



Town of Arlington, Massachusetts
Department of Planning & Community Development
730 Massachusetts Avenue, Arlington, Massachusetts 02476

Public Hearing Memorandum

The purpose of this memorandum is to provide the Arlington Redevelopment Board and public with technical information and a planning analysis to assist with the regulatory decision-making process.

To: Arlington Redevelopment Board

From: Jennifer Raitt, Secretary Ex Officio

Subject: Environmental Design Review, 1207-1211 Massachusetts Avenue, Arlington, MA
Docket #3602

Date: July 16, 2019

I. Docket Summary

This is an application by James F. Doherty for 1211 Mass Ave Realty Trust to construct a mixed-use structure at 1207-1211 Massachusetts Avenue within the B2 Neighborhood Business District and the B4 Vehicular Oriented Business District. The Special Permit is to allow the Board to review and approve the proposed project, under Section 3.4, Environmental Design Review.

Following the Town's Request for Proposals (RFP) process in 2016, the applicant has entered into a Purchase & Sale (P&S) Agreement to purchase the property at 1207 Massachusetts Avenue in order to construct the mixed-use building, which is desirable to the Town. 1207 Massachusetts Avenue is the location of the now closed Disabled American Veterans (DAV) club, which ceased operations and has been vacant since mid-2014. The applicant currently owns the immediately adjacent property at 1211 Massachusetts Avenue, and upon successful permitting, will combine the two properties for a unified mixed-use development.

The RFP sought proposals for the purchase and future use of the parcel as a mixed-use development consistent with 2016 amendments to the Arlington Zoning Bylaw, that defined mixed-use as "[a] Combination of two or more distinct land uses, such as commercial, lodging, research, cultural, artistic/creative production, artisanal fabrication,

residential in a single multi-story structure to maximize space usage and promote a vibrant, pedestrian-oriented live-work environment.” The applicant proposes a 50-room hotel and restaurant consistent with this definition of mixed-use.

The application also requests a parking reduction under Section 6.1.5 and additional gross floor area under Section 5.3.6.

Materials submitted for consideration of this application:

- Application for EDR Special Permit,
- Narrative,
- Site Plan, Floor Plans, Elevations, and Renderings dated June 20, 2019;
- Planting Schedule;
- Parking and Bicycle Schedule;
- Shadow Study dated June 20, 2019; and,
- Traffic Demand Management Plan.

II. Application of Special Permit Criteria (Arlington Zoning Bylaw, Section 3.3)

1. Section 3.3.3.A.

The use requested is listed as a Special Permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.

The applicant proposes a mixed-use structure consisting of a 50-room hotel and restaurant. Mixed-use, which as defined by the Zoning Bylaw includes lodging and commercial uses, requires a Special Permit in both the B2 Neighborhood Business District and the B4 Vehicular Oriented Business District. Mixed-use is additionally subject to Environmental Design Review under Section 3.4.G and due to the proposal’s location on Massachusetts Avenue. Mixed-use is described as being allowed in Section 5.5.1 for both the B2 and B4 Districts, in particular in the B4 District when automotive-oriented uses close and are redeveloped. The Board can find that these conditions exist for the proposed project site.

2. Section 3.3.3.B.

The requested use is essential or desirable to the public convenience or welfare.

The redevelopment of the DAV site and the adjacent outdated automotive use is desirable for the public convenience and welfare. The mixed-use structure, which combines a small boutique hotel and restaurant, is well-positioned to take advantage of tourism opportunities along the Battle Road Scenic Byway, the approximate path the British used at the beginning of the American Revolution, in Arlington and neighboring communities. A hotel and restaurant in the immediate area could be desirable to tour groups that want more personalized accommodations. There is an economic benefit that would be gained through the hotel/motel tax (6%) and meals tax (0.75%). Based on current tax revenue generated by the one hotel in Town, this

50-room hotel may generate up to approximately \$150,000 of additional tax revenue to the town on an annual basis.¹ The proposed hotel's proximity to Lexington, which welcomes over 100,000 tourists per year, makes it well-positioned to absorb some of the local and regional heritage and business travel, which would provide an economic benefit to the Town of Arlington and local businesses. Neighborhood residents have voiced the critical importance for more restaurants and mixed-use based on feedback gathered from residents as well as a market demand analysis that were part of the development of the Arlington Heights Neighborhood Action Plan.

