



# CITY OF SOMERVILLE

## MASSACHUSETTS

**Joseph A. Curtatone, Mayor**

Office of Strategic Planning and Community Development (OSPCD)

City Hall 3<sup>rd</sup> Floor, 93 Highland Avenue, Somerville, MA 02143

George J. Proakis, AICP, *Executive Director*

### PLANNING DIVISION STAFF

SARAH LEWIS, *DIRECTOR OF PLANNING*

DANIEL BARTMAN, *SENIOR PLANNER*

SARAH WHITE, *PLANNER/PRESERVATION PLANNER*

ALEX MELLO, *PLANNER*

**Site: 20 Prospect Street**

**Case #:** PB 2019-06

**Date:** July 11, 2019

**Recommendation:** Conditional Approval

## STAFF REPORT

**Applicant Name:** Union Square RELP Master Developer LLC

**Owner Name:** City of Somerville and the Somerville Redevelopment Authority

**Agent Name:** N/A

**City Councilor:** Jefferson Thomas (J.T.) Scott

**Legal Notice:** Applicant, Union Square RELP Master Developer LLC and Owners, the City of Somerville and the Somerville Redevelopment Authority, seek Design & Site Plan Review under SZO §5.4 and SZO §6.8 to construct a general building and a Special Permit under SZO §6.8.10.A.4 to authorize a principal entrance for ground floor residential uses oriented toward a side lot line. TOD 100 underlying zoning district. Union Square Overlay District and High-Rise sub district. Ward 2.



**First Public Hearing:** Planning Board – July 11, 2019

Zoning	Use	Surrounding Land Use	Property Metrics
USOD	Existing: Vacant Proposed: General building with mixed residential and retail.	North: Mid Rise laboratory building East: Allen Street residential neighborhood and Target South: Boynton Yards industrial neighborhood West: Eversource Utility Site and D4 Redevelopment Parcel	Lot Size: vacant lot of 66,907 square feet

**Quick Summary:** A CDSP was previously approved governing planned development on seven “D-Parcels” identified in the Union Square Revitalization Plan and the Union Square Neighborhood Plan. A Subdivision Plat was previously approved to create Lot 3 for buildings D2.2 and D2.3 as part of the D-Parcels. The approved CDSP allows for a general building on this site.

**I. PROJECT DESCRIPTION****A. Subject Property:**

The subject property consists of one vacant parcel totaling 66,907 square feet of land area. The parcel was created by a subdivision, shown as Lot 3, which was approved by the Planning Board (Case No. PB 2019-02) on March 21, 2019. There is a hypothetical lot line dividing the parcel 3 for the purposes of this application. Hypothetical lot lines are lot lines superimposed over an official plot plan indicating the boundaries of a lot for the purpose of development review, but not officially recorded with the Registry of Deeds or Land Court. The parcel has been identified as parcel D2.2 in the Coordinated Development Special Permit (CDSP) that was approved by the Planning Board in December 2017. The approval of the CDSP permitted this parcel to be developed as a general building with commercial (likely retail) and residential uses. The property is located in the High Rise (HR) sub district of the Union Square Overlay District (USOD).

The Applicant has also submitted separate Design and Site Plan Review (DSPR) applications for 10 Prospect Street (a commercial building called D2.1 in the previously approved CDSP), 50 Prospect Street (a mid-rise podium tower also referred to as D2.3 in the previously approved CDSP), a new thoroughfare planned as a mid-block service alley, and a new civic space planned as a plaza.

**B. Proposal:**

D2.2 is proposed as a 6-story, approximately twenty-four thousand (24,000) square foot general building with six thousand (6,000) square feet of ground floor commercial space, eighty-seven (87) dwelling units, and a portion of an integrated, above ground Commercial Vehicular Parking Facility. The height of the building is proposed to be 6 stories and 80'-0", excluding mechanical equipment and parapet. This building is attached at the side to the building proposed for D2.3 (50 Prospect Street) to provide shared Commercial Parking. The combined parking structure of D2.2 and D2.3 includes two hundred and sixty-nine (269) motor vehicle parking spaces and four hundred and fifty-one (451) long term bicycle parking spaces.

