

DEVELOPMENT NARRATIVE SUPPLEMENT HARDSHIP VARIANCES

Property: 1154 Broadway
Applicant/Owner: Laxmi N. Pradhan and Jharana Pradhan, Trustees of the
1154 Broadway Realty Trust
Agent: Adam Dash, Esq.
Zoning District: MR4
Not in a Transit Area
In a Pedestrian Street District
Cases: ZP26-000026, ZP26-000027, ZP26-000028, ZP26-000029, ZP26-000030,
ZP26-000031 and ZP26-000032 and three new additional Hardship
Variances stated herein which have no case numbers yet

The Applicant and Owner of the Property at 1154 Broadway, being Laxmi N. Pradhan and Jharana Pradhan, Trustees of the 1154 Broadway Realty Trust, hereby supplements the Development Narratives for Hardship Variances submitted on March 20, 2026 by replacing said previously submitted Development Narratives in their entirety with this supplement.

Applicant seeks the following Hardship Variances:

- Secondary front setback**
- Having a driveway in the frontage area**
- Number of stories**
- Building height**
- Landscape buffer abutting the Neighborhood Residence (“NR”) zoning district**
- Green score**
- Sidewalk width (New Variance)**
- Two curb cuts on a front lot line (New Variance)**
- Rear Setback abutting the NR zoning district**
- Curb cut distance from intersection (New Variance)**

Proposal Summary.

Applicant seeks to construct an eight-story hotel, with commercial ground floor space facing Broadway, which is a Pedestrian Street District, on the existing vacant lot at the Property.

There will be 35 motor vehicle valet parking spaces provided below via car lift. There will also be ten long-term bicycle parking spaces and five short-term bicycle parking spaces.

The Property is vacant and has been an open pit for many years. A six-story hotel was permitted at the Property in 2018, and that approval was extended in 2020; however, that approval has since expired.

The Property formerly was home to a dry cleaning business, and Phase 1 environmental testing showed the need for additional environmental testing.

While Applicant has not done further environmental testing of the Property, potential buyers have done so and then backed out of purchasing the Property. Applicant is not in possession of those potential buyers' proprietary environmental tests, but believes that the Property is likely to be contaminated. This soil condition creates substantial economic hardship for the clean up and redevelopment of the Property. Applicant needs a high-rise sized hotel to pay for the likely soil remediation, and the size of that hotel triggers certain hardship variances on this tight MR4 zoned Property which is oddly shaped and on a corner, and which contains a pit in the ground.

The current proposed eight-story hotel project needs Site Plan Approval for a Commercial Building, Special Permits for the hotel use and for a formula business (hotel) use, and the Hardship Variances listed above. This Narrative addresses only the above Hardship Variances.

As the arguments for the Hardship Variances are essentially the same, rather than repeat them in this Narrative, Applicant will describe the specific relief sought for each Hardship Variance, and will then provide one argument supporting all of the Hardship Variances together.

With the recent change in state law regarding the standard for variances, Applicant also argues that the Hardship Variances stated herein should be granted under said new "practical difficulty" standard, as stated below.

Specific Relief Sought.

1. Secondary Front Setback Variance

Regarding ZP26-000032, Applicant is seeking a Hardship Variance for the Secondary Front Setback. In this proposal, the Secondary Front is the Clarendon Avenue side of the Property.

There are two dimensions regarding the Secondary Front Setback for which this Hardship Variance relates, being both the minimum and maximum Secondary Front Setback requirements which are to be within 2' and 15'. The proposed hotel's Secondary Front Setback is less than the required minimum on the upper floors, and greater than the required maximum on the lower floors.

First, the Somerville Zoning Ordinance ("SZO") in Section 4.2.9 requires at least a minimum 2' setback on the Secondary Front side of the Property, but Applicant is proposing a zero foot setback on that side on the upper floors, which is less than that.

Second, the Somerville Zoning Ordinance ("SZO") in Section 4.2.9 requires that the ground story have a maximum front setback of 15' but Applicant is proposing ground floor setbacks on the Clarendon Avenue side of 17.5' at the restaurant entrance and 26' 9" at the hotel entrance, which are greater than that.

The hotel will have a compliant Primary Front Setback along Broadway, which is the most important side due it being the most visible side and the most-traveled by pedestrians, as well as Broadway being a Pedestrian Street District.

The relief for a larger than allowed setback is needed at the ground level to accommodate the driveway, which must be on the Clarendon Avenue side of the Property. Having the setback be larger than required at the ground level where pedestrians experience the structure most is not a bad thing and provides more space and distance between the sidewalk and the structure. This increased ground floor setback is required in order to have the driveway and the pick up and drop off area for the hotel.

