



City of Somerville

PLANNING BOARD

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

TO: Planning Board
FROM: Planning, Preservation, & Zoning (PPZ) Staff
SUBJECT: 32/40/44 White Street, P&Z 22-054
POSTED: July 13, 2023

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

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 32/40/44 White 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 May 23, 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

SGL Development, Inc. proposes to develop a four (4)-story Commercial Building in the Mid-Rise 4 (MR4) district. The proposal requires Site Plan Approval and one (1) Special Permit for relief from the roof-mounted mechanical equipment and screening height.

SUMMARY OF PROPOSAL

The Applicant, SGL Development, Inc., is proposing to construct a four (4)-story LEED Gold commercial building, including a sixteen (16)-foot high mechanical penthouse. The proposed development will produce 43,835 square feet of commercial space, a loading area but otherwise no motor vehicle parking, 12 long-term bicycle parking spaces, 3 short-term bicycle parking spaces, and the proposed landscape will earn a Green Score of 0.274.

BACKGROUND

32/40/44 White Street is located in the 0.25 mi Transit Area in the Mid-Rise 4 (MR4) zoning district in the Porter Square neighborhood represented by Ward 5 Councilor Beatriz Gomez-Mouakad. Establishing a commercial building in the MR4 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 Applicant is also requesting a Special Permit for roof-mounted mechanical

equipment and screening that is greater than ten (10) feet in height. The Planning Board is the decision-making authority for all (non-variance) discretionary and administrative permits required for the MR4 zoning district.

This development requires the demolition of three existing structures, one at each address. The existing structures at 32 and 44 White Street have undergone the Demolition Review process with the Historic Preservation Commission, and were determined to be Not Preferably Preserved on May 10, 2022. Therefore, no delay can be placed on the demolition permits for the two buildings. The existing structure at 40 White Street is less than 75 years old and is not subject to the Demolition Review Ordinance.

NEIGHBORHOOD MEETINGS

The first neighborhood meeting was hosted by Ward 5 Councilor Beatriz Gomez-Mouakad and the applicant on August 31, 2022, via the Zoom meeting platform. A second neighborhood meeting was hosted by Ward 5 Councilor Beatriz Gomez-Mouakad and the applicant on January 24, 2023, via the Zoom meeting platform.

DESIGN REVIEW

The proposal was reviewed by Somerville Urban Design Commission (UDC) via the GoToWebinar meeting platform on October 25, 2022 and November 22, 2022. The Commission provided its official recommendation on November 22, 2022. In their recommendation, the UDC provided the following guidance:

1. Additional exploration is needed for the building materiality and uniformity of the façades, specifically the materials used for the non-street facing façades and the evaluation of how materials on the street-facing façades can be carried over to the non-street facing façades.
2. Detailing of the penthouse should have further articulation and integration with the overall architectural language of the building.
3. The Commission recommended that the Planning Board condition a physical mock-up of the building for a thorough review of the materials by the Urban Design Commission as part of the Site Plan Approval decision. This review would occur prior to the Applicant applying for a Building Permit.
4. Applicant should clarify the feasibility of the underground transformer vault, and if location is determined to be infeasible, the Applicant should provide updated plans detailing the new location of the vault and the impact (if any) to the site and building design.

Planning Staff have included a recommended condition relative to #3, and note that, per #4, the proposed location of the transformer has been changed from an underground vault to an alcove within the building, accessible from the first floor next to the loading area door.

ANALYSIS

Land Platting

This Application involves the development of a single building on three (3) existing lots (32, 40, and 44 White Street) that have not yet been merged. PPZ Staff have included a proposed condition of approval requiring a lot merger to be approved and recorded with the Registry of Deeds prior to the Decision on this Application being considered valid. Land platting (including lot mergers) that complies with the SZO must be completed through the Minor Site Plan Approval Process; such applications do not require review by the Planning Board.

Building Type and Zoning Compliance

Although the Application requests Site Plan Approval for a “Commercial Building,” which is an approved Building Type in the Mid-Rise 4 (MR4) zoning district, the Application Narrative (page 1) also states that the proposed development is for a Research & Development or Laboratory Building. The Inspectional Services Department has reviewed the Application and found that the Building Type, as proposed, is consistent with a “Lab Building,” which is not permitted in the MR4 zoning district.