**C. Zoning Compliance:**

A summary table of dimensional standards is provided below. All standards are met by the proposed D2.2 General Building.

	Required	Provided	Compliance?
<b>Building Setbacks</b>			
Primary & Secondary Front Setback (min/max)	2 ft / 15 ft	2'-0"	✓
Side Setback (min)	0 ft	8'-0" to 31'-7"	✓
Side Setback Abutting RA, RB, or a LHD (min)	5 ft	N/A	✓
Rear Setback (min)	10 ft	0'-0"	✓
Rear Setback Abutting RA or RB (min)	15 ft	N/A	✓
<b>Parking Setbacks</b>			
Primary Front Setback (min)	30 ft	30'-0"	✓
Secondary Front Setback (min)	30 ft	30'-0"	✓
<b>Building Massing</b>			
Building Width (max)	200 ft	135'	✓
Façade Build Out, Primary (min)	80%	81%	✓
Façade Build Out, Secondary (min)	65%	N/A	✓
Floor Plate (max)	30,000 sf	23,000 sf	✓
Building Height (min)	3 stories	6 stories	✓
Building Height (max)	6 stories	6 stories	✓
Ground Story Height (min)	14 ft	21'-2"	✓

	Required	Provided	Compliance?
Upper Story Height (min)	10 ft	10'-8"	✓
Building Height (max)	80 ft	80'-0"	✓
<b>Façade Composition</b>			
Ground Story Fenestration (min)	70% min	70%	✓
Upper Story Fenestration	20% min; 50% max	21.5%	✓
Blank Wall (min)	20 ft	0'-0"	✓
<b>Frontage Types</b>			
Lobby Entrance	Permitted		
Width (max)	30 ft	15'-11"	✓
Distance between Fenestration (min)	2 ft	5'-3"	✓
Depth of Recessed Entry (max)	5 ft	5'-0"	✓
Entry Canopy	Permitted		
Depth (max)	3 ft	3'-0"	✓
Clearance (min)	8 ft	10'-0"	✓
Setback from curb (min)	1.5 ft	31' to 60'	✓
Permitted setback encroachment (max)	100%	100%	✓
Storefront	Permitted		
Width (min)	30 ft	10'-2" to 20'-2"	✓
Distance between Fenestration (min)	2 ft	4'-0" to 8'-7"	✓
Depth of Recessed Entry (max)	5 ft	0'-0"	✓
Height of Display Windows (min)	8 ft	15'-2"	✓
Terrace	Permitted	--	✓
Lightwell	Not Permitted	--	✓
Arcade	Permitted	--	✓
<b>Use &amp; Occupancy</b>			
Entrance Spacing (max)	30 ft	19' to 25'-6"	✓
Commercial Space Depth (min)	30 ft	60'-2" to 26'-2"	✓
Commercial Space Depth Area (min)	70% of sf	100%	✓
<b>Bicycle Parking Spaces</b>			
Short Term			
Retail	1.0 / 2,500 sf	3 spaces	✓
Arts & Creative	1.0 / 10,000 sf	0 spaces	✓
Residential	0.1 / per DU	9 spaces	✓
Long Term			
Retail	1.0 / 10,000 sf	1 space	✓
Arts & Creative	1.0 / 3,000 sf	0 spaces	✓
Residential	1.0 / per DU	87 spaces	✓

Please see **Section III Findings** of this report for additional information.