3. Section 3.3.3.C.

The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

The application materials do not provide detailed information regarding the traffic impact of the new use. The ARB must request additional information from the applicant on the following topics before determining that this criterion is satisfied.

The project's only means of ingress and egress is on Clark Street as the existing curb cuts on Massachusetts Avenue will be closed. Due to the new uses, a trip generation analysis is needed to understand the traffic flow and circulation of using Clark Street as the main point of access to the property. For vehicles exiting the property, turning right directs those vehicles into a residential neighborhood and a circuitous route back to Massachusetts Avenue or to Forest Street. The best course of action may be to require vehicles exiting the property to turn left onto Clark Street and then continue either north or south on Massachusetts Avenue, and the ARB will want to consider this as a condition of a decision. By adding more turning traffic to the intersection of Clark Street and Massachusetts Avenue there may be the need to address pedestrian safety at this intersection. On the opposite side of the street is an inbound MBTA Route 77 and 79 bus stop with departures every few minutes, so a cross walk may be necessary at the intersection as the closest cross walk is at Appleton Street. However, without a trip generation analysis, the ARB does not have the full scope of understanding regarding additional traffic as a result of the proposed project.

The nearby intersection of Appleton Street and Massachusetts Avenue is uncontrolled except for when a pedestrian triggers a red light in order to cross the street. A large majority of the pedestrians at this intersection are students walking to or from the Ottoson Middle School. More information is needed from the applicant on how the introduction of a hotel and restaurant could affect the operation of this intersection, especially during the beginning and end of the school day during the school year.

¹ According to the Town of Lexington's most recent Economic Development Report to Town Meeting, the Town of Lexington generates an average of \$1.27 million dollars of revenue in hotel/motel taxes.

Additionally, the Transportation Demand Management (TDM) Plan submitted in support of the parking reduction request needs firm commitments regarding the methods in which vehicular use will be reduced at the property. The applicant should also consider providing staff subsidized transit passes and guaranteed rides home. Commitments such as these must be required in any future lease of the building. Finally, the plans show an area to pull off of Massachusetts Avenue which could facilitate valet parking, and could be supported, but this would require approval from the Select Board.

It should be noted that the proposal will improve pedestrian safety along the project site's Massachusetts Avenue frontage. Two large curb cuts will be closed as access to the property will be from Clark Street, where the curb cut will be narrowed.

4. Section 3.3.3.D.

The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.

The mixed-use structure introduces different uses than presently on the project site. There may be different demand on the municipal systems as a result, but will not create hazards affecting health, safety, or the general welfare of the immediate area or in any other area of the Town. While the application materials note that a stormwater system will be installed to control roof and surface stormwater runoff, the ARB will need more information regarding water and sewer usage. The applicant should submit evidence that the public water, drainage, and sewer system are capable of handling the needs of the 50-room hotel and restaurant.

5. Section 3.3.3.E.

Any special regulations for the use as may be provided in the Bylaw are fulfilled.

No special regulations are applicable to the proposal. The Board can find that this condition is met.

6. Section 3.3.3.F.

The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

The 2016 Annual Town Meeting adopted mixed-use zoning for all business districts with an affirmative vote of 187-35. This stretch of Massachusetts Avenue does not have a distinct aesthetic and there are no predominant architectural styles that characterize this area. The proposed mixed-use structure will not impair the integrity of the district and will provide connections between the Arlington Heights business district and other segments of the Mass Ave commercial corridor. The hotel use in particular will provide greater access for tourists to Arlington's historic

resources that make it part of the Battle Road Scenic Byway, including the nearby Foot of the Rocks monument and the Old Schwamb Mill.

