



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2013-55
Date: September 12, 2013
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 170 School Street

Applicant Name: Edward Dottoli
Applicant Address: 55 Lindall Street, Danvers MA 01923
Property Owner Name: Cortez Investments, LLC
Property Owner Address: 367 Medford Street, Somerville MA 02145
Agent Name: Rich Di Girolamo
Agent Address: 424 Broadway, Somerville MA 02145
Alderman: Tony Lafuente

Legal Notice: Applicant Edward Dottoli and Owner Cortez Investments, LLC seek a special permit to establish 5 residential units under SZO §7.11.1.c and a special permit to alter the size of parking spaces under §9.13.b. The units would be within a newly constructed mixed use building with an approximately 530 nsf commercial space and nine parking spaces would be onsite. BA zone. Ward 4.

Zoning District/Ward: BA / 4
Zoning Approval Sought: Special Permit SZO §7.11.1.c, §9.13.b
Date of Application: July 2, 2013 (complete August 3, 2013)
Dates of Public Hearing: Zoning Board of Appeals September 18, 2013

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 4,818 square foot lot on which sits a one-story building commercial building that encompasses most of the lot. The business that last occupied the building is Mirabella Plumbing and Heating. This is a driveway off of Richdale Avenue where trucks and business vehicles for the plumbing business park.





2. Proposal: The proposal is to demolish the existing structure and construct a 3 ½ story mixed use building with a 1,053 gross square foot commercial space and 5 residential units. The total net square feet of the building is 5,867. The first floor commercial space is accessible from School Street and the basement commercial space is accessible from the Richdale Avenue residential entrance or the staircase that is in the commercial space. The commercial space will be used as a contractor's office.

There is one residential unit on the ground floor that has one bedroom and is an accessible unit. The four other residential units have bedrooms. The unit sizes range from 552 square feet to 1351 square feet. There are decks off of the units on the second floor and decks set into the roof of the units on the third floor and mezzanine level.

Parking is located behind the building in a surface parking lot with nine parking spaces. Four of the spaces will be under the second story of the building that cantilevers over them. Five of the spaces will be compact at 8 feet wide and 16 feet deep. Two bike racks will be on the far end of the driveway.

The side walk that is damaged will be repaired and the curb cut on Richdale Avenue will be shifted towards School Street.

Landscaping is proposed on the northern and western corners, along the northeast property line, and on the School Street and Richdale Avenue sides of the building. Five streets trees are proposed along the sidewalks. The location for trash storage is not shown on the plan and will be conditioned to be in the basement.

3. Nature of Application: Five residential units require a special permit in the Business-A district under Somerville Zoning Ordinance (SZO) section 7.11.1.c. Also, a special permit is sought to modify parking standards to include five compact parking spaces (8 feet x16 feet) under 9.13.b. Four of the

parking spaces will be standard sizes (9 feet x 18 feet) and one of these spaces could be a van accessible space.

The SZO dimensional and parking requirements are met.

4. Surrounding Neighborhood: The site is located in Gilman Square. Along Medford Street there is a mix of commercial and multi-family residential homes. To the west of the site is a residential neighborhood with 1-, 2-, and 3-family homes. School Street in this area is comprised of mostly multifamily homes. City Hall and the High School are within close proximity, up the hill from the site.

5. Impacts of Proposal: A future Green line stop will be located in Gilman Square. The headhouse will be located on Medford Street at the intersection with Pearl Street which is a very short walk from the subject property. Station Area Plans were created for the neighborhoods around the future Green Line Stations to create a road map for growth and change in these neighborhoods. A draft of the Gilman Square Plan has been completed and the community can still make comments before the Plan is finalized. The principles of the planning efforts that relate to this proposal include getting walkability right, planning for complete neighborhoods, promoting appropriately scaled development, and addressing diverse housing needs.

A significant goal of the Gilman Plan is to foster the rebirth of Gilman Square as a transit-oriented node of activity. The subject property is within the area that is contemplated to be a potential future Neighborhood Square Zoning District that creates neighborhood-serving commercial uses, four-story mixed-use building and parking regulations that reflect the transit oriented nature of the neighborhood. The subject property is at the edge of the proposed district and therefore the small office space on the first floor that will generate some but not a steady influx of foot traffic is appropriate for this block. The proposal will create an attractive building that completes the street wall improving the pedestrian environment on the block. The range of residential unit sizes and availability of an accessible unit increases the diversity of housing in the area. The proposal provides more parking than the plan calls for but meets the parking requirements of the current regulations. The size of five of the spaces are proposed to be slightly smaller than standard size. The spaces will be made of concrete pavers that will allow for better drainage on the site and create a more attractive back yard. With pavers this area could function as a patio space if all of the spaces in the lot are not utilized.

6. Green Building Practices: None listed on the application form.

7. Comments:

Fire Prevention: The plans are acceptable. A code compliant fire alarm system is required and the height and area calculations for a sprinkler system shall be submitted.

