



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2016-07

Date: February 25, 2016

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 285 Washington Street & 17 Hawkins Street

Applicant Name: RPI Washington Hawkins LLC

Applicant Address: 27 Mica Lane, Suite 201, Wellesley, MA 02481

Owner Name: RPI Washington Hawkins LLC

Owner Address: 27 Mica Lane, Suite 201, Wellesley, MA 02481

Agent Name: Adam Dash, Esq.

Agent Address: 480 Grove Street, Suite 304, Somerville, MA 02144

Alderman: Maryann Heuston

Legal Notice: Applicant & Owner RPI Washington Hawkins LLC seek a Special Permit under SZO §4.4.1 to alter a nonconforming structure in 2 phases to add an approximately 1,000 sf addition and make other exterior alterations and under §4.5.1 to change nonconforming uses to non-medical office under §7.11.7.1.c. NB/RC zones. Ward 2.

Dates of Public Hearing: March 2, 2016

I. PROJECT DESCRIPTION

1. **Subject Property:** The property is made up of two parcels that are in different zoning districts, RC and NB. The parcels combined are 25,225 square feet. The building sits on the NB side of the property. It is made up of three connected commercial structures at the corner of Washington Street and Hawkins Street. The structure contains a variety of commercial uses including retail, distribution, art studio, business services and office. There are 19 parking spaces and one loading dock in the rear of the building.





285 Washington Street & 18 Hawkins Street: above – aerials of the site looking north & south, below – images submitted by the applicant from Washington Street (2), Hawkins Street (1) and internal to the site (2)



2. Proposal: The proposal is to rehabilitate and alter the existing structure in two phases. Phase one will involve reorienting and adding exterior doors and steps, removing the brick portion of the middle building at the corner, moving the rear loading dock to allow for better flow in the rear parking area, adding a lower level lightwell with direct access, and interior changes. The net square feet of the existing building will be reduced by 1,381 in phase one. Phase two will involve adding landscaping, an elevator and new interior stairs, replacing windows, repointing the brick exterior, leveling the floors, adding four covered parking spaces, adding 14 bicycle parking spaces, adding two modest additions, and making

interior changes. The addition in phase two the building will add 980 net square feet to the building from what exists today.

Access to the site is via a passageway called Olive Square that extends from Lake Street to the subject property through an easement. There is also an easement that extends onto the northwestern part of the property that provides access to the Union Place Townhouses.

3. Green Building Practices: The project will meet or exceed the Stretch Energy Code.

4. Comments:

Fire Prevention: Fire Prevention has not yet made comments on the proposal.

Wiring Inspection: The Wiring Inspector has not yet made comments on the proposal.

Lights and Lines: Lights and Lines has not yet made comments on the proposal.

Engineering: Prior to phase two the documents required on Engineering's site plan review checklist for projects greater than 250 square feet must be submitted and reviewed and approved by the City Engineer.

Ward Alderman: Alderman Heuston is aware of the proposal.

II. FINDINGS FOR SPECIAL PERMIT (SZO §4.4.1):

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."

Dimensions

The applicant is seeking a Special Permit under SZO §4.4.1 to alter a nonconforming structure in two phases. The dimensional table for each phase is on the zoning compliance page of the plan set.

The structure is currently nonconforming with respect to the following dimensional requirements: landscaped area, pervious area for RC lot, and right side setback.

The proposal will impact the following nonconforming dimensions: façade alterations in the required setbacks and a slight increase in the landscaped area by approximately 350 square feet. There is currently no landscaping onsite. The requirement in the NB district is 10% and the requirement in the RC is 25%.

Phase two will increase the landscaped area to 5% of the lot and the pervious surface to 8%. The 980 square foot addition will be built with conforming setbacks and the FAR will continue to be conforming.

