

I hereby certify this is a True Copy of the Decision of the Arlington Redevelopment Board as filed with the Office of the Town Clerk of the Town of Arlington, Massachusetts on 1/20/2023 and that 20 days have elapsed after the Decision and no Appeal has been filed. ATTEST:

Date of Issue 2/13/2023

Town Clerk



TOWN CLERK'S OFFICE
ARLINGTON, MA 02174

2023 JAN 20 AM 9:55

ARLINGTON REDEVELOPMENT BOARD

Arlington, Massachusetts
Middlesex, ss

DOCKET NO. 3717

DECISION
Special Permit Under
ENVIRONMENTAL DESIGN REVIEW

Applicant: Eighty Broadway LLC, 201 Broadway, Arlington, MA 02474
Property Address: 80 Broadway, Arlington, Massachusetts 02474

Hearing Dates: November 21, 2022, and December 19, 2022
Date of Decision: December 19, 2022

20 Day Appeal Period Ends: February 10, 2023

Members
Approved

Opposed

Leon B. Kline

Rachel J. Zember

W. Turpin

Stephen A. Roubal

John A. Bapile

Town Clerk's Certification

Date

2/13/23

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ARLINGTON, MA 02174

2023 JAN 20 AM 9:56

**Town of Arlington, Massachusetts
Redevelopment Board**

730 Massachusetts Avenue, Arlington, Massachusetts 02476

DECISION OF THE BOARD

Environmental Design Review Docket #3717

80 Broadway, Arlington, MA 02474

80 Broadway, LLC

December 19, 2022

This Decision applies to the application by Eighty Broadway LLC, 201 Broadway, Arlington, MA (Owner) for Special Permit Docket #3717 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Sections 3.3, Special Permit, and 3.4, Environmental Design Review. The Owner proposes to demolish an existing one-story retail building and construct a mixed-use building containing retail and commercial office space and nine residential housing units at 80 Broadway in the B4 Vehicular Oriented Business District. The project meets the threshold for the inclusionary housing requirements; therefore one (1) unit of the nine total units shall be made affordable per Section 8.2 of the Zoning Bylaw. Parking is provided onsite with six vehicular parking spaces and twenty (20) long- and short-term bicycle parking spaces. The Arlington Redevelopment Board (ARB) reviewed and approved an Environmental Design Review Special Permit under Sections 3.3 and 3.4 of the Arlington Zoning Bylaw. A public hearing, scheduled for October 3, 2022, was continued to and held on November 21, 2022, and December 19, 2022, when the public hearing was closed.

VOTE: The ARB voted (5-0) to approve Docket #3717 with conditions.

The following materials were reviewed by the ARB for this Decision:

- Application for EDR Special Permit, including Dimensional and Parking Worksheet and Environmental Impact Statement;
- Site Development and Architectural Drawing Set, prepared by Choo & Company, Inc., dated October 19, 2022, and updated on December 14, 2022;
- Storm Drainage Report, prepared by Columbia Design Group, LLC, dated September 6, 2022;
- Photometric plan;
- Transportation Demand Management plan;

- LEED Checklist; and
- Correspondence from Teri Chu (88 Broadway, Apt. 2), Don Seltzer (Irving Street), Donna and Jimmy Boyle (82 Winter Street), Belinda Chu (88 Broadway), and Chris Loreti (56 Adams Street).

The following criteria have been met, per Section 3.3.3, Arlington Zoning Bylaw:

1. Mixed-use is allowed by Special Permit in the B4 Vehicular Oriented Business District. Prior to the property's current use as a retail establishment, it served as a gasoline station. The Zoning Bylaw, in Section 5.5.1.E, indicates that as the automotive-oriented businesses have closed, the Town encourages the conversion of the property to other retail, service, office, or residential use, particularly as part of a mixed-use development.
2. The requested use is essential and desirable. The Master Plan promotes mixed-use as a means to revitalize business districts, by bringing customers and street life to commercial areas. From a land use perspective, the Master Plan encourages development of higher value mixed use buildings along commercial corridors, including Broadway, by allowing taller buildings and reducing off-street parking requirements.

This project will add nine residential apartment units, of which one unit will be affordable to eligible households making up to 70% of the area median income, and two commercial spaces. The Town has clearly established both market rate and affordable housing priorities described in its Housing Production Plan (adopted by the Select Board and Redevelopment Board and approved by the State in 2022). New housing opportunities, including market-rate and affordable homes, are needed in the community; this project helps address that demand.

The project will move the retail area from behind the surface parking lot forward to Broadway and Winter Street. Overall, there will be net increase of approximately 1,033 square feet of commercial space, which will be divided between a larger ground floor retail space (1,500 square feet) and a second floor commercial space (891 square feet).