In order to accommodate that driveway, the building has to be moved back from Clarendon Avenue on the ground level, which requires Applicant to extend the upper floors closer to Clarendon Avenue to make up for the lost space on the ground floor in order to have a viable hotel.

There is not enough room at the Property to comply with the minimum and maximum Secondary Front Setback requirements on all floors while still having a viable hotel structure with a safe and efficient pick up and drop off area.

There need to be enough guest rooms to have a viable hotel, to make up for the lost space in the building due to the driveway, and to pay for the likely environmental clean up of the site. If the setback were met on all floors, then the building would have to be taller than proposed (which height is already the subject of two Hardship Variances) to make up for the lost space.

2. Having a Driveway in the Frontage Area Variance

Regarding ZP26-000031, Applicant is seeking a Hardship Variance for having a driveway in a frontage area. In this proposal, the Secondary Front is the Clarendon Avenue side of the Property. The SZO in Section 4.2.15.c.ii does not allow driveways in a frontage area, but Applicant is proposing driveway for pick ups and drop offs to the hotel between the hotel building and the street along the Secondary Frontage, which is Clarendon Avenue.

A hotel has to have a dedicated area on-site for pick ups and drop offs by the hotel's front door in order for guests to load and unload without disrupting traffic on the street and in the neighborhood. The driveway to the underground parking has to go on the side of the hotel, so the pick up and drop off area has to be between the hotel and the street, which is in the frontage area. There is no other place for it.

3. Number of Stories Variance

Regarding ZP26-000029, Applicant is seeking a Hardship Variance for the Number of Stories. The SZO in Section 4.2.9 limits the number of stories to four, but Applicant is proposing an eight-story hotel.

Applicant has found that a hotel of fewer than eight-stories at the Property will not be a viable hotel, therefore, the additional height is required to pay for the likely environmental clean up of the site.

A six-story hotel was approved in 2018, and that approval was extended in 2020. The current proposal is only two stories taller than the hotel that was already approved for the site.

4. Building Height Variance

Regarding ZP26-000028, Applicant is seeking a Hardship Variance for the Building Height. The SZO in Section 4.2.9 limits the Building Height to 55 feet, but Applicant is proposing a 93-foot-tall hotel.

The reasons for the Building Height Hardship Variance are the same as for the Number of Stories Hardship Variance.

5. Landscape Buffer Abutting the NR District Variance

Applicant is seeking to amend ZP26-000027 to be for a Hardship Variance for the landscape buffer abutting the NR zoning district on the East side of the Property which abuts the rear of properties along Newbury Street. The SZO in Section 4.2.9 and 10.3.6 requires a ten-foot landscape buffer, but Applicant is proposing no buffer.

The parking which a hotel requires for guests needs to be in front of the hotel's door. The driveway to access that parking has to be along the Clarendon Avenue side because that is the only side where a curb cut is allowed. This means that the driveway will be in the frontage area along Clarendon Avenue and the building will be pushed toward the East lot line which abuts the NR zoning district. This leaves no room for a landscape buffer.

6. Green Score Variance

Regarding ZP26-000026, Applicant is seeking a Hardship Variance for the Green Score requirement. The SZO in Section 4.2.9 requires at least a Green Score of 0.25, but Applicant is proposing a 0.156 Green Score.

Facing a Pedestrian Street also requires that the Broadway side of the building have one of the allowed Pedestrian Street District uses on the ground floor, per SZO Section 4.2.13.b.

Of those allowed Pedestrian Street District uses, a restaurant is the one which matches best with the hotel use. Restaurants require gas to cook food, which reduces the Green Score calculation.

Since a larger building is required to likely clean the site, the proposed building is high-rise construction, which requires “renewable energy be provided on site”. This means that the roof, which was formerly a green roof, would need to be covered in solar panels, which also impacts the Green Score calculation. There is no way to meet the Green Score elsewhere on the Property due to its irregular shape and the other hardships associated with the Property, and the other requirements of the SZO.

Even with the Green Score being below the required calculation, the Property would still exceed the minimum Open Space requirement by approximately 17%, which is a lot. That Open Space will be noticeable by the public and will be an amenity to the neighborhood, as will the restaurant and hotel uses.

Literal enforcement of the SZO would prevent Applicant from the likely need to clean up the site because Applicant could not construct a hotel of the required size to pay for such clean up, while also meeting the Green Score requirements.

