



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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AMIE HAYES, *PLANNER*
DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

Case #: ZBA 2012-85
Date: November 1, 2012
Recommendation: Approval

PLANNING STAFF REPORT

Site: 24-28 Dane Street

Applicant Name: James Ward, Attorney for Demoulas Supermarkets, Inc.
Applicant Address: 875 East Street, Tewksbury, MA 01876
Property Owner Name: JWF, LLC
Property Owner Address: 21 Properzi Way, Unit A, Somerville, MA
Agent Name: none
Alderman: Maryann Heuston

Legal Notice: Applicant, James Ward, and Owner, JWF, LLC, seek a special permit for shared parking under SZO §9.13.e between Demoulas Supermarket and the Ames Business Park property for 7 parking spaces.

Zoning District/Ward: IA / 2

Zoning Approval Sought: Special Permit §9.13.e

Date of Application: Oct 9, 2012

Dates of Public Hearing: Zoning Board of Appeals November 7, 2012

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a parking lot with 96 parking spaces that serves the Ames Business Park property (Ames). The entrance to the parking lot is off of Dane Street just north of the bridge over the railroad tracks. The parking lot is located on the roof of the building at 28 Dane Street that is currently occupied by Winebow.

Other parking for the Ames Complex is located in a 45 space parking lot at the corner of Tyler and Dane Streets and at-grade spaces (with some nonconforming dimensions) for a total of 187 parking spaces. A



parking study conducted by Design Consultants, Inc. in March and May of 2012 determined that there are a sufficient number of parking spaces onsite to satisfy the Zoning Ordinance when the day or night demand of the tenant of the Ames complex is considered.

2. Proposal: The Demoulas Supermarket at 420 Somerville Ave and the RILO, LLC property at 438 Somerville Ave share a common need to manage parking effectively. The proposal is to establish shared parking for 7 parking spaces in Ames' 28 Dane Street parking lot. This arrangement is to carry out the settlement of Land Court Misc. Case No. 10 MISC 433359 between the Demoulas Supermarket, the City of Somerville and RILO. The spaces would be shared by employees of Demoulas, who would use the spaces from 5-8pm on weekdays and all day on weekends, and Ames' tenants, who would use the spaces during business hours. The parking agreement is for two years and Ames may terminate the agreement if the spaces become necessary for their tenants' use.

3. Nature of Application: Section 9.13.e of the Somerville Zoning Ordinance allows for shared parking by special permit where two or more uses provide parking in a common parking facility, the number of parking spaces ordinarily required may be reduced below the sum of the spaces required for the separate uses if it can be determined that the hours, days or peak parking demand for the uses are so different that a lower total will provide adequately for all uses served by the parking facility and that the location of the parking facility in relation to the uses proposed to be served by it is appropriate.

4. Surrounding Neighborhood: The parking lot is surrounded by the Ames Complex and the railroad tracks. The Ames Complex includes manufacturing, office, recreational, and warehouse uses. There is a residential neighborhood to the south of the railroad tracks.

5. Impacts of Proposal: There are no anticipated negative impacts from the shared parking arrangement. The parking study indicates that the current and permitted uses in Ames do not utilize all of the parking spaces in the complex at the same time. This arrangement will allow for a more efficient utilization of the existing parking lot. Also, if Ames' tenants require more parking in the future, the lease can be terminated.

6. Green Building Practices: The shared parking situation will slightly reduce vehicle emissions as there will be more available parking spaces for customers reducing the need to idle while waiting for a parking space to open up.

7. Comments:

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

Traffic & Parking: Has been contacted but has not yet provided comments.

II. FINDINGS FOR SPECIAL PERMIT (SZO §5.1.4 & 9.13.e):

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 Applicants have submitted a parking study that shows that the combination of land uses with varying peak parking demand hours allows for sufficient parking and the ability to share the spaces to use the lot more efficiently. As part of the study the two lots used by Ames tenants were surveyed at various times of the day and between 100 and 120 of the 141 parking spaces are available from 9am to 9pm on weekdays and between 120 and 130 were available from 11am to 3pm on weekends. The study also points out that if there were any overflow at the busiest times of operation for the businesses, there is available on-street parking. Since the study was conducted the Zoning Board approved a special permit for a gym to occupy a portion of the Ames Complex. The gym has not yet opened; however, considering the business' projected peak demand of 60 spaces during evening hours from 5pm to 9pm and weekends from 11am to 3pm, there would still be an excess of 53 spaces during the weekday evenings and 65 spaces during the afternoon on weekends. There would be a sufficient number of spaces to allow for 7 Demoulas employees to park in the lot without negatively impacting the availability of parking for the other businesses using the lots.

Here is the list of current tenants and their corresponding parking requirements from the May 10, 2012 Parking Memorandum from Design Consultants, Inc. with the addition of the approved shared parking for Petra, rock climbing gym, and for the current application for 7 shared parking spaces with Demoulas.

