



City of Somerville

PLANNING BOARD

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

TO: Planning Board
FROM: OSPCD Staff
SUBJECT: 45 Mystic Avenue, P&Z 22-029
POSTED: September 29, 2023

RECOMMENDATION: No change

This memo is supplemental to the PPZ Staff Memo, dated September 1, 2023, and provides additional staff review on the updated submission from the Applicant.

BACKGROUND

On September 7, 2023 and September 21, 2023, the Applicant requested a continuance for the public hearing from the Planning Board to address the PPZ Staff Memo dated September 1, 2023. On September 21, 2023, the Applicant submitted a revised Civic Space Study, an updated plan set, and a landscape plan from the original submission.

ANALYSIS

On September 27, 2023, the Inspectional Services Department (ISD) reviewed the updated submission and determined that although the application appears to be zoning compliant, ISD cannot confirm compliance due to the inconsistency within the submitted materials and deficiency of zoning standards related to the proposed Pocket Park demonstrated for review. PPZ Staff notes that specific zoning standards related to the Pocket Park can be addressed in the Site Plan Approval process.

There were several concerns outlined by Staff in the PPZ Staff Memo dated September 1, 2023. The Applicant only addressed the Civic Space type and setbacks in the updated materials submitted.

Civic Space

The updated submission from September 21, 2023 shows a proposed Pocket Park instead of the previously proposed Pocket Plaza. PSUF Staff notes that a Pocket Park is more suitable at this site because a Pocket Park must include 70-100% landscaped area, which takes into consideration the feedback from the neighborhood. PSUF Staff has strong concerns related to the design and layout of the Pocket Park, which can be addressed in the Site Plan Approval process.

Staff notes the updated materials submitted on Sept 21, 2023, are inconsistent, the Civic Space is labeled as a "Plaza" on some of the pages, while labeled "Pocket Park" on the others.

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.

Master Plan 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 proposed alignment and connectivity of the thoroughfare network.
4. The gross floor area allocated to different use categories.
5. Mitigation proposed to alleviate any adverse impacts on utility infrastructure.
6. Proposed development phasing.
7. Proposed on-street parking to address demand by customers of Retail Sales, Food & Beverage, or Commercial Services principal uses.
8. Civic spaces are subject to the provisions of SZO Article 13.

Information relative to the required considerations is provided below:

Master Plan Special Permit Considerations

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

Relevant goals from SomerVision 2040, the City's Comprehensive Master Plan, include, but may not be limited to, 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.**

Staff believes that the proposed loading configuration does not meet the intent, highlighted above, of SomerVision 2040. Staff notes that Mystic Avenue at this location is a one-way, multi-lane arterial that functions as a regional highway. Mobility and Engineering Staff have determined it unsafe and inappropriate to allow vehicles to back in or back out of the loading zone onto this part of Mystic Avenue.

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

The intent of the Assembly Square Mixed-Use District (ASMD) is, in part: "To redevelop underutilized areas within close walking distance to the Assembly Square T-station with mixed-use, mid-rise, and high-rise, transit-oriented development that will support the transformation of Assembly Square into an urban commerce center".

The intent of the Somerville Zoning Ordinance (SZO) more generally includes, but is not limited to, the following:

- To ensure the development of a well-connected thoroughfare network, composed of direct and convenient routes that reinforce Somerville as a walkable, human-scaled urban environment.
- To discourage thoroughfares and intersections that limit connectivity, discourage walking, induce traffic congestion, and increase vehicular air pollutant emissions by reducing the number of possible routes of travel and adding unnecessary distance between destinations.
- To develop a comprehensive network of thoroughfares that accommodate multiple modes of transportation, organized in a hierarchy defined by the character of each type.
- To balance the supply of off-street parking with local thoroughfare network capacity.

Staff believes this project, as proposed, does not meet the intent of the SZO due to the proposed loading configuration. Without any mitigation proposed or a redesign of the project, this proposal, if approved, could pose a serious threat to the public safety and welfare of the general public.

PERMIT CONDITIONS

Staff does not recommend the approval of this Special Permit application. However, should the Board approve the required Special Permit for a Master Plan, Planning, Preservation & Zoning Staff recommends the conditions outlined on the PPZ Memo, dated September 1, 2023, and the following conditions:

Conditions

- Mystic 45 Development LLC must submit a land plat application that splits the Civic Space and the building into two (2) separate lots prior to the Site Plan Approval process.