A Commercial Building is described in the Somerville Zoning Ordinance (SZO) as a “moderate floor plate, multi-story, principal building type purpose built for occupation by commercial uses on all stories. Ground story commercial space is primarily occupied by commercial service, food & beverage service, or retail sales principal uses. Floor space on upper stories may be occupied by retail uses that do not rely on the visibility of a storefront at sidewalk level.”

A Lab Building is described in the SZO as a “large floor plate, multi-story principal building type purpose built for occupation by laboratory and research & development principal uses. Floor space is typically custom designed as complex, technically sophisticated, and mechanically intensive wet or dry labs or vivariums for animal research.”

While Research and Development (R&D) or Laboratory uses are permitted by right in the MR4 district, intensive R&D or laboratory uses were not intended to be the primary uses in Commercial Buildings. ISD has determined that the proposed mechanical penthouse, which is proposed to be sixteen (16) feet in height, and the interior design of the building, which includes significant ventilation and support systems, are consistent with characteristics of a Lab Building, rather than a Commercial Building. ISD has determined the building may still be considered a Commercial Building if Special Permit for relief from the roof-mounted mechanical equipment and screening height is denied, as the reduced and by-right height of a mechanical penthouse would limit the types of R&D or laboratory uses to those with reduced intensity, and more easily facilitate conversion between R&D and laboratory uses to commercial and retail uses that are typically supported in a Commercial Building. PPZ Staff therefore recommends the

denial of the Special Permit for relief from the roof-mounted mechanical equipment and screening height, to ensure the building is consistent with a Commercial Building.

ISD has further noted that if the Planning Board decides to approve the Special Permit, a condition of approval would be advisable to limit the percentage of gross floor area allowed to hold less than fifty percent (50%) of Research and Development or Laboratory use at any given time, and that the condition would be required to run in perpetuity.

Site Design and Landscaping

The site is occupied nearly entirely by the proposed building, with expanded sidewalks and street trees along White Street and White Street Place in accordance with the SZO, as well as a small, landscaped area with trees and other plantings at the rear of the site. The Architectural and Landscape Plans before the Board have been revised in response to multiple notes from the Public Space and Urban Forestry (PSUF) Division on compliance with Green Score and landscape requirements, as established in the SZO. Changes include but are not limited to planting species, soil details, and expansion of the bioswale; changes are shown with red clouding. PSUF confirmed that the Application has a compliant Green Score and noted that plans will be reviewed again at the Building Permit stage. Along with a general review of the site design and landscaping, notes that remain unresolved or require conditions of approval are described in this section.

The Application also includes a green roof, which PSUF has confirmed will be 2,566 square feet with 6-10 inches of growth height (as shown in the Landscape Plans).

PSUF Staff have noted for the record that they have reminded the Applicant that the removal of any existing trees on private property is subject to the City's Tree Preservation Ordinance, and that ground treatment in planting beds must be mulched per the requirements of SZO Section 10.3.5.a. PSUF has also noted that trees at 46 White Street may be impacted by the proposed development, and have recommended the Applicant engage with the property owner to ensure that the tree is adequately protected. PSUF Staff have also noted that any lighting must be specified on plans; Staff have proposed a standard condition related to this lighting requirement.

The Application proposes using a sand-based structural soil system for the installation of the proposed street trees, rather than Silva Cells. The SZO (Section 13.2.6.c.iii.b.) states that such systems may be used with the approval of the Director of Public Space & Urban Forestry. The Applicant has submitted an emailed request to the Director of PSUF, describing the proposed structural soil, how the project includes fewer street trees than what typically necessitate Silva Cells, and that the landscape team feels the topmost standards do not need to be met because the street trees do not count toward the Application's Green Score. PSUF Staff have reviewed the request and have recommended that a condition of approval be included to allow the approval or denial of the use of structural soil to take place at the time of the issuance of a Streetscape

Construction Permit. PSUF Staff have stated that this timeframe for review and a determination is more appropriate to ensure that the proposed use of the structural soil aligns with the intended purpose, functionality, and long-term sustainability of the project, and will better ensure that the proposed development complies with all necessary requirements and contributes positively to the overall urban landscape.

PSUF Staff have requested the Applicant's confirmation that overhead utilities will be buried and will not be installed within the critical root zone of the trees along White Street. The Applicant has not yet responded to this request.