Literal enforcement of the SZO would require Applicant to comply with the Green Score, which would make the ground floor space facing Broadway difficult to lease, as a restaurant will need gas for cooking and as the other Pedestrian Street District uses are not compatible with the hotel use.

7. Sidewalk Width Variance

Applicant is seeking a new Hardship Variance for the sidewalk width along Clarendon Avenue. In this proposal, the Secondary Front is the Clarendon Avenue side of the Property. The SZO in Section 4.16.a.i requires a 12’ sidewalk width, but Applicant is proposing a sidewalk width of between 6’ and 6’ 7”.

A hotel has to have a dedicated area on-site for pick ups and drop offs by the hotel’s front door in order for guests to load and unload without disrupting traffic on the street and in the neighborhood. The driveway to the underground parking has to go on the Clarendon Avenue side of the hotel, so the pick up and drop off area has to be between the hotel and Clarendon Avenue, which is in the frontage area. All of this means that the required sidewalk width cannot be met.

The sidewalk width for which relief is being sought is not in the frontage area along the Pedestrian Street, being Broadway, which is the main throughfare

abutting the Property. The Broadway sidewalk width is compliant, and that is the more-traveled side of the Property for pedestrians.

8. Two Curb Cuts on a Front Lot Line Variance

Applicant is seeking a new Hardship Variance for having two curb cuts on a front lot line, being along Clarendon Avenue. In this proposal, the Secondary Front is the Clarendon Avenue side of the Property. The SZO in Section 4.16.b.ii requires a no more than one curb cut on a front lot line such as Clarendon Avenue.

Per SZO Section 4.2.16.b.iii, a project cannot have a curb cut on a Pedestrian Street, which is Broadway in this instance. This means that the driveway and curb cuts for the hotel must be on Clarendon Avenue, which is the shortest side of the Property and the only other side fronting a Thoroughfare.

There is not enough room at the Property to have only one curb cut along Clarendon Avenue while still having a viable hotel structure with a safe and efficient pick up and drop off area. In order to comply, the structure would have to be much smaller so that there would be enough space on site for vehicles to pick up and drop off, and to park, all through one curb cut. Since the proposed hotel cannot provide that sort of circulation space on site, the vehicles have to enter through one curb cut and then exit through another.

One curb cut is insufficient for safe and efficient circulation on the constrained site and would lead to vehicles queuing on the street.

While two curb cuts are being sought along Clarendon Avenue, there would be no curb cuts along the Pedestrian Street front lot line, being Broadway, which is the main throughfare abutting the Property. The Broadway side having no curb cuts is compliant, and that is the more-traveled side of the Property for pedestrians.

9. Rear Setback Variance Abutting the NR District Variance

Applicant is seeking to amend ZP26-000030 to be for a Hardship Variance for the Rear Setback along the two Newbury Street properties whose rear lot lines abut the Property.

The Property's Eastern lot line, which abuts three properties, is a side lot line where it abuts the side of 248-252 Holland Street, a/k/a 1150-1152 Broadway (which is in the MR4 zone) and is a rear lot line where it abuts the rear of 3-5 Newbury Street and 7 Newbury Street (which are in the NR zone).

This means that the rear setback for the portion of the Property abutting the rear of 3-5 Newbury Street and 7 Newbury Street needs a Hardship Variance because the SZO requires a 20' rear setback for floors one through three and a 30' rear

setback for floor four along the NR zone. The proposed hotel has a setback of 1' 7.5" along that lot line.

Applicant complies with the setback requirements against the 248-252 Holland Street, a/k/a 1150-1152 Broadway property portion of the Property's Eastern lot line, as that is a side lot line abutting another MR4 lot which requires no setback in the SZO.

10. Curb cut distance from intersection

Applicant is seeking a new Hardship Variance for having a commercial curb cut closer than 100' to an intersection. In this proposal, the Secondary Front is the Clarendon Avenue side of the Property, and that is where the curb cuts must be located as previously stated.

The SZO in Section 4.2.16.b.iv.a requires that the curb cuts on Clarendon Avenue be at least 100' from the intersection of Clarendon Avenue and Broadway for this commercial structure. That is not the case for the curb cut along Clarendon Avenue which is closest to Broadway, which is 19' 11.5" from that intersection.

There is not enough room at the Property to have the curb cut along Clarendon Avenue be at least 100' from the Broadway intersection while still having a viable hotel structure with a safe and efficient pick up and drop off area. In order to comply, the structure would have to be much smaller so that there would be enough space on site for vehicles to pick up and drop off, and to park, all through one curb cut, since there is no place to locate a second curb which is the required distance from the intersection. Since the proposed hotel cannot provide that sort of circulation space on site, the vehicles have to enter through one curb cut and then exit through another, one of which needs to be nearer to the Broadway intersection than required.

