



City of Somerville

PLANNING BOARD

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

TO: Planning Board
FROM: OSPCD Staff
SUBJECT: 256-260 Elm Street, P&Z 21-039
POSTED: March 9, 2023

RECOMMENDATION: Approve with Conditions

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

This memo summarizes the development review application submitted for 256-260 Elm Street, identifies any additional discretionary or administrative development review that is required by the Somerville Zoning Ordinance, and provides related analysis or feedback as necessary. The application was deemed complete on November 9, 2022, and is scheduled for a public hearing on February 2, 2023. Any Staff recommended findings, conditions, and decisions in this memo are based on the information available to date.

LEGAL NOTICE

AP Davis Square Plaza, LLC proposes to develop a LEED Platinum four (4) story Lab Building in the Commercial Core 4 (CC4) district, which requires Site Plan Approval.

SUMMARY OF PROPOSAL

AP Davis Square Plaza, LLC is proposing to construct a 4-story LEED Platinum Lab Building. The proposed development will produce approximately 84,000 square feet of commercial space, 15 long-term bicycle parking spaces, 4 short-term bicycle parking spaces, and a proposed landscape that will earn a Green Score of 0.21.

BACKGROUND

256-260 Elm Street is located on a Pedestrian Street and in the 0.25mi Transit Area in the Commercial Core 4 (CC4) zoning district in the Davis Square neighborhood represented by Ward 6 Councilor Lance Davis. Establishing a Lab Building in the Commercial Core 4 (CC4) 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 for the Commercial Core 4 (CC4) zoning district.

On August 26, 2021, the City Council approved the map amendment for the subject property to be rezoned from MR4 (Mid-Rise 4) to CC4 (Commercial Core 4). On October

19, 2021, the Historic Preservation Commission determined the principal structure as “historically significant”. On December 14, 2021, the Historic Preservation Commission determined, per the Demolition Review Ordinance, the principal structure to be “NOT preferably preserved”.

On February 2, 2023 and February 16, 2023, the Applicant requested a continuance for the public hearing from the Planning Board. On March 2, 2023, the Applicant provided an initial introduction of the project to the Planning Board while they waited for Staff to finish review of the revised documents submitted on February 24, 2023.

NEIGHBORHOOD MEETINGS

The first neighborhood meeting was hosted by Ward 6 Councilor Lance Davis and the Applicant on March 17, 2021, via a remote participation platform. The second neighborhood meeting was hosted by Ward 6 Councilor Lance Davis and the Applicant on June 26, 2022, via a remote participation platform.

During the neighborhood meetings, the attendees expressed a desire to see the Applicant work to preserve the existing community of small-owned businesses within Davis Square. Councilor Davis raised concerns with potential displacement of the existing small-owned businesses as a result of the proposed development and requested the Applicant mitigate the impacts by committing to support the existing businesses to remain in the Square or by assisting in their relocation. Other concerns raised and discussions had by the neighborhood include:

- Strong desire to see a pedestrianized Elm Street
- Strong desire to see Davis Square Plaza to remain a public space
- Impacts of construction on Elm Street
- Limitations on the bio-safety level of lab uses
- Loading and traffic impacts

DESIGN REVIEW

The proposal was reviewed by Somerville Urban Design Commission via the GoToWebinar meeting platform on March 1, 2022, April 12, 2022, and April 26, 2022. The Commission provided its official recommendation on April 26, 2022.

The following are official recommendations from the Urban Design Commission:

- On the rear façade facing Herbert Street, investigate the terracotta cladding coming down towards the ground level.
- Study whether a granite base at the base of the piers would work for this design.

ANALYSIS

The proposal provides for three (3) stories of lab/office space over a ground floor comprised of lobby space for the upper stories and 18,384 square feet of retail/commercial space. Approximately 5,896 square feet (5.6% of the gross floor area) will be leased to a use within the Arts and Creative Enterprise (ACE) category. Additionally, approximately 6,345 square feet of a green roof will be provided.