The Landscape Plan shows a bioswale along White Street Place, which originally began at the crosswalk across White Street Place and ended immediately after the third proposed Donald Wyman Crabapple tree. PSUF Staff requested that the bioswale be widened to approximately six (6) feet in width, which would preserve a six (6)-foot-wide clear travel path on the sidewalk between the bioswale and façade of the building along White Street Place. The Applicant team responded by lengthening the bioswale by six (6) feet, and stated that widening the bioswale cannot be accommodated due to the design of the basement (which extends to approximately three (3) feet from the property line on White Street Place). PSUF Staff have stated that although exact size requirements for bioswales are not stated, the SZO (Section 10.3.5.e. Spacing) states that the spacing and placement of plants must be adequate and appropriate for the typical size, shape, and habit of the plant species at maturity. PSUF Staff further stated that the plants in the proposed bioswale are too closely planted; the plants will struggle to grow properly, and the functionality of the bioswale will suffer due to the overcrowding of plants. Vegetation must be planted in soil of sufficient volume, composition, and nutrient balance to sustain health growth (SZO 10.3.5.c. Soils). The cubic feet of soil is not satisfactory for trees to sustain their growth. Expanding the bioswale's width will satisfy both the plant spacing and the cubic feet of soil issue. Staff have proposed a condition related to the width of the proposed bioswale.

Mobility

The site is located within a quarter mile (0.25-mi.) Transit Area, approximately 400 feet away from the Porter Square MBTA Station in Cambridge. As noted previously, the site is located on the Somerville/Cambridge border, with properties to the northwest and southwest (across White Street and White Street Place) in Cambridge, and immediately adjacent properties to the northeast and southeast in Somerville. While the sidewalk and curb abutting the project property are within Somerville's jurisdiction, White Street itself is within Cambridge's jurisdiction. The City of Cambridge is aware of the proposed project and is working with the City of Somerville where appropriate. However, it should be noted that conditions of approval cannot require action within Cambridge; the Planning Board only has jurisdiction to require mitigation and impose conditions of approval within Somerville's municipal boundaries. Any Staff-recommended conditions relate to mitigation within Somerville's municipal boundaries.

The Application does not propose any new motor vehicle parking for employees or clients or customers. Mobility Staff note the proposed project's proximity to transit, bicycle, and pedestrian infrastructure, and supports no parking for customers and employees, recognizing that a lack of dedicated parking has been proven to be the most effective measure to encourage the use of alternative transportation modes. However, the Applicant has noted that they are in discussions with nearby parking facilities to facilitate some parking access for employees. The Somerville Zoning Ordinance requires un-bundled parking, which would apply under this circumstance, where all tenant employees would be required to pay the full cost for the use of any nearby parking facilities.

Mobility Staff note that the required Transportation Impact Study (TIS) anticipates that the project will generate 681 additional daily trips, compared to the existing buildings and uses. Of these daily trips, the TIS anticipates approximately 218 of these trips would be vehicle trips, 340 transit, and the rest walk or bike trips. The project is anticipated to generate two to five (2-5) truck deliveries per day, while White Street currently experiences 20-24 truck trips per weekday. Mobility Staff note that, based on the submitted data, the project would average 21 net new vehicle trips per peak hour, and that the traffic data describes the current vehicle peak hour trips on White Street as between 40 and 60.

White Street is currently designated as a Neighborway in Somerville's Bicycle Network Plan, which requires less than 50 vehicle trips per peak hour. To help address the new vehicle (including truck) trips and mitigate impacts, Mobility Staff have proposed multiple conditions of approval related to pedestrian and bicycle safety and delivery times. Mobility Staff also note the approved Mobility Management Plan (MMP) and the conditions established in the final approval letter from the Director of Mobility. The MMP includes multiple traffic mitigation and safety measures, and conditions support walking, biking, and transit use and improve safety.

The Application proposes twelve (12) long-term covered and secured bicycle parking spaces and three (3) short-term bicycle parking spaces, consistent with SZO requirements. The Application also shows shower and changing areas, including lockers, in the basement bathrooms.

The Application includes a Transit Capacity Analysis, which determined that additional trips generated by the project would not exceed MBTA crowding thresholds, with the exception of one PM peak trip on Route 77 outbound in both Build and Future scenarios.

