



City of Somerville

PLANNING BOARD

City Hall 3rd Floor, 93 Highland Avenue, Somerville MA 02143

TO: Planning Board
FROM: Planning, Preservation, & Zoning Staff
SUBJECT: 394 McGrath, P&Z 21-122
POSTED: August 12, 2022

RECOMMENDATION: Approve with Conditions (Special Permit)
Approve with Conditions (Site Plan Approval)

Staff memos are used to communicate background information, analysis, responses to public comments, review of statutory requirements and other information from Planning, Preservation, & Zoning (PPZ) Staff to the Review Board members.

This memo summarizes the development review application submitted for 394 McGrath, identifies any additional discretionary or administrative development review that is required by the Somerville Zoning Ordinance (SZO), and provides related analysis or feedback as necessary. The application was deemed complete on June 15, 2022 and is scheduled for a public hearing on August 18, 2022. Any Staff recommended findings, conditions, and decisions in this memo are based on the information available to date prior to any public comment at the scheduled public hearing.

LEGAL NOTICE

Contempo Builders proposes to develop a four (4)-story, Net-Zero Ready Apartment Building and establish a Household Living principle use for 15 dwelling units in the Mid-Rise 4 (MR4) zoning district. This proposal requires Site Plan Approval (SPA) and one (1) Special Permit.

SUMMARY OF PROPOSAL

Contempo Builders is proposing to construct a four-story Apartment Building in the Mid-Rise 4 (MR4) zoning district. The building will be Net-Zero Ready. The proposed development will produce 15 dwelling units, 3 of which are affordable units. Five (5) at-grade parking spaces will be provided as well as two (2) short-term bike parking spaces and fifteen (15) long-term bike parking spaces. The proposed landscape will earn a green score of 0.32.

ADDITIONAL REVIEW NECESSARY

394 McGrath is located in the ¼ mile Transit Area in the Mid-Rise 4 (MR4) zoning district in the Prospect Hill neighborhood represented by Ward 3 Councilor Ben Ewen-Campen.

Establishing an Apartment Building in the MR4 zoning district requires Site Plan Approval. Site Plan Approval is the administrative review and approval of conforming development to address any potential impacts, as necessary. The Planning Board is the decision-making authority for all (non-variance) discretionary or administrative permits required in the MR4 zoning district.

In addition to Site Plan Approval, establishing Household Living use in the MR4 zoning district requires a Special Permit. As with Site Plan Approval, the Planning Board is also the decision-making authority for the Household Living Special Permit.

The existing building on the site was determined to be “NOT Historically Significant” by the Historic Preservation Commission on April 9, 2019 and is not subject to demolition delay.

NEIGHBORHOOD MEETINGS

The first neighborhood meeting was hosted by Ward 3 Councilor Ben Ewen-Campen and the applicant on May 26, 2021, via the Zoom meeting platform. The second neighborhood meeting was hosted by the Ward 3 Councilor and the applicant on November 15, 2021, also via the Zoom meeting platform.

DESIGN REVIEW

The proposal was reviewed by Somerville Urban Design Commission (UDC) via the GoToWebinar meeting platform on September 14, 2021, and October 5, 2021. The Commission provided its official recommendation on November 1, 2021.

ANALYSIS

At the required neighborhood meetings for the building, attendees raised questions about parking, abutter views, trash location, and site access. These concerns were addressed by the Applicant team both during the neighborhood meetings and as a result of two appearances in front of the Urban Design Commission (UDC).

The final building design submitted by the Applicant represents the preferred exterior treatment selected by the UDC. It also reflects additional upgrades to landscaping, and bike and vehicular parking as a result of the UDC’s reviews.

CONSIDERATIONS & FINDINGS

The Planning Board is required by the Somerville Zoning Ordinance to deliberate each of the following considerations at the public hearing. The Board must discuss and draw conclusions for each consideration but may make additional findings beyond this minimum statutory requirement.

Site Plan Approval Considerations

1. The comprehensive plan and existing policy plans and standards established by the City.
2. The intent of the zoning district where the property is located.
3. Mitigation proposed to alleviate any impacts attributable to the proposed development.