In response to the neighborhood feedback, the Small Business Overlay District was amended to include parameters for building design standards to create small commercial spaces that would help retain the small-owned businesses within the Square. Pursuant to SZO Article 8.2.5(c)(i), *“For any building that is forty (40) feet or greater in width, ground story commercial spaces over thirty-five (35) feet in width are not permitted to front any primary facade.”* The Applicant shows a breakdown of three (3) commercial spaces on the ground-floor fronting Elm Street as required by the commercial space factor from the SZO Table 8.2.5. The largest commercial space proposed is 34’-5”, while the other two (2) spaces are shown as 26’-11” and 23’-8 $\frac{3}{4}$ ”.

The proposal is on track to be LEED Platinum certifiable and is targeting 81 points of the 80 required to reach Platinum. As currently designed, the proposed Lab Building will use Air Source Heat Pumps (ASHP) as part of their heating plan, along with heat recovery chillers and water-cooled centrifugal chillers. The heat recovery chillers allow for energy to be reused when simultaneous heating and cooling loads occur. As a part of the application, the Applicant submitted the Certification of Required Materials (CRM) received from Sustainability Staff.

As a part of the final approval of the Mobility Management Plan (MMP) from Mobility Staff, the Applicant is not providing parking as a part of this project to meet the City’s goals to reduce motor vehicle trips and vehicle emissions. The Applicant submitted the Certification of Required Materials (CRM) received from Mobility Staff. However, Mobility Staff notes that the Applicant must submit a layout of the bicycle room and bicycle rack product specifications to be approved by Mobility Staff prior to Building Permit as conditioned. The Transportation Impact Study (TIS) identifies new impacts which require mitigation. Mobility Staff recommends several conditions aimed at mitigating transportation impacts. This mitigation will be accomplished through improvements to the pedestrian and/or transit facilities within or in proximity to the project study area.

On March 2, 2023, the Board raised concerns with the loading/trash proposed on Herbert Street in close proximity to the residential properties. Mobility Staff notes that Day Street, Chester Street, and Elm Street along the project’s frontage are designated as Pedestrian Streets, which do not permit curb cuts, making Herbert Street the only option for loading/trash management space. Mobility Staff recommends the off-street loading area because it eliminates the pressure off the on-street loading spaces in the area. These spaces are in high demand due to the high commercial activity within the Square. The proposed location is substantially similar to the existing trash location of the site, but the project proposes to upgrade to a fully enclosed and secured trash room instead of retaining the existing outdoor dumpsters. This is likely to reduce the impact on

neighboring properties. In the submitted Transportation Access Plan (TAP), the Applicant shows a SU-30 truck, which can back into the loading area and remain there without obstructing the sidewalk.

While developing their proposal, the Applicant met with relevant City departments to ensure their plans are consistent with the draft Davis Square Area Plan, including public realm design guidelines. Discussions included sidewalks treatment, streetscape improvements, and pedestrianization of Elm Street. Engineering Department Staff recommends several conditions aimed at reaching the goals for the Square.

Following the Site Plan Approval, a Streetscape Construction Permit must be submitted to the Engineering Department for any changes to the public right-of-way.

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.

Information relative to the required considerations is provided below:

Site Plan Approval

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

Staff believes that this project supports the goals laid out in SomerVision 2040, the City's Comprehensive Master Plan, including the following:

- Promote a dynamic urban streetscape that embraces public transportation, reduces car dependence, and is accessible, inviting, and safe for all pedestrians, bicyclists, and transit riders.
- Invest in the growth of a resilient economic base that is centered around transit, generates a wide variety of job opportunities, creates an active daytime population, supports independent local businesses, and secures fiscal self-sufficiency.
- Create an environment that enables existing small businesses to thrive and produce entrepreneurial opportunities for new ones. Ensure that the regulatory environment supports the innovative business models necessary for businesses to adapt.

- Protect and foster the diversity of our people, culture, and economy.

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

The intent of the Commercial Core 4 (CC4) zoning district is, in part: “[t]o create, maintain, and enhance areas appropriate for moderately-scaled single and multi-use commercial buildings; neighborhood, community, and region serving uses; and a wide variety of employment opportunities.”

Staff believes that this project supports the intent and purpose of the Small Business Overlay District, including the following:

- To create, maintain, and enhance locations appropriate for neighborhood and community-serving businesses.
- To require multiple ground story commercial spaces for real property in underlying mid-rise, high-rise, and commercial districts.

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

As conditioned, the proposal is not anticipated to create any negative impacts that require mitigation.

