



City of Somerville

PLANNING BOARD

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

TO: Planning Board
FROM: OSPCD Staff
SUBJECT: 20-23 Cummings Street, ZP24-000085
POSTED: November 27, 2024

RECOMMENDATION: Approve with Conditions (Special Permit)

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 Special Permit application submitted for 20-23 Cummings St, 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 September 25, 2024, and is scheduled for a public hearing on December 5, 2024. 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

Greystar Development East, LLC seeks waivers from dimensional standards for building height, floor area ratio, and front setback, proposing occupancy of commercial space greater than 10,000 square feet in leasable floor area in the Assembly Square Mixed-use district and modifications to the provisions of Section 11.2 Motor Vehicle Parking, all which requires a Special Permit.

SUMMARY OF PROPOSAL

Greystar Development East, LLC is proposing a master plan for a 3.33 acre development site roughly bounded by Mystic Avenue/Fellsway to the west and Middlesex Avenue to the east, McGrath Highway to the south, and the State Courthouse to the north. The proposal includes the following:

- Two (2) lab buildings (Buildings 1 & 2)
- One (1) general building (Building 3)
- Two (2) civic spaces
- Three (3) thoroughfares
- 1,254,800 SF of Lab/R&D uses
- 162,500 SF of hotel/hospitality uses
- 15,900 SF of food/beverage and child daycare uses

The applicant is seeking the following waivers from SZO §7.4.7 dimensional standards:

- Building height exceeding one hundred and twenty-five (125) feet for all proposed buildings
- Exceeding the maximum Floor Area Ratio (FAR) for all proposed buildings
- Building setback more than five (5) feet from the front lot line

The applicant is also seeking Special Permits for occupancy of a single commercial space greater than ten-thousand (10,000) SF in leasable floor area for both building 1 and 2 and for modifications to the requirements of 11.2. Motor Vehicle Parking.

BACKGROUND

20-23 Cummings Street is located partially in the 0.5mi Transit Area in the Assembly Square Mixed-Use (ASMD) special zoning district in the Assembly Square neighborhood represented by Ward 1 Councilor McLaughlin. Relief from dimensional standards in the ASMD district can be sought through waivers via a Special Permit. Occupancy of any single commercial space greater than ten thousand (10,000) SF in leasable floor area of any permitted use requires a Special Permit in the ASMD district. Further, modifications of the provisions of 11.2 Motor Vehicle Parking requires a Special Permit. The Planning Board is the decision-making authority for all (non-variance) discretionary or administrative permits required for the ASMD special zoning district.

The applicant has also applied for a Master Plan Special Permit associated with case number ZP24-000046. For information related to that application, please see the Staff Memo dated November 27, 2024.

NEIGHBORHOOD MEETINGS

One (1) neighborhood meeting was hosted by Ward 1 Councilor McLaughlin and the applicant on July 26, 2023, via a hybrid meeting setting at Zoom meeting platform the Public Storage Community Room at 50 Middlesex Avenue in Somerville. The following feedback has been summarized from comments made by members of the public at the neighborhood meetings. Please see the Staff Memo dated November 27, 2024 for the associated Master Plan Special Permit application ZP24-000046, which provides greater details on the feedback received at the neighborhood meeting.

ANALYSIS

As development continues in Assembly Square, some developments have sought waivers from certain dimensional requirements and other special permits in the ASMD special zoning district to align with the publicly available draft ASQ Plan (<https://voice.somervillema.gov/assemblynp>) and SomerVision 2040. This application is one of those development projects seeking special permits to proceed with a commercial development consistent with both the current Assembly Square Neighborhood Plan (2000 ASQ Plan) and the publicly available draft ASQ Plan Update plan aligned with goals relating to research and development land uses and a life-science cluster along Middlesex Avenue.

Exceeding the maximum Floor Area Ratio (FAR)

The project is greater than fifty-thousand (50,000) gross floor area, the maximum FAR permitted by §7.4.7 is 10.0. As proposed as part of the Master Plan, the buildings will have the following FAR: Building 1's will be 11.1, building 2's will be 13.2, and building 3's will be 15.6. The ASMD is a Transform Area as identified in SomerVision 2040. As such, increased density is supported in this area, especially on this site adjacent to the elevated interstate and proximity to transit.

Exceeding the maximum building height requirements of 125 feet

The project meets the goals of SomerVision 2040 by proposing new commercial development in a Transform Area and is expected to provide significant employment opportunities. In the ASMD, building height is measured and regulated regarding distance from the Mystic River. As this site is more than three hundred and fifty (350) feet from the river and over one thousand (1,000) feet from the Orange Line T Station, Table 7.4.7 permits a maximum height of one hundred and twenty five (125) feet.