Special Permit Considerations

1. The comprehensive plan and existing policy plans and standards established by the City.
2. The intent of the zoning district where the property is located.
3. The suitability of the site for a household living principal use compared to other potential principal uses.
4. The ability of the development proposal to meet the demand for dwelling units of various types, sizes, and bedroom counts.
5. The increase or decrease in the number or price of any previously existing ADUs.
6. The number of motor vehicle parking spaces proposed for development within a Transit Area.

Information relative to the required considerations is provided below:

Site Plan Approval and Special Permit

1. *The comprehensive plan and existing policy plans and standards established by the City.*

The proposal will help to achieve the following from SomerVision 2040, the comprehensive plan of the City of Somerville:

- Facilitate transit-oriented, neighborhood infill development when it enhances the lively, human-scaled and walkable character of Somerville blocks and neighborhoods.

2. *The intent of the zoning district where the property is located.*

The proposal is consistent with the intent of the MR4 zoning district which is, in part “[t]o create, maintain, and enhance areas appropriate for smaller scale, multi-use and mixed-use buildings and neighborhood serving commercial uses.”

Site Plan Approval Specific

3. *Mitigation proposed to alleviate any impacts attributable to the proposed development.*

As conditioned, the proposal does not produce any impacts that require mitigation.

Household Living Use Special Permit Specific

4. *The suitability of the site for a household living principal use compared to other potential principal uses.*

The site is situated close to the intersection of Washington Street which leads into Union Square. The subject property is within the ¼ mile walkshed and is within proximity of several bus stops.

5. *The ability of the development proposal to meet the demand for dwelling units of various types, sizes, and bedroom counts.*

The proposal is for one (1) studio unit, four (4) one-bedroom units, and ten (10) two-bedroom units for a total of fifteen (15) dwelling units.

6. *The increase or decrease in the number or price of any previously existing ADUs.*

There are currently no ADUs on the site.

7. *The number of motor vehicle parking spaces proposed*

The proposed five (5) motor vehicle parking spaces for the Apartment Building will be located at the rear of the lot behind the building. A single lane will allow for entry and exit to/from the site with an indicator warning passing pedestrians of exiting vehicles.

PERMIT CONDITIONS

Should the Board approve the required Site Plan Approval for the four-story Net Zero Ready Apartment Building, Planning, Preservation & Zoning Staff recommends the following conditions:

Validity

- The Decision must be recorded with the Middlesex South Registry of Deeds.
- Construction documents must be substantially equivalent to the approved plans and other materials submitted for development review.

Public Record

- Physical copies of all development review submittal materials, as permitted by the Planning Board, must be submitted to the Planning & Zoning Division for the public record.
- A copy of the recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted to the Planning & Zoning Division for the public record.

Parking

- Dwelling units must be advertised as ineligible for on-street Residential Parking Permits, subject to the regulations of the Somerville Traffic Commission.
- All buyers, grantees, lessees, renters, and tenants must be notified in writing prior to sale or lease of any dwelling unit that the residents are ineligible for on-street Residential Parking Permits, subject to the regulations of the Somerville Traffic Commission.
- At least [20% rounded up] accessory vehicular parking spaces must be offered annually to all ADU households as a right of first refusal until each parking space is either rented or leased.
- Formal acknowledgement that residents are ineligible for on-street Residential Parking Permits, subject to the regulations of the Somerville Traffic Commission, must be filed with this Decision.

Should the Board approve the required Special Permit to establish a Household Living principal use, Planning, Preservation & Zoning Staff recommends the following conditions:

Housing

- An affordable housing implementation plan (AHIP) must be submitted to the Director of Housing prior to applying for a Certificate of Occupancy.
- A deed restriction limiting the sale or rental of all affordable dwelling units to eligible households in perpetuity must be executed and recorded with the Middlesex South Registry of Deeds.

Sustainability

- All Step 2 documentation required by the Net Zero Ready Certifiability Requirements must be submitted to the Office of Sustainability & Environment.
- All Step 3 documentation required by the Net Zero Ready Certifiability Requirements must be submitted to the Office of Sustainability & Environment.