PERMIT CONDITIONS

Should the Board approve the required Site Plan Approval to develop a LEED Platinum four (4) story Lab Building in the Commercial Core 4 (CC4) district, Planning, Preservation & Zoning Staff recommends the following conditions:

Permit Validity

- This Decision must be recorded with the Middlesex South Registry of Deeds.
- A written narrative or descriptive checklist identifying the completion or compliance with permit conditions must be submitted to the Inspectional Services Department at least ten (10) working days in advance of a request for a final inspection.
- Construction documents must be substantially equivalent to the approved plans and other materials submitted for development review.

Public Record

- A digital copy of all required application materials reflecting any physical changes required by the Board, if applicable, must be submitted to the Planning, Preservation & 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, Preservation & Zoning Division for the public record.

Construction Documents

- Material specifications from suppliers must be submitted to confirm fenestration glazing is compliant with the VLT and VLR ratings required by the Somerville Zoning Ordinance.
- An outdoor lighting plan and supplier cut sheet specifications of chosen lighting fixtures must be submitted to confirm compliance with Section 10.7 Outdoor Lighting of the Somerville Zoning Ordinance. The site photometric plan must include a keyed site plan identifying the location of all luminaires; total site lumen limit table (calculations from the SZO); lighting fixture schedule indicating the fixture type, description, lamp type, lumens, color temperature, color rendering index, BUG rating, mounting height, and wattage of all luminaires; and notation of any timing devices used to control the hours set for illumination.
- Detailed plans for protecting street trees intended to remain during construction must be approved by the City Arborist.

Site & Building Design

- Frontage area provided for a widened sidewalk along Elm Street must be designed and paved to properly correspond with any sidewalk improvements approved within the public right-of-way.
- A pedestrian access easement must be provided in perpetuity by a covenant or other deed restriction for the full area of the sidewalk and curb ramps provided within the frontage area of the lot. Final easement language must be approved by the City Solicitor.
- Utility meters are not permitted on any facade or within the frontage area of the lot.

Maintenance

- The property owner is responsible for all of the regular and long-term maintenance, replacement, insurance, and other applicable costs associated with all on-site sidewalk improvements.

Mobility

- To mitigate transportation impacts, AP Davis Square Plaza, LLC shall improve the accessibility and comfort of the existing MBTA bus stop on Elm St @ Chester St by constructing an in-lane bus stop curb extension, providing a shelter, providing real time transit information, and/or other improvements approved by the Director of Mobility, prior to the issuance of Certificate of Occupancy. Final design of any construction elements must be reviewed and approved by the relevant City departments prior to construction by the Streetscape Construction Permit.
- AP Davis Square Plaza, LLC shall submit a layout of the bicycle room and bicycle rack product specifications to be approved by the Mobility Division prior to applying for a Building Permit.

Sustainability

- All Stage 2 documentation required by the Office of Sustainability & Environment's LEED Certifiability Requirements.

- All Stage 3 documentation required by the Office of Sustainability & Environment's LEED Certifiability Requirements.

Engineering

- AP Davis Square Plaza, LLC shall submit a Construction Management Plan (CMP) for Engineering and Mobility Division review and comment twenty-one (21) days prior to submission of the Building Permit.
- Prior to the issuance of Certificate of Occupancy AP Davis Square Plaza, LLC shall reconstruct the raised intersection adjacent to the project site at the intersection of Elm St and Chester St, or an acceptable and preferred alternative, that narrows Elm St to a single travel lane and reconstructs all Accessible Curb Ramps (ACRs) on all sides of the intersection. Final design must be reviewed and approved by the relevant departments prior to construction by Engineering's Streetscape Construction Permit.
- AP Davis Square Plaza, LLC shall reconstruct the Elm Street sidewalk curb line to the existing (one-lane operation) fog line for a sidewalk width of approximately 20 feet, inclusive of any parking and/or loading spaces. Final design must be submitted to the Engineering Department for approval prior to construction by Engineering's Streetscape Construction Permit.
- In order to accommodate future signal timing changes and other off-site transportation improvements in the neighborhood necessary to support the proposed development, AP Davis Square Plaza, LLC will contribute to an Elm Street Reconstruction Stabilization Fund in cooperation with the Directors of Engineering and Mobility.