



City of Somerville

# PLANNING BOARD

City Hall 3<sup>rd</sup> Floor, 93 Highland Avenue, Somerville MA 02143

**TO:** Planning Board  
**FROM:** Planning, Preservation & Zoning (PPZ) Staff  
**SUBJECT:** 366 Broadway, P&Z 21-175  
**POSTED:** May 30, 2023

**RECOMMENDATION:** Approve with Conditions (SPA)  
Approve with Conditions (SP)

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

This memo summarizes the development review application submitted for 366 Broadway, 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 March 29, 2023 and is scheduled for a public hearing on July 20, 2023. 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

366 Broadway Somerville, LLC proposes to develop a four (4)-story LEED Gold and Net-Zero Ready apartment building and establish a Household Living principle use for 58 dwelling units in the Mid-Rise 4 (MR4) zoning district. This proposal requires Site Plan Approval and one (1) Special Permit for Household Living.

## SUMMARY OF PROPOSAL

Somerville Living, LLC is proposing to construct a four (4)-story, LEED Gold and Net-Zero Ready apartment building. The proposed development will produce fifty-eight (58) total dwelling units with eleven (11) units being affordable dwelling units, of which three (3) will be 3-bedroom units, fifty-eight (58) long-term bicycle parking spaces, and ten (10) short-term bicycle parking spaces. The proposed landscape will earn a Green Score of 0.311, meeting the minimum required score of 0.25.

## BACKGROUND

366 Broadway is located in the 0.5mi Transit area in the Mid-Rise 4 (MR4) zoning district in the Winter Hill neighborhood represented by Ward 4 Councilor Jesse Clingan. Establishing an apartment building requires Site Plan Approval. Site Plan Approval is the administrative review and approval of conforming development to address any potential impacts as necessary. The Applicant is also seeking to establish a Household

Living principal use, which requires a Special Permit. The Planning Board is the decision-making authority for all (non-variance) discretionary or administrative permits required for the MR4 zoning district.

## **NEIGHBORHOOD MEETINGS**

The first neighborhood meeting was hosted by Ward 4 Councilor Jesse Clingan and the development team on January 31, 2022, via the GoToWebinar meeting platform. The second neighborhood meeting was hosted by Ward 4 Councilor Jesse Clingan and the development team on June 30, 2022, via the GoToWebinar meeting platform.

## **DESIGN REVIEW**

The proposal was reviewed by the Somerville Urban Design Commission via the GoToWebinar meeting platform on April 12, 2022, and May 24, 2022. The Commission provided its official recommendation on June 7, 2022.

## **ANALYSIS**

At the required neighborhood meetings for the proposed apartment building, community members raised comments and concerns about lack of commercial space, building design, bedroom types, traffic and parking, and construction impacts. These concerns were addressed by the Applicant team both during the neighborhood meetings and two appearances in front of the Urban Design Commission (UDC). Staff will note that this proposed development does not need to provide ground floor commercial space as it is an apartment building type and is not located along a designated Pedestrian street. The Applicant's neighborhood meeting and design report provide greater detailed responses to community feedback and design recommendations from the UDC.

### Sustainability

The Applicant is proposing the building's energy profile to be both LEED Gold Certifiable and Net-Zero Ready Passive House. It is estimated that the project will receive 69.5 credits of the required 60 credits to achieve the LEED Gold rating.

### Site Design

The Applicant is proposing to underground the transformer vault on the northeast side of the property directly adjacent to the building façade. Staff have recommended a condition that if the transformer vault can no longer be located underground at a future stage in the development process, that change will constitute a Major Amendment, requiring board review.

### Parking and Mobility

The Applicant is not proposing any motor vehicle parking onsite as this property is located within the 0.5 mile Transit area. The site is in close proximity to both the Gilman Square and Magoun Square Green Line stations and served by a several bus lines. As this site is located within a transit area, onsite motor vehicle parking is not required by zoning. The Applicant has committed to several mobility management techniques as outlined in their approved Mobility Management Plan (MMP). Some of these commitments include, but are not limited to:

- Control the percentage of trips made by automobile at 50% or less
- Host annual mobility education meetings for all the residents
- Distribute information packets to all residents that includes carshare and bikeshare information along with local bike and transit maps/schedules
- MBTA and Bluebikes credits for residents
- Provide real time transit information in the building lobby

### Green Score and Landscaping

The Applicant is compliant with the landscape and open space zoning requirements and exceeds the minimum green score for the MR4 zoning district. The Applicant is proposing a common roof deck with a green roof, public realm enhancements including new street trees, decorative permeable pavers, and multiple plantings are proposed around the building.