The Application proposes closing two (2) curb openings at 32 and 40 White Street and proposes one (1) new curb opening for the loading dock on White Street Place. Sidewalks along White Street and White Street Place adjacent to the site will be reconstructed at a width of twelve (12) feet, and pedestrian ramps will be brought into compliance with City standards.

All loading and service operations will occur in the designated loading area, accessed from the private way White Street Place. A condition of the MMP final approval letter requires loading to be back-in, front-out, as shown in the Transportation Access Plan, and that vehicles must be no larger (longer) than 24 feet.

Sustainability

The Application states that the proposal will accomplish LEED Gold certification. OSE Staff have confirmed that the proposal is expected to reach LEED Gold with 66 credits. They have recommended the Applicant team consider additional measures to gain more credits in order to create a larger buffer between LEED Gold (60-79 credits) and LEED Silver (50-59 credits) ratings. However, OSE Staff have noted that additional credits, and the investigation of such credits, are not required.

The proposal will be required to meet the new Specialized Energy Code.

Linkage Fees

Commercial development, including this Application, is subject to the Affordable Housing Linkage Fee and the Employment Linkage Fee. The SZO (Sections 12.2.2.d.i. and 12.2.3.d.i.) states that review boards shall require relevant Applicant to execute and record covenants or deed restrictions agreeing to pay the linkage fees as a condition of any Discretionary of Administrative permit approval. Conditions have been proposed to that end.

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. Visual impact and aesthetic quality of the proposed screening or penthouse.

4. Efforts to reduce any net new shadows cast upon neighboring lots and structures.
5. Ventilation and air handling techniques to reduce the emission of odor or exhaust toward neighboring lots and structures.
6. Sound attenuation measures or operational procedures to mitigate noise impacts to neighboring lots and structures.

Information relative to the required Site Plan Approval considerations is provided below. Staff have not addressed Special Permit considerations, as denial has been recommended.

Site Plan Approval

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

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

- 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.
- 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.
- Add jobs. Prioritize commercial development until the number of jobs in Somerville is equal to the number of working residents.
- Encourage more commercial development. Develop sufficient commercial property to generate 50% of property tax revenue from commercial sources.
- Reduce [space dedicated to personal vehicles]. Minimize the overall space in Somerville dedicated to personal vehicles.
- Reduce demand [for vehicular parking and personal vehicle use]. Parking and personal vehicle use take up a lot of space and are not the best use of our land, [and] we should reduce the space available for parking and personal vehicle use.
- Prioritize walking, biking, and transit access. Cities are more enjoyable, safer, and more economically prosperous when more space is dedicated to people than cars. Use reclaimed space to create new public spaces, safe infrastructure for sustainable mode users, and other community uses.

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

The intent of the MR4 zoning district is, in part: "To create, maintain, and enhance areas appropriate for smaller scale, multi-use and mixed-use buildings and neighborhood serving commercial uses."

The intent of the SZO, generally, is, in part:

- To increase commercial tax base in support of the fiscal health of the City.
- To protect and promote a diverse mix of businesses.
- To increase accessibility to diverse employment opportunities within Somerville.
- To require a strong connection and gradual transition between the public realm (sidewalks, thoroughfares, and civic spaces) and private realm (yards and building interiors).
- To encourage contemporary architectural design for new construction that compliments the established character of existing buildings.
- To encourage the use of public transportation, bicycling, and walking in lieu of motor vehicle use when a choice of travel mode exists.

Staff believe that, as conditioned, this project meets the intent of the MR4 zoning district and the SZO in general.

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

Staff believe that, as conditioned, the mitigation proposed properly alleviates impacts attributable to the proposed development.

PERMIT CONDITIONS

Because ISD and PPZ Staff have recommended denial, no conditions have been recommended related to the Special Permit for roof-mounted mechanical equipment and screening that is greater than ten (10) feet in height.

Should the Board approve the required Site Plan Approval for the four (4)-story commercial building, Planning, Preservation & Zoning Staff recommends the following conditions:

Permit Validity

1. This Decision must be recorded with the Middlesex South Registry of Deeds.
2. A written narrative or descriptive checklist identifying the completion or compliance with permit conditions must be to the Inspectional Services Department at least ten (10) working days in advance of a request for a final inspection.
3. This Decision is not valid unless a land plat is approved to establish the merged lot and the approved plan and associated decision are recorded with the Middlesex South Registry of Deeds.