Buildings 1 and 2 are both proposed to be approximately two hundred and ninety (290) feet in height, and Building 3 is proposed to be one hundred and seventy-five (175) feet in height. As mentioned above, the project site is immediately adjacent to the interstate, so additional height in this location does not create any adverse impacts on adjacent parcels. The publicly available draft ASQ Plan calls for taller buildings in the Middlesex Avenue corridor to be above fifteen (15) stories to create a physical barrier between the highway and the rest of the neighborhood.

Special Circumstance for buildings being set back from the front lot line up beyond five (5) feet

§7.4.7.b permits buildings to be set back from the front lot line up to five (5) feet, except in special circumstances where greater setbacks would enhance the pedestrian-friendly experience of the frontage. The 2000 ASQ Plan calls for building scales oriented to pedestrians, a quality pedestrian experience, and setbacks to create open space. The increased building setback will create a more pedestrian-friendly experience along the frontage of Building 2 by providing a generous pedestrian and furnishing zone along Middlesex Avenue, including new street trees, planters, and a buffer zone. The publicly available draft ASQ Plan also calls for an improved pedestrian experience and ample open space.

Any single commercial space over ten thousand (10,000) SF of leasable floor area by any permitted use

SomerVision identifies a community shared value to "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

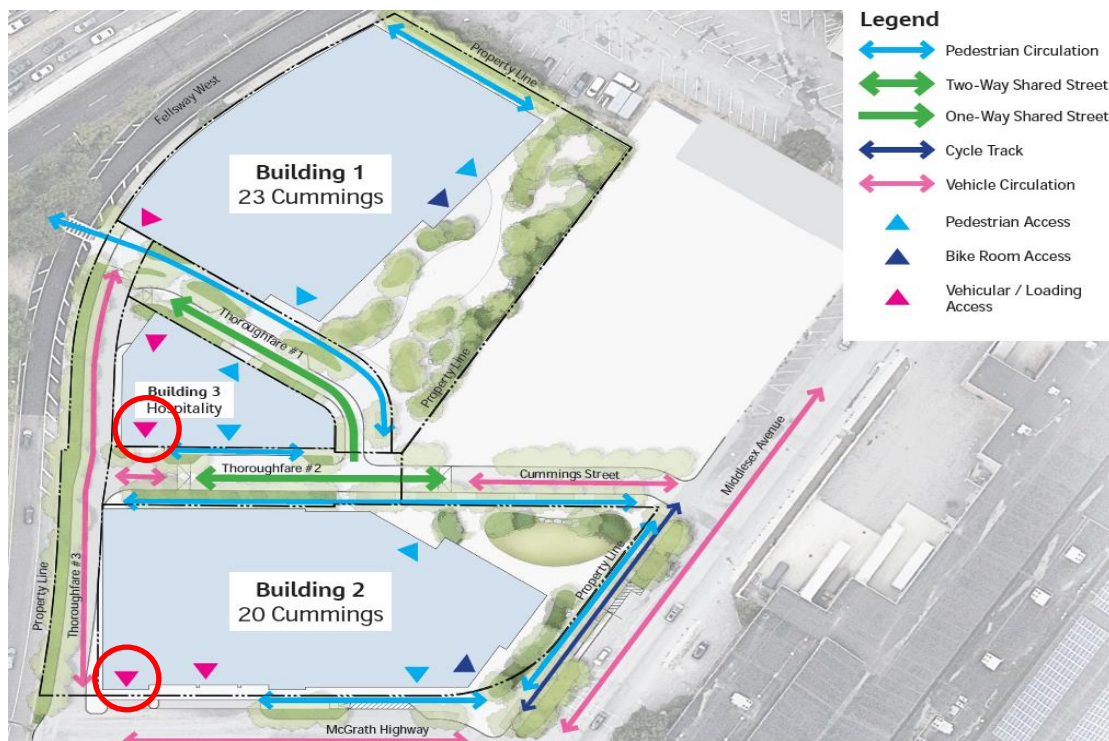
businesses, and secures fiscal self-sufficiency" and specifies a goal to "make Somerville a regional employment center with a mix of diverse and high-quality jobs." This proposal of approximately 1,254,800 SF of office, lab, and research/development uses (along with 11,900 SF of retail uses) supports these comprehensive statements.

Per 7.4.7.c.ii., "Occupancy of any single commercial space greater than ten thousand (10,000) SF in leasable floor area by a permitted use requires a Special Permit." While tenancing of this project is a few years away, it is anticipated that the occupants will be more than one tenant over ten thousand (10,000) SF in both Buildings 1 and 2.

The 2000 ASQ Plan calls for a mixed-use district with a principal component of high-tech office and R&D uses comprising almost seventy (70%) percent of new development. Similarly, the publicly available draft ASQ Plan identifies the Middlesex corridor as an ideal location for life science and workplace uses ("research corridor"). The applicant intends for both Buildings 1 and 2 to be mostly comprised of life science and lab-related uses.