- D. **Preliminary Review:** Prior to Application submittal for Design & Site Plan Review, the Union Square Overlay District of the SZO requires Applicants to complete a number of Preliminary Review steps for the Application to be considered complete, including a pre-submittal meeting with staff, an initial neighborhood meeting, design review, and a follow up neighborhood meeting. Preliminary review meetings are intended to provide the Applicant with guidance and advice on the selection of a specific schematic design among alternatives to advance toward design development, pending final approval of the DSPR by the Planning Board.

The initial neighborhood meeting was held at the Public Safety Building, 220 Washington Street, on April 19, 2018 from 6-8pm. Design review meetings were held at the Public Safety Building, 220 Washington Street, on August 20, 2018 from 6:30-8:50pm, in the City Council Chambers on August 30, 2018 from 6:30-8pm, and the Somerville High School on September 27, 2018 from 6:30-8pm. The final neighborhood meeting was held at the Albert F. Argenziano School, 290 Washington Street on October 17, 2018 from 6-8pm. All meetings were conducted in accordance with the timing and deadline requirements of the SZO. City Staff has met with Applicant on a near weekly basis since their original selection as the Union Square Master Developer by the Somerville Redevelopment Authority, which satisfies the pre-submittal meeting required by the SZO. The Design Review meeting was held at least fourteen (14) days after the first neighborhood meeting and the Design Review Committee provided a written recommendation (in the form of a checklist with recommendations) within the forty-five (45) day deadline, as required by the SZO. Lastly, the final neighborhood meeting took place at least fourteen (14) days after the design review meeting and at least fourteen (14) days in advance of Application submittal.

The SZO requires the DRC to provide a written recommendation that includes, at least, the following:

1. Identification of each applicable design guidelines of [the SZO] that has been achieved to the satisfaction of the DRC, as voted by a majority of the members present; and
2. Any modifications necessary to remedy outstanding design issues related to guidelines that have not been achieved to the satisfaction of the DRC, as voted by a majority of members present.

Confusion over the term “applicable” and who decides what design guidelines are or are not applicable led the DRC to scrutinize the design guidelines themselves and determine that many were not applicable for one reason or another. It is the interpretation of the Staff that the SZO authorizes the DRC to exempt buildings that lack certain features from design guidelines related to those same features (for example 6.8.10.H.2.c.ix about balcony railings would not be applicable if a building does not include balconies) rather than wholesale exemption of entire guidelines that are specifically related to features that the building does include, for any reason. That being said, the DRC’s role is advisory and the lack of a recommendation on any one specific design guideline is not fatal to the Application.

## II. DEVELOPMENT IMPACTS

### A. Departmental Comments:

**Fire Prevention:** None specific to D2.2. However, Deputy Chief Wallace Forrest of the Somerville Fire Prevention Bureau identified “the need of public safety to have repeaters installed on the highest building of the project. Both fire and police radios would be impacted from the construction of so many large buildings and the repeaters would mitigate this interference.”

**Public Works:** None at this time.

**Engineering:** None at this time related to D2.2.

**Mobility (formerly Transportation & Infrastructure (T&I)):** The Director of Mobility raised concerns related to the turning movements of certain vehicle types that the Applicant has proposed to be permitted for ingress and egress from the D2.1 site. Permitted turning movements along Somerville's streets are entirely under the City's control and not considered an impact caused by the proposed building. Please see Section 2 Analysis of this Section (II Development Impacts) for additional information. A mobility management plan was submitted and approved with conditions for the proposed building.

**Office of Sustainability & Environment (OSE):** The Office of Sustainability and Environment has determined that condition #69 of the CDSP decision is satisfied by a Resiliency Questionnaire Supplement provided by the Applicant. US2 provided a Resiliency Questionnaire Supplement on June 26, 2019 detailing additional analysis on greenhouse gas (GHG) reduction strategies for D2.2 and D2.3. However, the proposed GHG reduction measures are modest and the building will not be designed to fully minimize or eliminate emissions. The Applicant provided compelling evidence to consider other measures, most notably designing to Passive House standards and including additional electric vehicle (EV) ready spaces.