The immediate area around the project site is a mix of residential and commercial spaces. Immediately behind the project site is a neighborhood of mostly single- and two-family homes in an R2 Two-Family District. Higher density residential uses are present across the street on Massachusetts Avenue, but the R2 District carries across Massachusetts Avenue as well where significant elevation is gained. The Heights business district is a short distance away (about 1,500 feet to the west) and an industrial-zoned area is less than 1,000 feet to the east.

7. Section 3.3.3.G.

The requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.

The use will not be in excess or detrimental to the character of the neighborhood. The Board can find that this condition is met.

III. Environmental Design Review Standards (Arlington Zoning Bylaw, Section 3.4)

1. EDR-1 Preservation of Landscape

The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

The existing site condition is primarily impervious, but the proposal will increase the amount of open space on the site. A 5-foot landscaped buffer is provided along the rear property line that will be planted with tree lilacs, arborvitae, and smaller shrubs such as hydrangea and holly. Planters along Massachusetts Avenue are also proposed. While a planting schedule is provided, a landscape plan must be submitted. The application materials indicate that there will be 1,581 square feet of landscaped open space and 3,384 square feet of usable open space. The landscape plan should also document where the two types of open space will be satisfied on the property.

2. EDR-2 Relation of the Building to the Environment

Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of the existing buildings in the vicinity that have functional or visible relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on the abutting property in an R0, R1 or R2 district or on public open space.

At 4 stories and 44 feet tall, the proposed building is taller than most of the buildings in the immediate vicinity. On the opposite side of Massachusetts Avenue, the terrain

quickly gains elevation, so nearby buildings appear much taller due to the elevation change. The proposal also steps in the first floor 8 inches from the second and third floor, and provides the upper-story step back at the top of the third floor at 34 feet. Section 5.3.17 requires that building more than three stories in height, such as the proposal, an additional 7.5-foot step-back (upper story building setback) shall be provided beginning at the third story level or 30 feet above grade, whichever is less. As part of the EDR jurisdiction, these requirements should be further addressed until the Board is satisfied that the building is well-situated on the parcels.

The building does not trigger the height buffer area of Section 5.3.19 because it is proposed at the lower maximum stories and height as identified in the Table of Dimensional and Density Requirements for the Business Districts. However, the application materials also provide a shadow study during each season at the respective Solstice and Equinox.

3. EDR-3 Open Space

All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing by the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility and facilitate maintenance.

As noted above, the proposed project will provide open space on the existing primarily impervious site. The application materials indicate that there will be 1,581 square feet of landscaped open space and 3,384 square feet of usable open space. Landscaped buffers will be located at the rear of the property providing some relief to the residential structures located behind the project site. A large patio along Massachusetts Avenue is proposed, which can create gathering space and an inviting atmosphere along the sidewalk. A landscape plan must be submitted and must document where the two types of open space will be satisfied on the property in order to assess compliance with this criterion.

4. EDR-4 Circulation

With respect to vehicular and pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 6.1.12 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.

The application materials indicate that 28 parking spaces will be provided on the site, either under the building or at the rear of the property. The applicant has requested a parking reduction under Section 6.1.5:

Parking Requirement			
		<u>Zoning Requirement</u>	<u>Total Parking Required</u>
Hotel	50 rooms	1 space per room	50
Restaurant	2,568 sf	1/300 sf*	0
Total Parking			50
Section 6.1.5 Reduction			Up to 25% of the requirement, or 13 spaces
Total Parking Provided			28

* First 3,000 sf of non-residential space in mixed-use projects is exempt.

