing curb cuts.

17. Utility Service: The Applicant must ensure that “electric, telephone, cable TV and other such lines and equipment are placed underground from the source or connection, or are effectively screened from public view.”

Additional electrical easements and manholes are shown on the revised site plan.

18. Prevention of Adverse Impacts: The Applicant must demonstrate that “provisions have been made to prevent or minimize any detrimental effect on adjoining premises, and the general neighborhood, including, (1) minimizing any adverse impact from new hard surface ground cover, or machinery which emits heat, vapor, light or fumes; and (2) preventing adverse impacts to light, air and noise, wind and temperature levels in the immediate vicinity of the proposed development;”

No negative impacts are anticipated as a result of the proposed use and rehabilitation of the site and structure.

19. Signage: The Applicant must ensure that “the size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall reflect the scale and character of the proposed buildings.

The revised signage proposal is simpler than the existing or previously permitted sign plan. It is recommended that additional signage beyond that shown on this plan be subject to Planning Staff review and approval.

20. Screening of Service Facilities: The Applicant must ensure that “exposed transformers and other machinery, storage, service and truck loading areas, dumpsters, utility buildings, and similar structures shall be effectively screened by plantings or other screening methods so that they are not directly visible from either the proposed development or the surrounding properties.”

Screening is proposed for new and existing support equipment, to shield views from Third Avenue and Inner Belt Road.

### III. RECOMMENDATION

#### Special Permit under §7.11.15.1.c

Based on the above, Staff finds that this application complies with the requirements for granting a special permit with site plan review as set forth under §5.2.5, and recommends **CONDITIONAL APPROVAL** of the requested **REVISION TO THE SPECIAL PERMIT with SITE PLAN REVIEW**.

Although the Planning Staff is recommending approval of the requested revisions, the following conditions should be added to the permits:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	This approval is for the occupancy of a 279,522 square foot structure as a data facility (with support offices) as shown in the following materials submitted by the Applicant:	BP/CO	ISD/PIng.							
	<table><tr><th>Plan Date</th><th>Submission</th></tr><tr><td>08/04/2008</td><td>Description of proposal, Sheet A2, renderings of “proposed site design” and “proposed site/floor plan”</td></tr><tr><td>09/09/2008</td><td>Revised sheets 1, 2, 3, A1, east elevation perspective</td></tr></table>				Plan Date	Submission	08/04/2008	Description of proposal, Sheet A2, renderings of “proposed site design” and “proposed site/floor plan”	09/09/2008	Revised sheets 1, 2, 3, A1, east elevation perspective
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	09/09/2008				Revised sheets 1, 2, 3, A1, east elevation perspective					
The conditions of this approval shall supersede any conditions attached to prior zoning approvals. Any changes to the presently approved use or site plan that are not <i>de minimis</i> or specifically delegated to staff review below must receive ZBA approval.										
2	Prior to the issuance of the CO, all of the building’s devices shall be tied to the new fire alarm panel, and the old panel will have to be removed.	CO	FP							
3	Should the final project be deemed “substantial rehabilitation”, the PMC (or initial payment thereof) will be required prior to issuance of a Certificate of	CO	ISD/Housing							

#	Condition	Timeframe for Compliance	Verified (initial)	Notes
	Occupancy. This payment may apply to previously permitted area if it underwent substantial rehabilitation yet was below the 30,000 g.s.f. threshold.			
4	If swing gates at the entrances and exits of the site are included in the final design, these facilities will require approval by the Planning Staff as well as the Fire Prevention Bureau.	BP	PLNG/ FP	
5	<i>De minimis</i> changes to the building and site will be subject to Planning Staff review and approval; and it is further recommended that Planning Staff review and approval be required for subsequent additional signage.	BP/CO/ Perpetual	PLNG	
6	Planning Staff approval will be required for the final landscaping plan and plant list; additional trees along the Third Avenue frontage are encouraged.	CO	PLNG	
7	Lighting design shall limit light trespass, sky-lighting, and glare from the site.	BP/CO/ Perpetual	ISD/ PLNG	
8	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final sign-off on the building permit to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	CO	PLNG.	