Town of Arlington, Massachusetts
Department of Planning and 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: Claire V. Ricker, AICP Secretary Ex-Officio
Subject: Environmental Design Review, 1323 Massachusetts Avenue, Arlington, MA, Docket #3831
Date: January 21, 2025

I. Docket Summary

This is an application by Asael Sanchez, Fiesta Bites Pizzeria, 1323 Massachusetts Ave, Arlington, MA, 02476, to open Special Permit Docket #3831 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review and Section 6.2, Signs.

The applicant requests that the ARB grant a special permit to replace the wall and window signs located at 1323 Massachusetts Ave, Arlington, MA, in the B3 Village Business District and Business Sign District. The opening of the Docket is to allow the Board to review and approve the application under Section 6.2, Signs.

Materials submitted for consideration of this application include:

- EDR Application
- Sign Permit Application
- Photos

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.

A restaurant has been at this location for many years; it is a pre-existing, conforming use at this location in the B3 Village Business Zoning District. The signage is the subject of the special permit as required by Section 6.2, Signs. The Board can find that this condition is met.

2. Section 3.3.3.B.

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

A multi-tenant commercial building has operated at this location for many years, and the businesses co-located there provide services to the community. The Board can find that this condition is met.

3. Section 3.3.3.C.

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

Only the signage is subject to review. The Board can find that this condition is met.

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 existing multi-tenant property does not overload any municipal systems. The Board can find that this condition is met.

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, morals, or welfare.

The use does not impair the integrity or character of the neighborhood. The Board can find that this condition is met.

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.

There are no changes to the landscape as there are no proposed exterior alterations other than the proposed new signage. The Board can find that this condition is met.

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.

There are no changes to the exterior of the building other than the proposed new signage. The Board can find that this condition is met.

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.

There are no changes to open space resulting from this sign proposal. The Board can find that this condition is met.

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.

There are no changes to any circulation patterns. The Board can find that this condition is met.

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 ensure 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.

There will be no changes to the exterior of the building or surface water run-off because of this proposal. The Board can find that this condition is met.

6. EDR-6 Utility 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.

There will be no changes to the utility service resulting from this proposal. The Board can find that this condition is met.

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 applicant proposes to maintain and/or replace the wall and window signs of the previous tenant with signs of a similar number, style, and size in the B3 Business sign district. The ARB may grant a special sign permit for signage in excess of what is allowed by the Zoning Bylaw per the terms of 6.2.2.C.(1)

The applicant is seeking a special sign permit and requires relief from the following sections of §6.2.: Signs.

§6.2.3.A.(3) The applicant proposes to maintain the sign installed by the previous tenant that is located on the corner formed by the intersecting streets of Mass Ave and Park Ave.

§6.2.3.B.(3) Cabinet signs. The applicant proposes to maintain two cabinet signs installed by the previous tenant but not illuminate the signs.

§6.2.5.D.(10) The applicant proposes to maintain signs on both the Park Street façade and the Mass Ave façade as well as exceed 60% of the width of the building element for both façade wall signs.

The applicant may also require relief from the following section:

§6.2.5.D.(11) The applicant proposes storefront window signage at the bottom of the storefront windows, covering approximately 19.8% of the windows. There are additional window signs with the business phone number and lettering in three of the five storefront windows that were not included in the storefront window coverage calculation. There is additional signage indicating hours of operation, a delivery phone number, and the business logo on the window in the front door that was not included in the calculation of the window sign coverage. The additional window signage including the business phone number and lettering, as well as the signage on the door window may bring the overall window signage percentage above 25%. The Board may consider requesting an updated calculation for window sign area considering these omissions.

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.

No changes are proposed. The Board can find that this condition is met.

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.

No changes are proposed. The Board can find that this condition is met.

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.

1323 Massachusetts Avenue is not listed in the *Arlington Inventories of Historically or Architecturally Significant Properties*. The Board can find this condition is met.

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.

No changes are proposed. The Board can find that this condition is met.

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.

No changes are proposed. The Board can find that this condition is met.

IV. Findings

1. The ARB can find that the retail and commercial use of the building is supportive of Board and Town economic development goals such that allowing signs to be installed across more of the sign band than is otherwise allowed, as well as allowing signage to be installed on the corner of two intersecting streets, as well as allowing more signs per façade than is otherwise allowed, as well as allowing cabinet signs to be maintained as allowable signage is in the public interest consistent with Section 6.2 of the Zoning Bylaw.

2. The ARB can find that the project is consistent with §3.3, Special Permits of the Zoning Bylaw.

V. Conditions

A. General

1. 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. 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.

3. The applicant must comply with the conditions set forth herein, with the State Building Code, including the Town of Arlington requirements, and, where applicable, with the Massachusetts Architectural Access Board regulations.