In general, as discussed under the response to criterion 3.3.3.C, there is no information about circulation on and around the project site. The only access to the property is from Clark Street and there is no information on how trips to and from the project site will change. A trip generation analysis is needed to understand the traffic flow and circulation of using Clark Street as the main point of access to the property. A trip generation analysis may indicate that right turns from the property onto Clark Street should be restricted and there may be the need for pedestrian improvements at the intersection of Clark Street and Massachusetts Avenue due increased traffic.

On the project site, there is no information on where loading and unloading will occur. Based on the application materials, there is no information on the size of truck that can access the project site and whether vendors need to be limited to a certain size truck in order to navigate Clark Street and the parking lot. Additionally, the floor plan does not seem to provide direct loading access to the restaurant's kitchen or the hotel from the rear parking lot. If loading and unloading will occur on Massachusetts Avenue, it is not clear whether there is shoulder space for a large truck to park during these activities. To combat idling and disruption to the surrounding neighborhood, deliveries should be limited to certain hours of the day.

Circulation within the parking lot is not clearly discussed. Some of the parking spaces provided are tandem spaces and it is not clear how the spaces will be assigned or allocated between the hotel and restaurant. If the parking spaces will be used primarily by the hotel, the ARB needs an understanding of the on-street parking utilization of the area. Additionally, there is no information in the applicant materials regarding the safety and security of the proposed parking area other than 12-foot

light poles. It will be important for the ARB to understand how the spaces will be utilized on the property.

Additionally, the Transportation Demand Management (TDM) Plan submitted in support of the parking reduction request needs firm commitments regarding the methods in which vehicular use will be reduced at the property. The Applicant could also consider providing staff subsidized transit passes and guaranteed rides home. Commitments such as these must be required in any future lease of the building. Finally, the plans show an area to pull off of Massachusetts Avenue which could facilitate valet parking, and could be supported, but this would require approval from the Select Board.

It should be noted that the proposal will improve pedestrian safety along the project site's Massachusetts Avenue frontage. Two large curb cuts will be closed as access to the property will be from Clark Street, where the curb cut will be narrowed.

The application materials indicate that proposal exceeds the requirements of the newly adopted bicycle parking bylaw. For the mixed-use building, 5 short-term bicycle parking spaces are required and 2 long-term bicycle parking spaces are required. The proposal exceeds this requirement by providing 7 short-term spaces and 7 long-term spaces. However, the application materials do not provide any specifications of the proposed racks, and the location of the short-term spaces is inconsistent between the plan set and renderings and the written information. The ARB should request additional information.

5. EDR-5 Surface Water Drainage

Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Stormwater should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected in intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved areas.

In accordance with Section 3.3.4., the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all stormwater facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do.

The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for any future maintenance needs.

The application materials only indicate that a subsurface infiltration system will be provided under the parking lot to control surface and roof runoff. There are no further details provided in the application materials. The applicant must submit an engineered site plan showing surface water drainage systems and a stormwater management plan that includes an analysis that will inform the size of an underground infiltration system and includes engineering plans for the system. It is also strongly recommended that the applicant include low impact development techniques such as creating a rain garden or other similar feature in the landscape area in the northeast corner of the property.

6. EDR-6 Utilities Service

Electric, telephone, cable TV, and other such lines of equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.

The application materials indicate that the new utilities will be underground, but the ARB will want additional information from the applicant on whether any of the existing utilities that serve the site will be reused. It should be noted that there are three utility poles (one of which is a double pole) along the Massachusetts Avenue frontage. Although requests to move or consolidate utility poles are often not accepted by the utility companies, the applicant should attempt to coordinate with the utility company to at least remove the double pole and consolidate the operations to the other two poles as the poles and lines interfere with the structure's visibility. The ARB will want to understand that the services carried on these poles will not be overloaded.

7. EDR-7 Advertising Features

The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.

The signage proposed in the application materials are place holders for the mixed-use structure. However, the proposal appears to be consistent with the newly adopted sign bylaw in terms of location and size. The application materials indicate that the signage will be back lit, but there is no information in the application materials about lighting of the building in general. A condition of a decision by the ARB should include a requirement that the final signage be reviewed for compliance.