According to the analysis completed by the Applicant, a Passive House building could reduce emissions by 76% relative to the code envelope when coupled with full electrification, putting the building within striking distance of achieving net zero carbon emissions. The Applicant analyzed the cost and payback period for Passive House standards for D3.2, a comparable building, in the Final Environmental Impact Report (FEIR) and found a pay-back period of just eight years. This is a short payback period for such a significant benefit. The Applicant did not provide analysis for designing D2.2 and D2.3 to Passive House standards without electrification. While full electrification and Passive House would be the ideal design scenario for reducing emissions, Passive House alone could still greatly reduce GHG emissions. The Applicant's analysis demonstrates that the greatest opportunity for GHG emissions reductions will come from improvement in the building's envelope efficiency; the model of full electrification without the building envelope meeting Passive House standards showed only a minimal reduction in GHG.

Based on the analysis provided, it is the opinion of the Director of Sustainability & Environment that Passive House standards could feasibly be met with D2.2 and D2.3, significantly reduce harm to the community, and provide significant benefits to the building tenants. In addition to reducing greenhouse gas emissions by up to 76%, Passive House design would reduce utility costs for tenants and improve the ability for tenants to shelter in place in the event of a prolonged power outage. The analysis demonstrates that the Applicant has not prioritized designing a high-performing building envelope and that there are cost-effective measures to improve the building's envelope and operations that the Applicant is leaving on the table to reduce energy use and GHG emissions.

The Applicant also estimated the cost of incorporating additional adaptive capacity for EV charging in the D2 parking garage. The Applicant stated, "It has been found that incorporating adaptive capacity into newly constructed parking garages is more cost-effective than retrofitting parking garages after they have been built." Based on this analysis the Applicant committed to adding an additional 10 EV-ready spaces in addition to the 10 EV charging spaces that had been in the initial design. This means that a total of 7% of spaces in the garage will be designed to serve EV charging needs in the lifetime of the garage without costly and challenging retrofits. It is expected that the percentage of EVs in Somerville will quickly surpass 7%. The proposed carpool, carshare, and priority parking spaces are minimal and do not make up for limited EV charging. Conservative estimates based on historic EV adoption trends in

Somerville project that by 2050 30% of cars registered in Somerville will be EVs. This very likely represents the low end of possible growth as more EV models are expected to come on the market in the next several years, driving down costs and creating more choice options for consumers. To achieve Somerville's carbon neutrality goal, 100% of vehicles will need to be electric by 2050. As currently planned, the Applicant is severely limiting the adaptive capacity of the garage to evolve to meet emerging mobility needs and the demands of building tenants. Building adaptive capacity for charging into new parking construction is something that other leading cities are requiring in order to future-proof new parking development. The City of Boston recently [started requiring 100% EV ready spaces](#) and that 25% of spaces have EV chargers installed. The Applicant is at risk of building a parking structure that will quickly become outdated.

The Applicant is urged to consider additional energy saving and GHG reducing measures that could be included as the design continues to evolve, especially those that could be fully or partially covered by Mass Save incentives. At a minimum, the Applicant is expected to uphold the commitments to energy saving and GHG reducing measures made in the supplementary memo and to consider additional energy saving and GHG reducing measures that could be included as the design continues to evolve, especially those that could be fully or partially covered by Mass Save incentives.

The building is required to be LEED Gold certifiable by the SZO. This requires at least 60 points on the LEED checklist. The applicant currently estimates the building achieving 60 points and meeting this requirement. However, if any changes to the project reduce the number of achievable points, the project will not be in compliance.

