



City of Somerville

PLANNING BOARD

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

TO: Planning Board
FROM: Planning & Zoning Staff
SUBJECT: 153 South St, P&Z 22-108
POSTED: October 18, 2022

RECOMMENDATION: Approve with Conditions (Subdivision Plan Approval)

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

This memo summarizes the development review application submitted for 153 South St, 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 October 6, 2022 and is scheduled for a public hearing on October 27, 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

Boynton Yards LandCo LLC seeks approval of a plat plan replating lots including 153 South St, 0 Windsor Pl, 33 Earle St, and 2, 8, and 29 Harding St, and establishing multiple new lots and rights-of-ways for Thoroughfare 1 and Harding Street, which requires Subdivision Plan Approval.

SUMMARY OF PROPOSAL

Boynton Yards LandCo LLC is proposing to subdivide the following lots in Boynton yards: 153 South St, 0 Windsor Pl, 33 Earle St, and 29 Harding St. The intent of the subdivision is to create the remaining lots in the approved and amended Boynton Yards Master Plan Special Permit (MPSP), P&Z 21-097, which will create separate development lots for Buildings 5, 6A and 6B, and Civic Spaces 2 and 3 and the remaining portions of land for right of ways (ROWs). The MPSP development covenant outlines the timing for each lot that gets conveyed to the City (Civic Spaces 2 and 3, and Thoroughfare 1).

BACKGROUND

111-153 South Street was subdivided into two parcels as approved on August 6, 2020 (DRA #2020-0272), which facilitated an enabling thoroughfare Minor Site Plan application. An enabling thoroughfare Minor Site Plan Approval permits a non-permanent thoroughfare to commence construction. The enabling thoroughfare work

facilitated the development of Building 1 at 101 South St. A waiver was also approved for the intersection requirements for Earle Street and Thoroughfare 1.

153 South Street also received Subdivision Plan Approval on October 21, 2021 that created Lot 1B (Building 2), Lot 1C (Civic Space 1), Lot 1A, Lot 2C-2, and Parcel B-3B which are all slivers of land to make way for ROWs. That approved plat plan was conditioned to ensure a public ROW easement would be provided in perpetuity by a covenant or other deed restriction for Lot 2C-2, Lot 1A, and Parcel B-3B, however, that condition is voided if the land is conveyed to the City of Somerville.

153 South Street is located in the High Rise (HR) zoning district in the Boynton Yards subarea master plan overlay district in the Boynton Yards neighborhood represented by Ward 2 Councilor JT Scott. The division of a lot, tract, or parcel into two (2) or more lots, where a new throughfare or way is needed to provide access to the lots requires subdivision plan approval. The Planning Board is the decision-making authority for all (non-Variance) discretionary or administrative permits required by the HR zoning.

The Planning Board may only issue the respective Site Plan Approval applications for the applicable development lots within the MPSP area after this Subdivision Plan Approval process is complete and the approved 153 South Street Subdivision Plan of Land and permit Decision are recorded at the Middlesex South Registry of Deeds.

ANALYSIS

The subdivision plan that the Planning Board is reviewing is titled "Subdivision Plan of Land" dated October 11, 2022. This subdivision plan shows the platting of nine (9) total parcels.

The Applicant is currently going through a separate Land Court process for the registered land within the MPSP area to subdivide six (6) parcels at 2, 8, and part of 29 Harding Street. The Applicant must pursue the subdivision of the registered land in the MPSP area with the Land Court, while the subdivision of recorded land must be reviewed and approved by the Somerville Planning Board. The intent of the subdivision currently going through Land Court is to replat the registered land to create a complaint lot for Building 3 and parcel off portions of land for ROWs for Thoroughfare 1 and Harding Street (Subdivision Plan of Land dated 6/14/2022). If approved, both subdivision plans will create lots that comply with the proposed lot plan (figure 1.4) in the approved MPSP application materials.

Parcel Overview

The existing and remaining parcels located in the approved Boynton Yards MPSP area, not previously subject to a subdivision as part of the MPSP, are proposed to be replated into the following nine (9) lots:

- Lot B5 will be 36,278 SF in area and Building 5 will be developed on this lot.
- Lot C3 will be 19,083 SF in area and Civic Space 3 will be developed on this lot.
- Lot B6.1 will be 18,590 SF in area and Building 6A will be developed on this lot.

- Lot B6.2 will be 18,728 SF in area and Building 6B will be developed on this lot.
- Lot 0 will be 5,593 SF in area and will be the location of an open space lot.
- Lot C2 will be 16,450 SF in area and Civic Space 2 will be developed on this lot.
- Lot T1.2 will be 2,454 SF and will be incorporated into part of Thoroughfare 1 ROW.
- Lot T1.1 will be 34,443 SF and will be incorporated into part of Thoroughfare 1 ROW.
- Lot T4 will be 1,148 SF and will be incorporated into part of Thoroughfare 1 ROW.

Zoning Compliance

The proposal is compliant with the Somerville Zoning Ordinance. Per the SZO, all buildable lots are platted with a lot line abutting a thoroughfare or civic space; as a corner, interior, or key lot; and lots must be platted to be generally rectilinear in shape, where the side lot lines are within 45 degrees of perpendicular to the front lot line or to the tangent of a curved front lot line, and generally straight throughout their length.

Compliance with MPSP

Per MPSP Decision, the lots are being platted in a form substantially consistent with the proposed lot plan (figure 1.4) of the MPSP Application materials.

Departmental Comments

Engineering: The Engineering Department has reviewed the proposed subdivision and raised no issues related to the platting of land.

Potential Impacts

As platted, the proposed subdivision of land does not include any external impacts that require mitigation.

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.

Subdivision 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.

Information relative to the required considerations is provided below:

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

Staff finds that the proposed subdivision is consistent with SomerVision, the comprehensive Master Plan, and the Union Square Neighborhood Plan (USNP). The

USNP identifies Boynton Yards as a place for mixed-use development with an emphasis on commercial space. The proposal meets the standards for platting land and the submittal of plat plans for approval through SPA.

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

Staff find that the proposed subdivision meets the intent of the HR district because it upholds the “mix of multi-story, multi-unit, mixed-use, and commercial buildings; neighborhood-, community-, and region-serving uses; and a wide variety of employment opportunities.”

PERMIT CONDITIONS

Should the Planning Board approve the subdivision Plan Approval, Planning & Zoning Staff recommends the following condition(s):

Permit Validity

- This Decision and final subdivision plat must be recorded with the Middlesex South Registry of Deeds.

Land Plat Documentation and Public Record

- Final subdivision plat must be substantially equivalent to the approved preliminary plat plan.
- Prior to the issuance of any building permit or other permit authorizing construction on any of the new lots created by this subdivision, one (1) digital and one (1) physical copy of the recorded Decision and final subdivision plat stamped by the Middlesex South Registry of Deeds must be submitted to the Planning, Preservation, & Zoning Division for the public record.