Alterations to a nonconforming structure requires the Applicant to obtain special permits under §4.4.1 of the Somerville Zoning Ordinance (SZO). Section 4.4.1 states that “[l]awfully existing nonconforming structures other than one- and two-family dwellings may be enlarged, extended, renovated or altered only by special permit authorized by the SPGA in accordance with the procedures of Article 5. The SPGA must find that such extension, enlargement, renovation or alteration is not substantially more detrimental to the neighborhood than the existing nonconforming building. In making the finding that the enlargement, extension, renovation or alteration will not be substantially more detrimental, the SPGA may consider, without limitation, impacts upon the following: traffic volumes, traffic congestion, adequacy of municipal water supply and sewer capacity, noise, odor, scale, on-street parking, shading, visual effects and neighborhood character.”

In considering a special permit under §4.4 of the SZO, Staff find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The alterations will allow the building to be more easily accessible for pedestrians entering from Washington Street via a ramp to a more inviting entrance on Hawkins Street or by stairs to this entrance on Hawkins Street. There will also be a larger man door farther down Hawkins and the garage doors will be replaced with glass doors. These changes will greatly improve the appearance of the building and make it more transparent. The addition in phase two will not be visible from the street and has been designed with setbacks that minimally impact the neighbors.

Dimensions & Uses for Lots in Different Districts

The building and uses are on the parcel that is in the NB district. The RC parcel is used for passive uses in phase two as is allowed per SZO §7.4. The RC lot square footage is used for the FAR calculation and since the RC and NB districts have the same maximum FAR the square footage contribution towards determining the FAR allowance in each district does not have to be calculated separately.

Uses

The existing uses are not proposed to change in phase one. In phase two business service stays roughly the same size, retail and office increases greatly, distribution decreases and the art studio and exhibit space is eliminated. The subject property is proposed to be in a Fabrication District in the zoning overhaul that was proposed to the Board of Alderman in January of 2015 and is currently under review. The purpose of the district is to accommodate a range of building types and mix of uses that supports the local arts & creative economy. In order to retain space in the building for uses that have been called out in SomerVision and the community meetings regarding the zoning overhaul amendment as vital to keep in existing industrial spaces, the proposed conditions will limit an increase in the office and retail uses. The office and retail will be limited to 5,000 square feet each which is allowed by-right in the NB district. The remaining space can be those uses that are allowed in the future Fabrication District, namely: Artisan Production, Arts Exhibition, Arts Sales & Services, Design Services, Shared Workspace & Arts Education, Broadcast, Recording Studio, Industrial Manufacturing (5,000 sf or less), Wholesale Trade & Distribution and Work/live creative studio.

Below is a table of the current uses, those requested for phase 1 and 2 and those that are recommended for approval. If the uses in the last row of the table are not allowed in the zoning district that the time when building permits are sought to conduct a tenant fit-out for the applicable spaces, other by-right uses should be sought or a special permit should be sought for uses that are allowed by special permit.

Uses:	Existing (sf)	Proposed phase 1 (sf)	Proposed phase 2 (sf)	Phase 2 per conditional approval (sf)
Business Service	3,467	3,467	3,351	3,351
Retail	1,585	1,453	4,995	4,995
Office	4,396	3,521	14,543	4,999
Art studio	7,030	7,030	0	-
Art studio open to the public	2,203	2,203	0	-
Wholesale Trade & Distribution	11,486	11,112	8,258	8,258
Artisan Production, Arts Exhibition, Arts Sales & Services, Design Services, Shared Workspace & Arts Education, Broadcast, Recording Studio, Industrial Manufacturing (5,000 sf or less), and Work/live creative studio	-	-	-	9,544
Total	30,167	28,786	31,147	31,147

Parking

The use mix is not changing during phase one and therefore the parking requirements are not changing. The parking calculation on the zoning compliance sheet of the plans shows that 47 parking spaces are required currently. The site is nonconforming with parking because there are only 19 parking spaces, 4 of which are compact. Phase one requires 45 spaces, which is less than the current requirement because of the reduction in floor space. Phase two will require 48 spaces and the additional required parking spaces will be provided onsite. There will be 23 spaces, 4 of which will be compact.