**Ward City Councilor:** Ward 2 Councilor Scott has recused himself as an abutter to the proposed building.

**B. Public Comments**

Staff received feedback during the official comment period for case #PB 2019-07, which began with oral testimony at the public hearing held on June 20, 2019 and was open for written comment through June 28, 2019. The comment letters typically raised the same three primary concerns regarding the development of D2 in general:

- The impacts to the surrounding neighborhood by the site plan, appearance, and operations of the proposed commercial parking facility of D2.2 and D2.3 and a desire for the facility to be built underground.
- The community's desire for additional civic space. Specifically, a highly landscaped passive recreational space located internal to the block.
- Equitable access for pedestrians of all abilities to the new Union Square GLX station, including the need for an elevator to the station platform from Prospect Street.

Additional concerns specifically regarding D2.3 include:

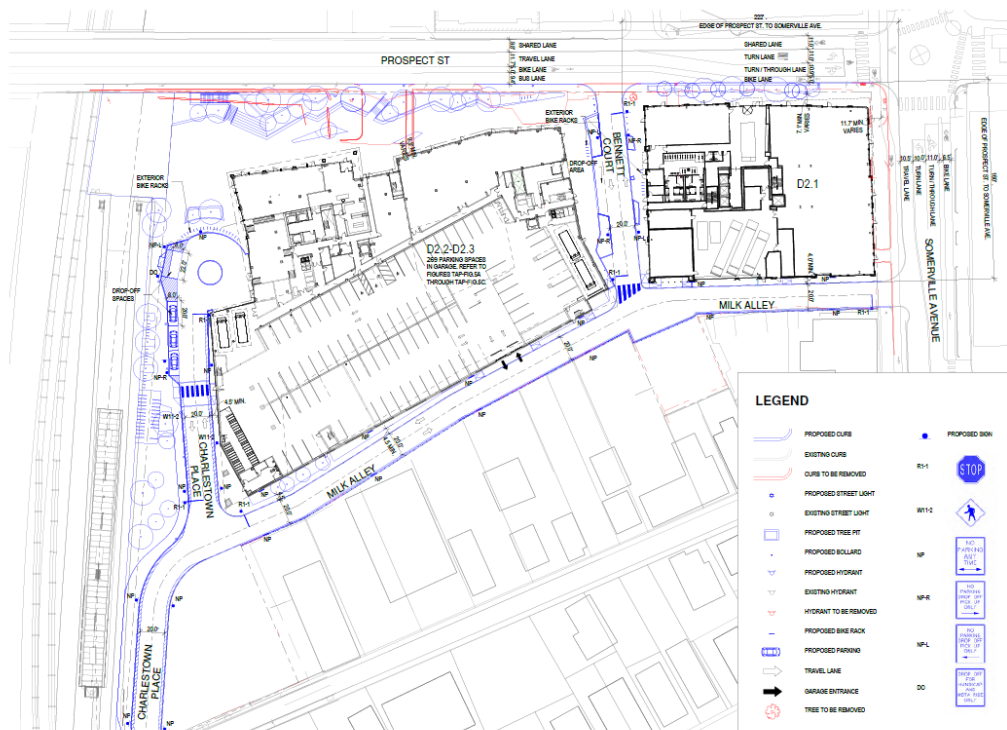
- That the Allen Street, Linden Street, Merriam Street, and Charlestown Street area will be cut off from future redevelopment possibilities by the proposed alley and above ground parking facility.
- The desire for additional green roof and rooftop open space areas.
- That too much parking is proposed for D2.
- That the D2.2/2.3 parking facility is detrimental to the abutting Allen Street properties.
- That the activity level of the proposed Alley is detrimental to the abutting Allen Street properties.
- That the D2.3 building's environmental sustainability is inadequate.