Public Record

4. A digital 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.

5. If the Board requires any changes to the submitted plans, digital copies of all applicable application materials reflecting those changes must be submitted to the Planning, Preservation & Zoning Division for the public record. Materials must be submitted in accordance with the document format standards of relevant Submittal Requirements.

Construction Documents

6. Construction documents must be substantially equivalent to the approved plans and other materials submitted for development review.
7. 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.
8. An outdoor lighting plan and supplier cut sheet specifications of chosen lighting fixtures must be submitted to confirm compliance with Section 10.6 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.

Site & Building Design

9. Utility and mechanical equipment is not permitted on any facade or within the frontage area of the lot.
10. Electrical transformers and other mechanical equipment are not permitted above ground within the frontage area of any lot.
11. A physical mock-up of the building with a detailed materials palette shall be submitted to Urban Design Commission for review and comment prior to the issuance of a building permit.
12. The evaluation of the use of structural soil for the planting of street trees, and subsequent approval or denial by the Director of Public Space and Urban Forestry, shall take place prior to the issuance of a Streetscape Construction Permit.
13. The bioswale along White Street Place shall be expanded to approximately six (6) feet in width, preserving a six (6)-foot-wide clear travel path (sidewalk) between the bioswale and the façade of the building, to ensure the long-term viability of the plantings and the bioswale itself.

Legal Agreements

14. 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. The easement must be recorded at the Middlesex Registry of Deeds prior to application for a Certificate of Occupancy.
15. A covenant or other deed restriction agreeing to pay the housing linkage fee must be executed and recorded with the Middlesex South Registry of Deeds or

filed with the Land Registration Office. Final deed restriction language must be approved by the Economic Development Division and City Solicitor.

16. A covenant or other deed restriction agreeing to pay the jobs linkage fee must be executed and recorded with the Middlesex South Registry of Deeds or filed with the Land Registration Office. Final deed restriction language must be approved by the Economic Development Division and City Solicitor.

Sustainability

17. The Applicant or their successor in interest must submit all Stage 2 documentation required by the Office of Sustainability & Environment's LEED Certifiability Requirements.
18. The Applicant or their successor in interest must submit all Stage 3 documentation required by the Office of Sustainability & Environment's LEED Certifiability Requirements.

Mobility

19. The property owner and applicable future tenants must comply with the Mobility Management Plan dated March 21, 2023, as approved and conditioned by the Director of Mobility's Final Approval dated May 5, 2023.
20. Sidewalks shall be constructed to the City of Somerville standards and in accordance with the National Association of City Transportation Officials (NACTO) design guidelines. All changes to the public Right-of-Way must be submitted to relevant City departments, including but not limited to Engineering, ISD, and the Mobility and PSUF Divisions, for review and approval prior to the issuance of a Streetscape Construction Permit.
21. Pedestrian ramps connecting to sidewalks adjacent to the site, including but not limited to the pedestrian ramp on the south side of the crosswalk across White Street Place, shall be reconstructed to City of Somerville standards to ensure accessible paths of travel in the public Right-of-Way. Final designs for these improvements must be submitted to relevant City departments, including but not limited to Engineering, ISD, and Mobility, for review and approval prior to the issuance of a Streetscape Construction Permit.
22. To mitigate transportation impacts from increased truck traffic and to avoid peak travel times and Somerville Quiet Hours, deliveries shall only occur between the hours of 10:00 a.m. and 3:00 p.m. on weekdays and Saturdays.
23. All bicycle parking spaces proposed on site shall be designed to meet the requirements established in the Somerville Zoning Ordinance, as described in the approved Transportation Access Plan (TAP). Final designs must be submitted to the Mobility Division for review and confirmation of compliance prior to the issuance of any Building Permit.
24. To mitigate transportation impacts from increased vehicle and truck traffic, the Applicant or their successor shall construct pedestrian and bicycle safety improvements at the Elm Street, White Street, and Hancock Street intersection, including (1) a raised intersection to provide a safe connection between the neighborways of Hancock Street to White Street, and (2) two-way protected bike lanes along Elm Street from Hancock Street to White Street. Final designs must

be submitted for review and approval by relevant City departments, including but not limited to Engineering and Mobility, prior to the issuance of any Building Permit. Construction of these improvements must be completed prior to the issuance of a Certificate of Occupancy.