The design standards for the Neighborhood Business District call for locating on-site, off-street parking at the rear of the lot, behind the building or below street level, providing vehicular access from either a side street or alley where possible. This standard is met at this site. The parking is accessed from Lake Street through a passageway to parking lot located behind the building.

The bicycle parking space requirement does not change from 5 required spaces. There are currently no bicycle parking spaces and 14 are proposed as part of phase two.

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 providing for and maintaining the uniquely integrated structure of uses in the City and encouraging the most appropriate use of land throughout the City.

The building alterations and proposed uses as conditioned conform to the purpose of the Neighborhood Business District in establishing and preserving areas for small-scale retail stores, services and offices which are located in close proximity to residential areas and which do not have undesirable impacts on the surrounding neighborhoods.

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 proposal will improve the overall appearance and functionality of the building. The design keeps the form of the buildings intact and respects the historic character of the buildings. The brick addition that was tacked onto the Hawkins Street side of the clapboard building will be removed and replaced with a ramp to make the building accessible and a glass storefront that will make it more transparent. Other improvements were discussed in finding 2 above.

The access to the site will not change as a result of the proposal. The change to the loading dock location will make the parking lot more functional. Trucks using the loading dock will still be able to turn around an exit in a forward direction. The trash and recycling for the facility will be located in an enclosed trash area near the loading dock. This location is away from the residential neighbors and not visible from the right of way.

7. Housing Impact: Will not create adverse impacts on the stock of existing affordable housing.

There is no housing onsite.

8. SomerVision Plan: Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville's neighborhoods, transform key opportunity areas, preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs. The areas in the SomerVision map that are designated as enhance and transform should most significantly contribute towards the SomerVision goals that are outlined in the table below. The areas marked as conserve are not expected to greatly increase the figures in the table since these areas are not intended for large scale change.

This location is an area that is called out to be enhanced in the SomerVision map. The proposal will make the building more accessible by pedestrians and enhance the pedestrian experience with the additional fenestration and renovations to the building. The additional square footage will add to the commercial tax base and jobs goals of SomerVision.

SomerVision Summary	Existing	Proposed
Commercial Sq. Ft.:	30,167	Phase 1 – 28,786 Phase 2 – 31,147
Estimated Employment:	?	?

Parking Spaces:	19	23
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9. Impact on Affordable Housing: In conjunction with its decision to grant or deny a special permit for a structure of four or more units of housing, the SPGA shall make a finding and determination as to how implementation of the project would increase, decrease, or leave unchanged the number of units of rental and home ownership housing that are affordable to households with low or moderate incomes, as defined by HUD, for different sized households and units.

There is no housing as part of this proposal.

III. RECOMMENDATION

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 for the two-phased project for the alteration and addition to the building with uses specified in the conditions below. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Pln g.											
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>Jan 28, 2016</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>Jan 28, 2016</td><td>Plans submitted to OSPCD (T1 title page, Z1.0-Z1.2 zoning compliance phase 1, Z1.3-Z1.5 zoning compliance phase 1, EX04 Existing Elevations, EX05 Existing Parking Condition, EX06-07 Existing Photos, A0.2 Color Elevations, A0.3-A0.5, A1.0-A1.2 Phase 1 floor plans, A1.3-1.5 Phase 2 floor plans, A2.1 Elevations Phase 1, A2.2 Elevations Phase 2)</td></tr><tr><td>Oct 12, 2016</td><td>Plans submitted to OSPCD (Existing Floor Plans EX01-03)</td></tr><tr><td>Feb 3, 2014</td><td>Plans submitted to OSPCD (existing conditions)</td></tr></table>				Date (Stamp Date)	Submission	Jan 28, 2016	Initial application submitted to the City Clerk’s Office	Jan 28, 2016	Plans submitted to OSPCD (T1 title page, Z1.0-Z1.2 zoning compliance phase 1, Z1.3-Z1.5 zoning compliance phase 1, EX04 Existing Elevations, EX05 Existing Parking Condition, EX06-07 Existing Photos, A0.2 Color Elevations, A0.3-A0.5, A1.0-A1.2 Phase 1 floor plans, A1.3-1.5 Phase 2 floor plans, A2.1 Elevations Phase 1, A2.2 Elevations Phase 2)	Oct 12, 2016	Plans submitted to OSPCD (Existing Floor Plans EX01-03)	Feb 3, 2014	Plans submitted to OSPCD (existing conditions)
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Any changes to the approved plan, elevations or use that are not de minimis must receive SPGA approval.														