8. EDR-8 Special Features

Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

There will be equipment on the roof to service the mixed-use structure, and it appears that some of the equipment will be screened. Each hotel room has its own system and the louvers can be seen on the renderings. Although Arlington does not specify a certain noise level at the property line, many nearby communities identify a day-time noise level of no more than 65 dbA or no more than 10 dbA over the background noise level. Overnight, many nearby communities identify a noise level of 50 dbA. Using this as guidance, the applicant should clarify the noise impact of the HVAC and other noise-emitting equipment.

To reduce noise from deliveries or from solid waste removal, the ARB will want information on anti-idling measures and time of day restrictions to ensure that these services do not impact the surrounding residential properties.

The applicant should clarify how the dumpster will be screened and shared.

9. EDR-9 Safety

With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.

As noted in the application materials, the proposed interior layout plans have been designed to facilitate building evacuation and accessibility by fire, police, and other emergency personnel and equipment. The application materials indicate that the rear parking lot will be illuminated through the use of 12-foot pole mounted LED lights; however, there is no indication on the plans where these light poles would be located and the specification of such. Further, there is no information on how the open garage will be secured.

10. EDR-10 Heritage

With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures or architectural elements shall be minimized insofar as practical whether these exist on the site or on adjacent properties.

The existing structures are not listed on the *Inventory of Historically or Architecturally Significant Properties in the Town of Arlington* nor are they under the jurisdiction of

the Arlington Historical Commission. As such, the site contains no historic, traditional or significant uses, structures or architectural elements. The Board can find that this condition is met.

Two properties on the opposite side of Massachusetts Avenue (1210 Massachusetts Avenue and 1218-1222 Massachusetts Avenue) are under the jurisdiction of the Historical Commission. The redevelopment of the subject property will not disrupt historic, traditional, or significant uses, structures, or architectural elements that exist on the adjacent properties.

11. EDR-11 Microclimate

With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard surface, ground coverage or the installation of machinery which emits heat, vapor or fumes shall endeavor to minimize insofar as practicable, any adverse impacts on light, air and water resources or on noise and temperature levels of the immediate environment.

There are no proposed changes that will impact the microclimate. A shadow study was prepared and is provided in the application materials to illustrate how the building may create additional shadows in the immediate area. Although the project does not trigger the height buffer area, the ARB will want to assess to ensure that the Board is satisfied that the building is well-situated on the parcels.

12. EDR-12 Sustainable Building and Site Design

Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project.

The Applicant indicates that the building will meet the Stretch Code. Additional information regarding the LEED Checklist is needed.

IV. Conditions

General

1. The final design, sign, exterior material, landscaping, and lighting plans shall be subject to the approval of the Arlington Redevelopment Board at the time when future operators are identified. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board

2. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board.
3. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare.
4. Snow removal from all parts of the site, as well as from any abutting public sidewalks, shall be the responsibility of the owner and shall be accomplished in accordance with Town Bylaws.
5. Trash shall be picked up only on Monday through Friday between the hours of 7:00 am and 6:00 pm. All exterior trash and storage areas on the property, if any, shall be properly screened and maintained in accordance with Article 30 of Town Bylaws.
6. The Applicant shall provide a statement from the Town Engineer that all proposed utility services have adequate capacity to serve the development. The applicant shall provide evidence that a final plan for drainage and surface water removal has been reviewed and approved by the Town Engineer.
7. Upon installation of landscaping materials and other site improvements, the Applicant shall remain responsible for such materials and improvement and shall replace and repair as necessary to remain in compliance with the approved site plan.
8. Upon the issuance of the building permit the Applicant shall file with the Inspectional Services Department and the Police Department the names and telephone numbers of contact personnel who may be reached 24 hours each day during the construction period.