Traffic & Parking: Traffic and Parking does not have objections to the application.

Wiring Inspection: Depending on the electrical service demand of the tenant of the commercial space, a three-phased service may be required.

Highway Superintendent: Depending on the current condition of the sidewalks, they may need to be replaced as a result of construction activity.

Engineering: The Applicant shall submit a proposed utility, grading and drainage plan, stamped by a registered PE in Massachusetts that demonstrates compliance with the City's stormwater policy before a building permit is issued.

Historic Preservation: Staff recommended that the Historic Preservation Commission not find that the existing building at 170-174 School Street is importantly associated with one or more historic persons or events, or with the broad history of the City and not find that the building is historically and architecturally significant.

Ward Alderman: Has been contacted but has not yet provided comments.

Design Review Committee (DRC): The proposal went before the DRC on July 25 and August 15, 2013. The comments and recommendations from those meetings are below.

July 25, 2013 – Comments/Recommendations

- The pediments above the entrances need further design consideration in form and material.
- Window fenestration for the first floor residential unit should be studied, including the potential of a bedroom window, and the potential for adjusting the windows along School Street to provide additional privacy for the unit.
- The retail space is small and possibly unusable to a desirable tenant.



August 15, 2013

The Applicant presented two options for the Richdale Avenue balconies, columns or brackets.

Comments/Recommendations:

- The style of the building should be compatible but distinct with/from the surrounding vernacular
- The balconies should be cantilevered from the building. It was suggested that the depth of the balconies be reduced by 1'-0" in order to make them less pronounced/awkward.
- The residential entrance should have wood (or other high quality material) columns, but the columns/ brackets should be omitted from the remainder of the elevations. It was suggested that square columns (or column covers) may be more appropriate than rounded ionic/doric columns.
- The transoms over the entrance doors should be squared off in lieu of rounded.
- The dental molding should be removed.



The Applicant incorporated the design changes in the plan set before the Zoning Board.

II. FINDINGS FOR SPECIAL PERMIT (SZO §7.11.1.c & §9.13.b):

In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.1.4 of the SZO. This section of the report goes through §5.1.4 in detail.

1. Information Supplied: The Staff finds that the information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits.

2. Compliance with Standards: The Applicant must comply "with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit."

The proposal complies with the standards and guidelines of the Business A commercial district. The parking is located in the rear of the lot behind the building and vehicular access is from a side street. Landscaping is proposed to be along the School Street and Richdale Avenue side of the building where it will be most visible.

In considering a special permit under §9.13 of the SZO the Applicant must be able to demonstrate that granting the requested special permit would not cause detriment to the surrounding neighborhood through any of the criteria as set forth under SZO §9.13, which are as follows:

- 1) increase in traffic volumes;
- 2) increased traffic congestion or queuing of vehicles;
- 3) change in the type(s) of traffic;
- 4) change in traffic patterns and access to the site;
- 5) reduction in on-street parking;
- 6) unsafe conflict of motor vehicle and pedestrian traffic.

The compact parking spaces will not cause detriment to the surrounding area. The parking requirements are met and all nine parking spaces in the lot will likely not be used considering there will be a Green Line station within a short walk from this site. Most cars are able to fit in a 8 foot by 16 foot parking space and the 20 foot drive aisle and back out area in the parking lot make the lot maneuverable.

3. Consistency with Purposes: The Applicant has to ensure that the project "is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles."

The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to encouraging the most appropriate use of land throughout the City and increasing the amenities of the municipality.

The proposal is consistent with the purpose of the district in providing housing and an office. The purpose is, "to establish and preserve business areas bordering main thoroughfares that are attractive to a wide range of uses, including retail business and services, housing, government, professional and medical offices, and places of amusement. While it is anticipated that most users will arrive by motor vehicle, it is intended that the area should be safe for and conducive to pedestrian traffic."

In considering a special permit under §9.13 of the SZO the SPGA may grant such a special permit only when consistent with the purposes set forth in Section 9.1. The five compact spaces will not cause harm to the circulation on or off of the site and provide sufficient and possible more parking than will be needed in this transit oriented site. The spaces will be made of concrete pavers that will allow for better drainage on the site and create a more attractive back yard. With pavers this area could function as a patio space if all of the spaces in the lot are not utilized.

4. Site and Area Compatibility: The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses."

A future Green line stop will be located in Gilman Square. Station Area Plans were created for the neighborhoods around the future Green Line Stations to create a road map for growth and change in these neighborhoods. A significant goal of the Gilman Plan is to foster the rebirth of Gilman Square as a transit-oriented node of activity. The subject property is within the area that is contemplated to be a potential future Neighborhood Square Zoning District that creates neighborhood-serving commercial uses, four-story mixed-use building and parking regulations that reflect the transit oriented nature of the neighborhood. The subject property is at the edge of the proposed district and therefore the small office space on the first floor that will generate some but not a steady influx of foot traffic is appropriate for this block. The proposal will create an attractive building that completes the street wall improving the pedestrian environment on the block. The range of residential unit sizes and availability of an accessible unit increases the diversity of housing in the area.