3. The proposed project includes six parking spaces for cars, located on the ground level of the property, composed of five standard parking spaces and one ADA accessible parking space. At least one space will include an electric vehicle charger. Fourteen long-term and six short-term bicycle parking spaces will be provided. Per Section 6.1.12.F, the Board granted relief from the requirement that the long-term bicycle parking be located on the ground or with mechanical assistance, thereby allowing hanging bicycle racks. Per Section 6.1.12.A, the Board allowed the two long-term bicycle parking spaces required for the commercial uses to be provided through short-term bicycle parking. Parking is to be accessed through one curb cut on Broadway. A second curb cut on Broadway will be closed, as will a curb cut on Winter Street.
4. The development will meet stormwater design standards as indicated in the Storm Drainage Report Drainage Summary, as the stormwater design includes the collection of runoff from the roof and parking areas via roof drains and gutters and installation of catch basins in the parking

lot and an underground filtration system. A landscaped buffer will be introduced to the site and street trees will be planted. Overall, the proposal will result in a reduction of impervious area and quantity of stormwater flowing from the site.

5. The development will need to meet special regulations of the Affordable Housing bylaw, Section 8.2, reserving one unit that is representative of the mix of units in the building for eligible households making up to 70% of the area median income. The affordable unit will be comparable to the market rate units per Section 8.2.3 E.
6. The building maintains a ground floor retail use, a use which has been in this location since conversion from a gas station in the early 1980s. The addition of commercial office space and residential units is described in the definition of the B4 zoning district as desirable; the definition specifically states, “the Town has encouraged conversion of the property to other retail, service, office, or residential use, particularly as part of mixed-use development.” In particular, this proposal both increases overall commercial space on the property and provides new residential housing. These additions will not impair the integrity or character of the district, or the adjoining districts and it will not be detrimental to health or welfare. The building is consistent with the Design Standards for the Town of Arlington.
7. The use will not be in excess or detrimental to the character of the neighborhood.

The following criteria have been met, per Section 3.4.4, Arlington Zoning Bylaw:

1. EDR-1 Preservation of Landscape

The existing property is almost entirely impervious and there is no natural landscape to preserve with the building and parking lot fully saturating the building lot. This project will introduce 1,396 square feet of landscaped open space, including a buffer of perennials, flowering trees, and shrubberies on the side and rear of the property between the development and the abutting 82 Winter Street and 86 Broadway. Five street trees will be planted: three on Winter Street and two on Broadway. Structural soil will be used under the sidewalks.

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

There are a range of architectural styles and zoning districts in the vicinity—from single- and two-family homes to apartment buildings and single-story commercial to mixed-use developments. Building heights vary from one to four stories, with a variety of setbacks in relationship to the street frontage. Greater height in certain locations can be beneficial, and at 55 feet and with an FAR of 1.98, the development is smaller than the maximum dimensional allowances for mixed-use in the B4 district.

The development will site the building closer to the street, improving its relationship to the public realm. The ground floor meets the requirements for transparency and access as defined in Section 5.5.2(B)(4), with large commercial windows providing ground floor transparency. Lobby and storefront entrances are clearly defined. The second through fourth stories of the

building are set back from the commercial façade, reducing the visual massing of the structure, and the fifth story is further set back; the development complies with Section 5.3.17, Upper Story Building Step Backs.

Per Section 5.3.16, the Board granted relief from corner lot setback requirements in 5.3.8, which otherwise would require additional parking reductions or relocating parking to front of the structure and would limit the important street front continuity that this project will add to the neighborhood.

3. EDR-3 Open Space

The development will add areas of landscaping to an existing impervious site, including approximately 1,575 square feet of landscaped open space. The proposal includes landscaped open space along the side and rear of the building, which also provides a buffer with the adjacent buildings at 82 Winter Street and 86 Broadway. An additional 1,363 square feet of usable open space is provided on two roof decks. The Board granted relief from buffer requirements per Section 5.3.21, which would require a 15-foot landscaped buffer in lieu of required on-site parking. The Board granted relief from usable and landscaped open space requirements per Section 5.5.2.

4. EDR-4 Circulation

The development includes six spaces for vehicles located in a ground-level parking area, including one HC vehicle parking space, two compact spaces, and one EV parking space. A total of 20 bicycle parking spaces—14 long-term in an enclosed storage area and 6 short-term along the exterior of the building—are provided. The development will improve adjacent infrastructure, including sidewalks, curb cuts, and curb treatments. The Board granted relief from the required number of parking spaces, contingent on the applicant submitting a revised Transportation Demand Management Plan per Section 6.1.5 to be reviewed and approved administratively by the Department of Planning and Community Development. The Board also granted relief from the drive aisle dimensions per Section 6.1.11.C(3) from the required 24-foot aisle width to a 20-foot aisle width to accommodate on-site parking.

5. EDR-5 Surface Water Drainage

Surface water drainage will be improved through the installation of pervious pavers and an underground stormwater infiltration system that will receive reduce stormwater runoff from the site. In addition, approximately 1,575 square feet of presently impervious pavement will be replaced with landscaped areas, an improvement over the existing conditions. The development complies with the Town's current stormwater bylaw. Final design materials must be submitted for review and approval by the Town Engineer, including a site plan that shows catch basins and filtration systems.

