



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** ZBA 2011-73  
**Date:** October 13, 2011  
**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 373 Highland Ave

**Applicant Name:** Zipcar, Inc.  
**Applicant Address:** 18 Tremont St, Suite 605, Boston, MA 02108  
**Property Owner Name:** Highland Commons Realty Trust  
**Property Owner Address:** P.O. Box 281, Somerville, MA 02143  
**Agent Name:** Richard G. DiGirolamo  
**Agent Address:** 424 Broadway, Somerville MA 02145  
**Alderman:** Rebekah Gewirtz

Legal Notice: Applicant, Zipcar, Inc. and Owner, Highland Commons Realty Trust, seek a Special Permit in order to establish a total of 7 parking spaces for car-sharing or flex-car spaces (SZO §7.11.11.14.b). The number of parking spaces will not be reduced below the required number for the residential use on the site with the allowed reduction in spaces for proximity to rapid transit (§9.6.3).

Zoning District/Ward: CBD /6  
Zoning Approval Sought: Special Permit under SZO §7.11.11.14.b  
Date of Application: Sept 19, 2011  
Dates of Public Hearing: Zoning Board of Appeals Oct 19, 2011

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property contains a two- and three-story residential building which is located along the Community Path. The site received a Special Permit (case # 1996-40) in 1996 to convert an existing structure to the current use including adding one story to the building. There are 52 indoor parking spaces and 38 outdoor parking spaces for a total of 90 spaces. 31 of the spaces are located in a parking lot on the southeast side of the building, which is accessible via West Street. West Street is a 30 foot wide street off of Highland Avenue. Zipcar rents 3 spaces in this lot which is



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allowed by-right in a CBD district (§7.11.11.14.a). There are currently 14 spaces at the site that are not utilized, which includes the three spaces presently being leased to Zipcar.

2. Proposal: The proposal is to increase the number of car-share parking spaces on the site from 3 to a total of 7. The car-share spaces currently occupy space numbers 1, 2, 3 on the site plan, which are at grade. The 7 car-share spaces will occupy space numbers 1, 2, 3, 4, 5, 6 and 7, which are all at grade and adjacent to each other.

3. Nature of Application: The Applicant is applying for a special permit to establish a total of 7 parking spaces for car-sharing or flex-car spaces (SZO §7.11.11.14.b). Section 9.3 allows for off-street parking spaces to be converted from their current use to car-sharing spaces. The number of required parking spaces for the 53 residential units on the site would continue to be met.

There are 53 residential units in the building. 41 are 2-bedroom units, 9 are 1-bedroom units and 3 are 3-bedroom units. One and two bedroom units require 1.5 parking spaces and 3 bedroom units require 2 parking spaces. Also, one visitor space is required for every 6 units. The resulting requirement for this site is 89. Section 9.6.3 allows for a 20% reduction in the number of parking spaces for uses within 1,000 feet of rapid transit. This site is approximately 950 feet from the Davis Square Red Line Station via the community path. The resulting requirement is 71 parking spaces for the residential building, leaving 19 spaces as non-required parking spaces. Therefore, the seven requested car-sharing spaces would not utilize required parking spaces for the residences.



*Proposed location of Car-Share Spaces*

4. Surrounding Neighborhood: The property abuts Open Space and a Neighborhood Business, and several different types of uses including a gas station, an office building, the Community Path, and residential structures.

5. Impacts of Proposal: There are no negative impacts of providing seven car-share spaces at the site. There are 14 spaces that are not used by residents and the parking requirements of the zoning ordinance will continue to be met. The positive impact is that Zipcar estimates are that for every active Zipcar there are 15-20 fewer individually owned cars on the road.

6. Green Building Practices: Car-sharing has been shown to reduce car ownership and therefore reduces the number of vehicles that are stored and driven in the City.

7. Comments:

*Ward Alderman:* Alderman Gewirtz informed staff that she supports new Zipcar locations in Ward 6 and she is in support of this application.

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

## **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 application complies with the standards for issuing a special permit. Section 9.3 allows for off-street parking spaces to be converted from their current use to car-sharing spaces. Section 9.6.3 allows for a 20% reduction in the number of parking spaces for uses within 1,000 feet of rapid transit. This site is approximately 950 feet from the Davis Square Red Line Station via the Community Path. The resulting requirement is 71 parking spaces for the residential building, leaving 19 spaces as non-required parking spaces. The utilization data of spaces on the site shows that there are 14 parking spaces are not currently used by residents. Therefore, the seven requested car-sharing spaces would not utilize required or currently utilized parking spaces for the residences.

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 facilitating the adequate provision of transportation. The car-share spaces are also compatible with the purpose of the Central Business district where many different users will have access to the vehicles, which will provide more transportation options to businesses and residents.

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 spaces are set back from Highland Avenue and are located behind a gas station's parking area. They will be visible from Highland Avenue and the Community Path but will not abut either right of way. Car-share spaces are a compatible use in a Central Business District where many types of users will be able to access the cars in a location where parking can be in high demand in certain situations. Staff find that the car-share spaces would have minimal affects on the physical character of the area and the spaces hold the potential to reduce car ownership and the need for parking in the neighborhood.

5. Adverse 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 car-share spaces should have a positive impact on the environment. Zipcar data shows that car-sharing services reduce the need for single-owner vehicles and therefore reduce traffic congestion in the streets and increase the amenities of the municipality.

6. 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.

The car-share spaces will not change the circulation pattern at the site because they are existing parking spaces. The spaces are the most easily accessible spaces from Highland Avenue.

**III. RECOMMENDATION****Special Permit under §5.1 and 7.11.11.14.b**

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 to establish 7 car-share spaces on-site in spaces indicated 1-7 on the site plan. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Plng.							
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>Sept 19, 2011</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>Apr 16, 1998 (Oct 13, 2011)</td><td>Plans submitted to OSPCD (Site Plan, Interior Layout of Floors 1-3)</td></tr></table>				Date (Stamp Date)	Submission	Sept 19, 2011	Initial application submitted to the City Clerk's Office	Apr 16, 1998 (Oct 13, 2011)	Plans submitted to OSPCD (Site Plan, Interior Layout of Floors 1-3)
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Any changes to the approved use that are not <i>de minimis</i> must receive SPGA approval.										
2	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.							