III. RECOMMENDATION

Special Permit under §7.11.1.c & §9.13.b

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes										
1	Approval is to establish 5 residential units and 5 compact parking spaces in a lot with 9 total parking spaces. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Pln g.											
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>July 2, 2013</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>August 13, 2013</td><td>Plans submitted to OSPCD (Site Plan)</td></tr><tr><td>August 14, 2013</td><td>Plans submitted to OSPCD (landscape plan)</td></tr><tr><td>September 3, 2013</td><td>Plans submitted to OSPCD (Z-001 Zoning Plan, A-100 Basement & 1st floor plan, A-101 2nd & 3rd floor plan, A-102 mezzanine & roof plan, A-300 building elevations)</td></tr></table>				Date (Stamp Date)	Submission	July 2, 2013	Initial application submitted to the City Clerk’s Office	August 13, 2013	Plans submitted to OSPCD (Site Plan)	August 14, 2013	Plans submitted to OSPCD (landscape plan)	September 3, 2013	Plans submitted to OSPCD (Z-001 Zoning Plan, A-100 Basement & 1st floor plan, A-101 2 nd & 3 rd floor plan, A-102 mezzanine & roof plan, A-300 building elevations)
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Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.														
Pre-Construction														
2	The Applicant must contact the Engineering Department to obtain a street address for the office and residential units prior to a building permit being issued.	BP	Engineer ing											
3	The Applicant will be required to demonstrate that the updated project plans meet the current City of Somerville stormwater policy. Utility, grading, and drainage plans must be submitted to the Engineering Department for review and approval.	BP	Eng.											
4	The Applicant shall develop a demolition plan in consultation with the City of Somerville Inspectional Services Division. Full compliance with proper demolition procedures shall be required, including timely advance notification to abutters of demolition date and timing, good rodent control measures (i.e. rodent baiting), minimization of dust, noise, odor, and debris outfall, and sensitivity to existing landscaping on adjacent sites.	Demolition Permitting	ISD											
Construction Impacts														
5	The Applicant shall at his expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) if damaged as a result of construction activity.	CO	DPW											
6	The applicant shall replace the sidewalk in the area noted on the plan and any other portion of the sidewalk abutting the property as deemed necessary by the Superintendent of Highways. All new sidewalks and driveways must be constructed to DPW standard.													

7	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	During Construction	T&P	
Design				
8	Applicant shall provide final material samples for siding, trim, windows, and doors (to the Design Review Committee for review and comment and) to Planning Staff for review and approval prior to construction. The columns shall be made of wood or similar high quality material.	BP	Plng.	
9	An exterior light and electrical receptacle is required for the first (or all) level of the porch and an electrical receptacle is required for the second.	Final sign off	Wiring Inspector	
Site				
10	The Applicant shall install 5 street tress as shown on the plan. Landscaping should be installed and maintained in compliance with the American Nurserymen's Association Standards.	Perpetual	Plng. / ISD	
11	The electric, telephone, cable TV and other such lines and equipment shall be placed underground from the source or connection. The utilities plan shall be supplied to the Wiring Inspector before installation.	Installation of Utilities	Wiring Inspector	
12	Trash storage shall be located in the basement or for the accessible unit in the rear yard and should be fully enclosed.	CO	Plng.	
13	Applicant will supply at least 2 bicycle parking spaces.	CO	Plng.	
14	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	Cont.	ISD	
Public Safety				
15	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
16	To the extent possible, all exterior lighting must be confined to the subject property, cast light downward and must not intrude, interfere or spill onto neighboring properties.	CO	Plng.	
17	The Applicant shall provide notice of intent to strictly comply with applicable State and Federal regulations regarding air quality including without limitation continuous dust control during demolition and construction.	CO	Plng/OS E	

18	<p>Because of the history of the site and the intended use, the Applicant shall, prior to issuance of any foundation permit and/or any building permit for the project, provide to the Planning Department and the Inspectional Services Division:</p> <p>a) a copy of the Response Action Outcome (RAO) Statement, signed by a Licensed Site Professional (LSP) and filed with DEP, verifying that a level of no significant risk for the proposed residential use has been achieved at the site; or</p> <p>b) if remediation has not reached the RAO stage, a statement signed by an LSP describing (i) the management of oil and hazardous materials/waste at the site, including release abatement measures intended to achieve a level of no significant risk for residential use at the site, treatment and storage on site, transportation off-site, and disposal at authorized facilities, (ii) a plan for protecting the health and safety of workers at the site, and (iii) a plan for monitoring air quality in the immediate neighborhood.</p>	Foundation Permit	Plng/IS D	
Signage				
19	Signage will be limited in size and location to that shown in the elevation diagrams and lighting after 10p.m. facing residential property will be turned down or off. The signage on the building shall not be internally illuminated.	CO/Cont.	Plng.	
Final Sign-Off				
20	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	Plng.	