6. EDR-6 Utilities Service

All new utility connections will be underground.

7. EDR-7 Advertising Features

A sign band is included on the building façade along Winter Street and Broadway. Any future signage is subject to review by the Department of Planning and Community Development, and possibly the ARB, prior to the issuance of a sign permit.

8. EDR-8 Special Features

All roofing structures are appropriately set back. Trash and recycling areas are enclosed and located adjacent to the parking area. Solar panels are proposed for the roof of unit 5D.

9. EDR-9 Safety

The development meets all relevant health and safety codes.

10. EDR-10 Heritage

The proposal will include demolition of the existing one-story brick building in order to build the new building. The building and property are not listed on the *Inventory of Historically or Architecturally Significant Properties in the Town of Arlington*. The proposed massing and preliminary design for the proposed building are compatible with other uses in the immediate neighborhood.

11. EDR-11 Microclimate

There will be no adverse impacts on air and water resources or on temperature levels of the immediate environment. The addition of five street trees will reduced the heat island effect identified in this section of the Broadway corridor.

12. EDR-12 Sustainable Building and Site Design

The development qualifies for LEED certification.

The ARB made the following findings:

1. The project is consistent with Environmental Design Review per Section 3.4 of the Zoning Bylaw and meets the decision criteria of Section 3.3 of the Zoning Bylaw for a Special Permit.
2. The five-story, 55 foot tall building will not adversely affect the adjacent R2 zoning districts per Section 5.3.19 significantly more than a four-story building and thus a reduction to four-stories is not required
3. The setbacks are appropriate per Section 5.3.16.
4. The site plan is appropriate per Section 5.3.21.
5. The landscaped areas are appropriate per Section 5.5.2.
6. The vehicle and bicycle parking improvements justify the parking reduction per Section 6.1.5 subject to a Transportation Demand Management Plan.

7. The long-term bicycle storage equipment is appropriate per Section 6.1.12.F.
8. The total bicycle parking spaces provided for short- and long-term parking are appropriate per Section 6.1.12.A.
9. The usable and landscaped open space plans are appropriate.
10. The driveway aisle is appropriate per Section 6.1.11.C(3).
11. The landscaped areas adjacent to the parking area are sufficient to justify the buffer area reduction to five feet per Section 6.1.11.
12. The development meets the requirements for the upper story step backs per Section 5.3.17.

The project must adhere to the following general conditions:

1. The final design, sign, exterior material, landscaping, and lighting plans shall be subject to the approval of the ARB or administratively approved by the Department of Planning and Community Development (DPCD). Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the ARB.
2. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the ARB.
3. The ARB 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 Owner shall provide a statement from the Town Engineer that all proposed utility services have adequate capacity to serve the development. The Owner 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 Owner 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. All utilities serving or traversing the site (including electric, telephone, cable, and other such lines and equipment) shall be underground.
9. Upon the issuance of the building permit the Owner shall file with the Building Inspector and the Department of Community Safety the names and telephone numbers of contact personnel who may be reached 24 hours each day during the construction period.
10. Final building signage for the commercial tenant shall be filed with Inspectional Services and subject to the approval of the ARB or administratively approved by the DPCD.

The project must adhere to the following special conditions:

1. The owner will work with the DPCD to comply with all requirements of Section 8.2, Affordable Housing Requirements.
2. The affordable unit must be comparable to market-rate units in terms of location, quality and character, room size, number of rooms, number of bedrooms, and external appearance.
3. An Affordable Housing Deed Restriction shall be executed with the Town prior to issuance of an Occupancy Permit for the affordable unit.
4. No condominium conversion of said affordable rental unit shall be permitted without the express permission of this Board. In the case of a proposed condominium conversion, Applicant shall work with the Department to ensure that the unit continues to meet the requirements of Section 8.2.
5. The Owner shall install at least one (1) Electric Vehicle charging station in the parking lot.
6. The Owner shall submit a revised Transportation Demand Management (TDM) plan for administrative review and approval by the DPCD, including details about the allocation of parking spaces and reserving all parking spaces for residential tenants.
7. The Owner shall submit a revised planting schedule to the DPCD for administrative review and approval indicating the use of native species as determined appropriate by the Town.
8. The Owner shall adjust the parking area to the reduce two parking spaces closest to Broadway to compact (8 feet wide and 16 feet long) spaces and increase the width of the landscaped buffer strip between the parking area and the property line so that the landscaped buffer is at least five feet wide and includes a solid wall or fence, five to six feet in height, complemented by suitable plantings
9. The Owner shall replace the wall pack lighting on the façade of the building that faces the neighbors with bollards facing back to the building.

10. The applicant shall submit a revised landscaping plan to the Department of Planning and Community Development for administrative approval. The revised landscaping plan shall endeavor to use species from the Arlington Conservation Commission's *Recommended Native Plant Materials List* to the greatest extent practical.

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