Modifications to the provisions of Section 11.2 Motor Vehicle Parking

§11.2.1.d.ii. requires all off-street parking to be accessed from an alley, if one is provided. A Special Permit can modify the provisions of Section 11.2 to accommodate alternative technologies and methods for providing motor vehicle parking (§11.2.6). The applicant proposes an alley (Thoroughfare 3) as part of their Master Plan proposal (see graphic below), however that thoroughfare will not be used to access off-street parking. Underground parking for the proposed hospitality building (Building 3) and building 1 will be accessed via a garage ramp from a non-alley thoroughfare type. Building 2's off-street parking will be access off of McGrath Highway.



Staff are comfortable with the proposed access plan for the garages. A single point of entry for Building 2's below-grade parking, in addition to a single point of entry for Buildings 3 and 1's below-grade parking, will benefit the maintenance of a comfortable pedestrian and bicycle experience on Thoroughfare 1. All three buildings have dedicated locations for opportunities for pick-up, drop-off, and loading, which should adequately serve users who are unlikely to utilize the garages. All garage entrances and loaded access points have been located to minimize their impact on adjacent streetscapes and areas with higher pedestrian and bicycle activity.

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.

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.

Special Permit Considerations for waivers from dimensional standards

3. Consistency with the ASQ Plan.

Special Permit Considerations for 10,000 SF of leasable floor space of any permitted commercial use

4. Compatibility with the intensity of activity associated with the surrounding land uses.
5. Capacity of the local thoroughfare network providing access to the site and the impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.

Special Permit Considerations for modifications to the provisions of Section 11.2 Motor Vehicle Parking

6. The ability of alternative technologies and methods of motor vehicle parking to provide equal or greater benefits to motor vehicle users.

Information relative to the required considerations is provided below:

Special Permit Considerations

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

Staff believes that the proposal will help to achieve the following from SomerVision 2040 which is, the comprehensive Master Plan for the City of Somerville:

- 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 safe for all pedestrians, bicyclists, and transit riders.
- Minimize the overall land use in Somerville dedicated to personal vehicles while encouraging alternative modes.
- Ensure Somerville civic spaces are for the entire community. They should be welcoming and easily accessible, and people should feel empowered to enjoy them and improve them.

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

Staff believes that the proposed Master Plan is consistent with the Assembly Square Mixed-Use (ASMD) special zoning district which, is in, part [t]o 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.

Special Permit Considerations for waivers from dimensional standards

3. Consistency with the ASQ Plan.

Staff believes that proposed waivers from the dimensional standards of §7.4.7 are consistent with the 2000 ASQ Plan related to research and development uses and the publicly available draft ASQ Plan relating to developing taller buildings closer to I-93 and developing a life science cluster along Middlesex Avenue.

Special Permit Considerations for occupancy of any 10,000 SF of leasable floor space of any permitted use

4. Compatibility with the intensity of activity associated with the surrounding land uses.

Staff believe there is compatibility with the intensity of activity associated with surrounding land uses, especially with adjacent sites at 74 Middlesex and 5 Middlesex Avenue, as both buildings are anticipated to have lab and research & development uses. Future development at 120 Middlesex Ave directly adjacent to 23 Cummings Street is also anticipated to have lab and research & development uses along with ground story retail or food & beverage uses.

5. *Capacity of the local thoroughfare network providing access to the site and the impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.*

Staff believes that as proposed, there is capacity of the local thoroughfare network to provide access to the development site and that the impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood will be mitigated as part of the Master Plan development proposal and the future development of the site.

Special Permit Considerations for modifications to the provisions of Section 11.2 Motor Vehicle Parking

6. *The ability of alternative technologies and methods of motor vehicle parking to provide equal or greater benefits to motor vehicle users.*

Staff believes that the alternative methods of accessing motor vehicle parking will provide equal or greater benefits to motor vehicle users as a single point of entry for the Building 1 garage and single point of entry for Building's 3 and 1 will be provide easy access to motor vehicle parking while providing a more comfortable pedestrian and bicycle experience on the development site.

PERMIT CONDITIONS

Should the Board grant approval for the Special Permits for waivers from dimensional standards for building height, floor area ratio, and front setback, proposing occupancy of commercial space greater than 10,000 square feet in leasable floor area in the Assembly Square Mixed-use district and modifications to the provisions of Section 11.2 Motor Vehicle Parking, 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 provided to the Inspectional Services Department at least ten (10) working days in advance of a request for a final inspection.

Public Record

3. 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.
4. One (1) 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. Materials must be submitted in accordance with the document format standards of relevant Submittal Requirements.