Occupied Space:							
Building #	Address	Tenants	Use	SF by Use	Parking Requirement	Spaces Required by Use	
						Day Use	Night Use
1, 3	17-19 Properzi Way	Lucchetti	General	17,947	1 per 1500 sf	12	
		Kennedy					
		Hemlock					
2	21 Properzi Way	TAW Suites	Office	4,262	1 per 1000 sf	4	
5, 6	12 Park	Sage	Manufacturing	22,889	1 per 1500 sf	16	
		Ground Works					
		First Act					
		Loki					
		Harvard Book					
7	29 Properzi Way	Rojas, TAW's	Office	6,772	1 per 1000 sf	7	
8	28 Park St	Genzyme	Warehouse	20,479	1 per 1500 sf	15	
			Mezz office	2,298			
9	28 Park / 12A Tyler	Petra	Recreation	30,480	1 per 500 sf		61 (77 by gsf) - 54 shared = 23
9A	40 Park 2nd fl	Fill Maio	Gym	3,000	2 per 500 sf	6	
9B	40 Park 3rd fl	TAW	Office	6,000	1 per 1000 sf	6	
10	10 Tyler	Artists' Asylum	Manufacturing	30,927	1 per 1500 sf		29
		MIT	Warehouse	12,377			
11	30 Dane	Winebow	Sales office	10,836	1 per 1500 sf	36	
			Warehouse	43,460			

14	24 Dane St	Performer Mag	Office	3,300	1 per 1000 sf	5	
		Alastair	General	2,000			
				217,027	Current Required Spaces	107	52
Shared Space:							
Building #	Address	Tenants	Use	SF by Use	Parking Requirement	Spaces Required by Use	
						Day Use	Night Use
offsite	With Demoulas				none		7
9	28 Park / 12A Tyler	Petra	Recreation		1 per 500 sf		54
Unoccupied Space							
Building #	Address	Tenants	Use	SF by Use	Parking Requirement	Spaces Required by Use	
						Day Use	Night Use
8A	30 Park St	TBD	Warehouse	5,509	1 per 1500 sf	4	
9	40 Park 1st floor	TBD	Warehouse	8,800	2 per 1500 sf	6	
9A	40 Park 2nd floor	TBD	General	6,000	3 per 1500 sf	6	
12	28 Dane St	TBD	General	33,738	4 per 1500 sf	23	
13	12 Tyler St	TBD	Warehouse	8,925	5 per 1500 sf	6	
			Office	13,931	6 per 1500 sf	14	
				76,903	Future Required Spaces	59	
CAMPUS TOTAL				293,930	TOTAL	166	52
					TOTAL SHARED		61

In considering a special permit under §9.13 of the SZO the Applicant must be able to demonstrate that granting the requested special permit would not cause detriment to the surrounding neighborhood through any of the criteria as set forth under SZO §9.13, which are as follows:

- 1) increase in traffic volumes;
- 2) increased traffic congestion or queuing of vehicles;
- 3) change in the type(s) of traffic;
- 4) change in traffic patterns and access to the site;
- 5) reduction in on-street parking;
- 6) unsafe conflict of motor vehicle and pedestrian traffic.

The proposal will decrease queuing of vehicles because if the employees park in the offsite lot, there will be more spaces available for customers in the grocery store lot. It will not change traffic volumes, types of traffic or traffic patterns and will not reduce the on-street parking or cause unsafe conflict between motor vehicles and pedestrians. The lot is located 700 feet from the entrance to the Demoulas Supermarket at 420 Somerville Ave and employees can easily navigate this distance by walking along Dane Street and the alley from Dane Street that leads directly to the store entrance.

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 lessening congestion in the streets and encouraging the most appropriate use of land throughout the City.

The proposal is consistent with the purpose of the Industrial A district, by allowing the parking lot to be used efficiently and serve industrial and commercial establishments surrounding it.

In considering a special permit under §9.13 of the SZO the SPGA may grant such a special permit only when consistent with the purposes set forth in Section 9.1. The proposal is consistent with the purpose of this section because it promotes traffic safety by assuring adequate places for storing of motor vehicles off the street, and for their orderly access and egress to and from the public street.

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 shared parking arrangement will allow for more parking availability for the supermarket without having to find land to build more parking or constructing a parking garage in the neighborhood.

III. RECOMMENDATION

Special Permit under §5.1.4 & 9.13.e

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **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.

Approval is to allow for shared parking for 7 spaces in the Ames parking lot at 28 Dane Street from 5-8pm on weekdays and all day on weekends. This approval is based upon the following application materials and the plans submitted by the Applicant:

Date (Stamp Date)	Submission
Oct 9, 2012	Initial application submitted to the City Clerk's Office
Jan 18, 1990	Plans submitted to OSPCD (The Ames Safety Envelope Co. Parking layout)
Apr 17, 1990	Plans submitted to OSPCD (Plot Plan)
Sept 22, 1993	Plans submitted to OSPCD (Existing Conditions Demoulas)

Any changes to the approved plan that are not *de minimis* must receive SPGA approval.