2	Uses shall be limited to the uses and sizes listed in the table under Finding 3, column “Proposed for phase 1” and column “Phase 2 per conditional approval (sf)”. If the uses in the last row of the table are not allowed in the zoning district that the time when building permits are sought to conduct a tenant fit-out for the applicable spaces, other by-right uses should be sought or a special permit should be sought for uses that are allowed by special permit.	CO	Plng.	
3	The building alterations proposed for Phase 1 must be complete before the uses approved for Phase 2 can be established.	CO	Plng.	
Linkage				
4	Linkage payments will be required to be paid for the square footage over 30,000 sf to the Somerville Housing Trust Fund before a CO is issued.	CO	Plng.	
Pre-Construction				
5	The Applicant must contact the Engineering Department to coordinate the timeline for cutting or opening the street and/or sidewalk for utility connections or other construction. There is a moratorium on opening streets from November 1st to April 1st and there is a list of streets that have additional opening restrictions.	BP	Eng	
6	New sanitary connection flows over 2,000 GPD require a removal of infiltration and/or inflow by the Applicant. This will be achieved by submitting a mitigation payment, established by the City Engineers Office, to the City based on the cost per gallon of I/I to be removed from the sewer system and a removal ratio of 4:1. If a different ratio of removal or mitigation payment amount is adopted by the Board of Aldermen prior to the Applicant receiving a Certificate of Occupancy, payment will be adjusted to the BOA rate. The Applicant shall work with Engineering and meet this condition before a certificate of occupancy is issued.	BP	Eng.	
7	The Applicant shall submit the items on Engineering’s site plan review checklist for projects greater than 250 square feet for review and approval prior to the issuance of a Building Permit for Phase 2.	BP for phase 2	Eng.	
Construction Impacts				
8	The applicant shall post the name and phone number of the general contractor at the site entrance where it is visible to people passing by.	During Construction	Plng.	
9	The Applicant shall at their 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	

10	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	During Construction	T&P	
Site				
11	Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD	
12	Applicant will screen the dumpster with fencing that blocks any view of the dumpster itself.	CO	Plng.	
13	For Phase 2, applicant will supply 14 bicycle parking spaces, which can be satisfied with 7 U- type bicycle racks.	CO	Plng.	
14	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	
Public Safety				
15	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
16	Notification must be made, within the time period required under applicable regulations, to the Massachusetts Department of Environmental Protection (DEP) if there is any release of oil, hazardous materials, or regulated hazardous substances at the site. The City's OSE office, Fire Department and the Board of Health shall also be notified.	At time of release	OSE/FP/ BOH	
17	To the extent possible, all exterior lighting must be confined to the subject property, cast light downward and must not intrude, interfere or spill onto neighboring properties.	CO	Plng.	
18	The Applicant shall provide notice of intent to strictly comply with applicable State and Federal regulations regarding air quality including without limitation continuous dust control during demolition and construction.	CO	Plng/OS E	
Signage				
19	Signage shall conform to the sign standards in the SZO and be submitted to Planning Staff for review and approval.	Installation of sign	Plng.	
Final Sign-Off				
20	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.	