### Housing

Twenty (20) percent of the dwelling units must be affordable dwelling units (ADUs). Twenty (20) percent of fifty-eight (58) is 11.6 ADUs. When the calculation for affordable dwelling units results in a fractional value, the fractional value is either rounded up to the next whole number and regarded as a whole unit or, alternatively, a buyout may be paid for the fractional value in accordance with Section 12.3 Buyouts & Payments. The Applicant has decided to do the latter and provide a payment for the fractional value.

Staff believe no additional mitigation is needed to address potential impacts beyond the recommended standard conditions for the size and type of building proposed.

## **CONSIDERATIONS & FINDINGS**

The Planning Board is required by the Somerville Zoning Ordinance to deliberate on each of the following considerations at the public hearing. The Board must discuss and draw conclusions for each consideration detailed below 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.

#### Household Living 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 + Special Permit:**

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

Staff believe the proposal will help to achieve the following goals from SomerVision, the comprehensive Master Plan of the City of Somerville:

- Significantly increase housing stock to keep up with demand while pursuing the goals of increasing the proportion of affordable housing and housing stock diversity.
- 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.
- Minimize the overall land use in Somerville dedicated to personal vehicles while encouraging alternative modes.

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

Staff believes 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 uses.”

#### **Site Plan Approval:**

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

Staff believe, as conditioned, the proposal does not produce any impacts that require additional mitigation.

### **Household Living Special Permit:**

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

Planning Staff believes the development site is highly suitable for a residential use as it within the ½ mile transit area, close to multiple bus stops, and located along a major corridor that contains many districts zoned for mixed-use development and high-density residential development.

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

The proposal includes thirty-three (33) studio units, sixteen (16) one-bedroom units, five (5) two-bedroom units, and four (4) three-bedroom units.

Three (3) 3-bedroom units will be ADUs, as required by the SZO, and the remaining eight (8) required ADUs will be distributed among the other unit sizes.

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

There are no previously existing ADUs on the site.

- 7. The number of motor vehicle parking spaces proposed for development within a Transit Area.*

No motor vehicle parking is proposed for this development; thus Staff believe this finding is not applicable.

### **PERMIT CONDITIONS**

Should the Board approve the required **Site Plan Approval for the 4-story LEED Gold apartment building**, Planning, Preservation & Zoning Staff recommends the following conditions:

#### **Permit Validity**

- This 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.
- 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.

- Alterations to the design or location of the transformer vault is a major amendment to the approved plans, and is permitted only as a Plan Revision in accordance with Article 15 of the Somerville Zoning Ordinance.

#### Public Record

- Physical copies of all development review submittal materials, as permitted by the Planning Board, 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 for the public record.

#### Legal Agreements

- A public right-of-way or pedestrian access easement must be provided in perpetuity by a covenant or other deed restriction for the full area of the sidewalk provided within the frontage area of the lot. Final easement language must be approved by the City Solicitor.

#### Site & Building Design

- Frontage area provided for a widened sidewalk along Broadway & Thurston Street must be designed and paved to properly correspond with any sidewalk improvements approved within the public right-of-way.

#### Mobility

- The property owner and applicable future tenants shall comply with the Mobility Management Plan as approved and conditioned by the Director of Mobility on September 6, 2022.
- Product details and design specifications for the fifty-eight (58) long-term bicycle parking spaces must be submitted to the Mobility Division to confirm compliance with Section 11.1 Bicycle Parking of the Somerville Zoning Ordinance prior to applying for a Building Permit.

#### Sustainability

- All Stage 2 documentation required by the LEED Certifiability Requirements must be submitted to the Office of Sustainability & Environment prior to applying for a Building Permit.
- All Step 3 documentation required by the LEED Certifiability Requirements must be submitted to the Office of Sustainability & Environment prior to applying for a Certificate of Occupancy.
- All Stage 2 documentation required by the Net Zero Ready Certifiability Requirements must be submitted to the Office of Sustainability & Environment prior to applying for a Building Permit.
- All Stage 3 documentation required by the Net Zero Ready Certifiability Requirements must be submitted to the Office of Sustainability & Environment prior to applying for a Certificate of Occupancy.

#### Construction Documents

- Utility meters are not permitted on any façade or within the frontage area of the lot.
- Materials 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 updated 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 tale (calculations form the SZO); lighting fixture schedule indicating the fixture type, description, lam type, lumens, color temperature, color rendering index, BUG rating, mounting height, and wattage of all luminaires; and notation of nay timing devices used to control the hours set for illumination.

#### Maintenance

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

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

#### Housing

- An Affordable Housing Implementation Plan (AHIP) must be submitted and approved by the Director of Housing prior to applying for a Certificate of Occupancy.
- All 3-bedroom affordable dwelling units must comply with the Director of Housing's quality standards for 3-bedroom ADU's.
- 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.

#### 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.
- 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.