One curb cut is insufficient for safe and efficient circulation on the constrained site and would lead to vehicles queuing on the street.

While two curb cuts are being sought along Clarendon Avenue, one of which is closer to the Broadway intersection than permitted, there would be no curb cuts along the Pedestrian Street front lot line, being Broadway, which is the main throughfare abutting the Property. The Broadway side having no curb cuts is compliant, and that is the more-traveled side of the Property for pedestrians.

Combined Argument for All Hardship Variances.

Per SZO Section 15.2.3.e.i:

The Zoning Board of Appeals may only grant a Hardship Variance upon finding all of the following:

- a. Special circumstances exist relating to the soil conditions, shape, or topography of a parcel of land or the unusual character of an existing structure but not affecting generally the zoning district in which the land or structure is located;*
- b. Literal enforcement of the provision of this Ordinance for the district where the subject land or structure is located would involve substantial hardship, financial or otherwise, to the petitioner or appellant due to said special circumstances; and*
- c. Desirable relief could be granted without causing substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of a specific district in this Ordinance or the Ordinance in general.*

a. Special Circumstances Exist.

The existing Property is unusual in that it is not a regular shape due to Broadway being at an angle along the Primary Front Side of the Property, and the topography of the lot is such that it contains a pit in the ground.

The pit is a casualty-created depression due to a fire at the Property, and is not the product of any intentional land alteration. Moreover, Applicant intends to fill the pit as part of the new project, meaning that this topographical condition is temporary and will be remediated by the very development for which the variances are currently being sought. The pit creates additional challenges and expense to Applicant in redeveloping the Property which are not shared by the district generally.

Broadway must be the Primary Front side because it is a Pedestrian Street, per SZO Section 2.4.2.a.i. Per SZO Section 4.2.16.b.iii, a project cannot have a curb cut on a Pedestrian Street, which is Broadway in this instance. This means that the driveway and curb cut for the hotel must be on Clarendon Avenue, which is the shortest side of the Property and the only other side fronting a Thoroughfare.

This all compresses the feasible building footprint and forces key site functions to the Clarendon Avenue side of the Property. These conditions are not shared generally in the district.

Due to the shape of the lot, the likely soil contamination, the pit topography, and a tight site at the Property with two front lot lines, Applicant needs to have a use

and a structure which would economically pay for the likely environmental clean up.

Applicant also needs a viable hotel, which requires that parking and an area for pick ups and drop offs be provided. Such parking must be underground due to the tight site, and the driveway to access that parking has to be along the Clarendon Avenue side because that is the only side where a curb cut is allowed.

The required building size to pay for the likely clean up impacts the setbacks and landscaping, as well as removing space which could be used to comply with requirements such as the Green Score.

A viable hotel must be large enough to pay for the likely environmental clean up of the Property and meet the various operational requirements for a hotel use; however, the Property is a tight site with two front lot lines, an irregular shape, and a large pit in the ground.

The totality of these circumstances creates the need for the Hardship Variances sought.

b. Substantial Hardship Exists.

Literal enforcement of the SZO would prevent Applicant from cleaning up the site because Applicant could not construct a hotel of the required size to pay for such clean up, while also meeting the various zoning and other requirements.

While back in 2018, the approved six-story hotel was large enough to cover the costs needed to redevelop the site, that is no longer the case due to inflation and changes in the energy and zoning requirements. The hotel project must now be larger to be viable at this Property.

In addition, the pit at the Property was not self-created, as it was the result of a fire at the Property. The pit creates an additional hardship in redeveloping the Property, including having to level the likely contaminated lot in order to construct anything.

Compliance with the various SZO requirements would require Applicant to need even greater Hardship Variances, including but not limited to the height, number of stories and setbacks of the hotel.

It is a substantial hardship to require Applicant to further violate one part of the SZO in order to satisfy another requirement, especially considering that compliance would render the hotel project not economically feasible due to the likely contaminated soil conditions, shape of the lot, and pit topography.

Meeting the required zoning and other requirements would force a loss in the number of hotel rooms below viability. To regain the lost rooms, the hotel would need additional relief, thereby creating a Catch-22 that defeats remediation and redevelopment of the Property.

c. Substantial Detriment Does Not Exist.

The proposed hotel replaces a long-standing blighted pit, likely remediates contaminated soil, adds mixed-use activation on Broadway via a restaurant, supports transit, provides bicycle parking, and meets stringent new energy codes.

It generates multiple local revenue streams (real estate, personal property, hotel, meals taxes) and serves neighborhood needs, all while aligning with the intent of the MR4 zoning district and the values stated in SomerVision 2040.

In order to develop the pit at the Property, Applicant likely needs to clean the soil at the Property, and the hotel needs to have the number of rooms that an eight-story building would allow, given the limitations of the site. A hotel use is a tax benefit to the City and an amenity benefit to the neighborhood, with rooms for visitors and a commercial use along Broadway, which is required due to Broadway being a Pedestrian Street.

The relief sought unlocks the hotel to replace the long-standing pit and allows for a use which can pay for the likely environmental clean up of the Property.

Per SZO 4.2.2, the intent of the MR4 zoning district is:

- a. *To implement the objectives of the Comprehensive Plan of the City of Somerville.*
- b. *To create, maintain, and enhance areas appropriate for smaller scale, multi-use and mixed-use buildings, and neighborhood serving uses.*

The SomerVision 2040 plan is based on a set of shared values, being in part:

*-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.*

*-Build a **SUSTAINABLE** future through climate leadership, balanced transportation, engaging civic spaces, exceptional educational opportunities, improved health, varied and*

affordable housing options, and the responsible use of our natural resources.

The proposed hotel will create the multiple revenue opportunities from real estate, personal property, hotel and meals taxes, which will benefit the economic base of the City and promote fiscal self-sufficiency. It will also pay for the likely soil clean up.

The proposed hotel will embrace the bus lines and bike lanes running past it, and will be accessible to those with mobility needs.

The proposed hotel will meet the stringent new energy codes, thereby reducing its environmental impact.

The proposed hotel will develop a blighted site generating little tax revenue.

The hotel will be a multi-use and mixed-use building, as a commercial use is required on the ground floor facing Broadway due to it being a Pedestrian Street, and Applicant is proposing a restaurant in that space. The hotel and restaurant uses proposed will serve the neighborhood, and a pick up and drop off area by the door to the hotel is a typical hotel feature which will not look out of place.

The requested dimensional variances sought are limited in scope relative to the hotel program needs (e.g., two feet for the secondary front setback at upper floors), and maintain compliance where it most affects pedestrians (e.g., ground-level secondary front setback; no driveway or curb cuts on Broadway).

The relief sought directly enables compliance elsewhere and preserves key MR4 zoning district priorities: No curb cuts or driveway in the Pedestrian Street (Broadway) frontage; Broadway sidewalk remains compliant; the restaurant activates the Pedestrian Street as intended; and bicycle access and transit adjacency reduce car dependence.

d. Strict Enforcement of the SZO Would Result in a Practical Difficulty.

Under the new state law changes to Mass. Gen. Laws Ch. 40A, variances are to be determined using the standard of whether strict enforcement of the SZO would result in a “practical difficulty”. This is done by weighing the benefits to Applicant and to the public interest against the detriment to the public health, safety and welfare of the neighborhood.

As stated elsewhere in this Narrative, strict enforcement of the SZO would make development of the lot impractical for the hotel use which would have the density and income to pay for developing this likely contaminated Property which has been sitting as a pit in the middle of a business district along a major roadway in the City. Applicant has a very practical difficulty in doing anything with the

Property without Hardship Variances. This is why the pit has been there for so long. Something has to give for the pit to be redeveloped.

It is not in the public interest to keep the Property as a vacant pit with likely contamination. The Project proposed by Applicant would make the neighborhood healthier, safe and more active by building a hotel with a restaurant where there is now just a likely contaminated hole in the ground.

Conclusion.

The irregular, corner site containing a large pit, likely with contaminated soils requiring costly remediation, requiring Broadway activation and curb-cut prohibitions, and resulting concentration of access and circulation on the short Clarendon frontage, are all special circumstances not generally affecting the district.

Literal enforcement of multiple, interacting standards would impose substantial hardship and practical difficulty to Applicant by preventing a viable hotel large enough to fund remediation while fulfilling required ground-floor use and access.

The requested Hardship Variances together allow a context-appropriate, mixed-use project with significant public and fiscal benefits, no substantial detriment to the public good, and no nullification or substantial derogation of the MR4 district or SomerVision 2040 intent or purpose.

Therefore, Applicant respectfully requests Hardship Variances for:

- Secondary front setback
- Having a driveway in the frontage area
- Number of stories
- Building height
- Landscape buffer abutting the NR zoning district
- Green score
- Sidewalk width
- Two curb cuts on a front lot line
- Rear Setback abutting the NR zoning district
- Curb cut distance from intersection