- That the exterior walls of D2.3 along Milk Alley and Charlestown Place are lacking necessary architectural treatment and should be considered blank walls.
- That the D2.2 and D2.3 buildings backing onto Milk Alley should be broken up into multiple buildings if the commercial parking facility cannot be moved underground.
- That the inflection where D2.2 and D2.3 meet is not sufficient to make the massing appear as two buildings.
- That the D2.3 mid-rise podium tower is not designed to be aesthetically pleasing at 'street level' (the ground story) and that the articulation of base of the building's façade is lacking.
- That all of the buildings proposed for D2 lack an overarching aesthetic derived from the surrounding urbanism.
- That the integrated commercial parking facility of D2.2 and D2.3 appears to be an uninterrupted 300+ foot long single structure that creates a 'wall of parking facing the backyards of Allen Street residents' and should be clad in high quality materials to minimize its impact on its surroundings.
- That opportunity for public art should be integrated into the proposal.

### C. Impact Analysis

#### Transportation Access

Development of the D2 site will close three (3) curb cuts along Somerville Avenue and two (2) curb cuts along Prospect Street, replacing them with one (1) new curb cut for Bennet Court (intersecting with Prospect Street) and one (1) curb cut for Milk Alley (intersecting with Somerville Avenue). Each curb cut will be wide enough to accommodate two-way motor vehicle traffic. Charlestown place is intended to intersect with Charlestown Street at Allen Street near the rear of the D2 site, but will require DSPR as it was not included at this time as part of the proposal due to ongoing coordination between the Applicant, the City of Somerville, and EverSource to address utility pole locations.





The demand for parking by employees, residents, customers, and visitors for all three (3) buildings proposed for the combined D2 site will be accommodated by the two hundred and sixty-nine (269) space commercial vehicular parking facility proposed for D2.2 and D2.3. Vehicular access to the commercial vehicular parking facility is at the D2.2 end of the structure. Primary access for the parking facility is proposed to enter the alley system to and from Somerville Avenue using Milk Alley. Further information about vehicular circulation can be found in case #PB2019-03 which addresses the proposed thoroughfares.

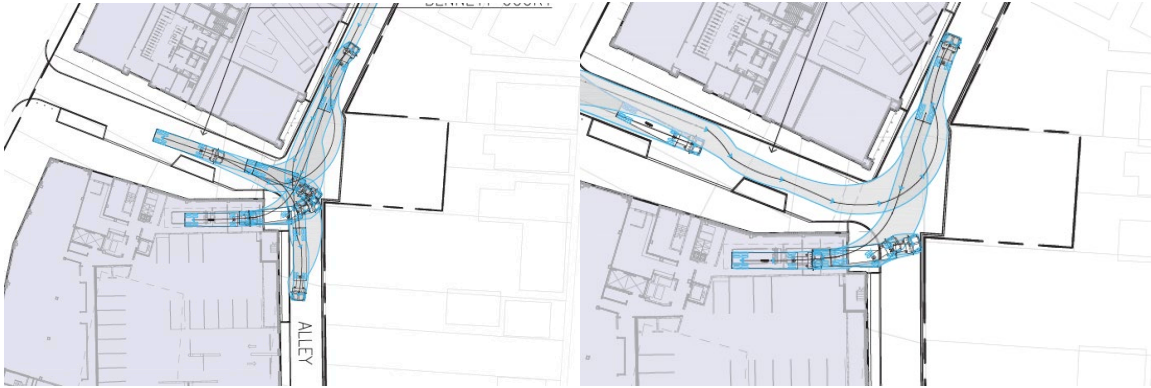
The loading and service dock for D2.2 is located in the northeast (rear) corner of the building near the intersection of Milk Alley and Bennett Court. The tandem two bay loading area is designed for WB-40 tractor semi-trailer trucks, but will also be able to accommodate single unit box trucks and waste pick-up vehicles. Primary access for the loading dock is proposed to enter the alley system to and from Somerville Avenue. Bennett Court is proposed to accommodate access to and from Prospect Street, but deliveries are intended to be coordinated by the owner or future property management firm to occur at off-peak hours.

Single unit box trucks are able to enter and exit the alley system at Bennett Court or Milk Alley with little interference to opposing traffic on Prospect Street and Somerville Avenue and can easily reverse maneuver into the loading dock.



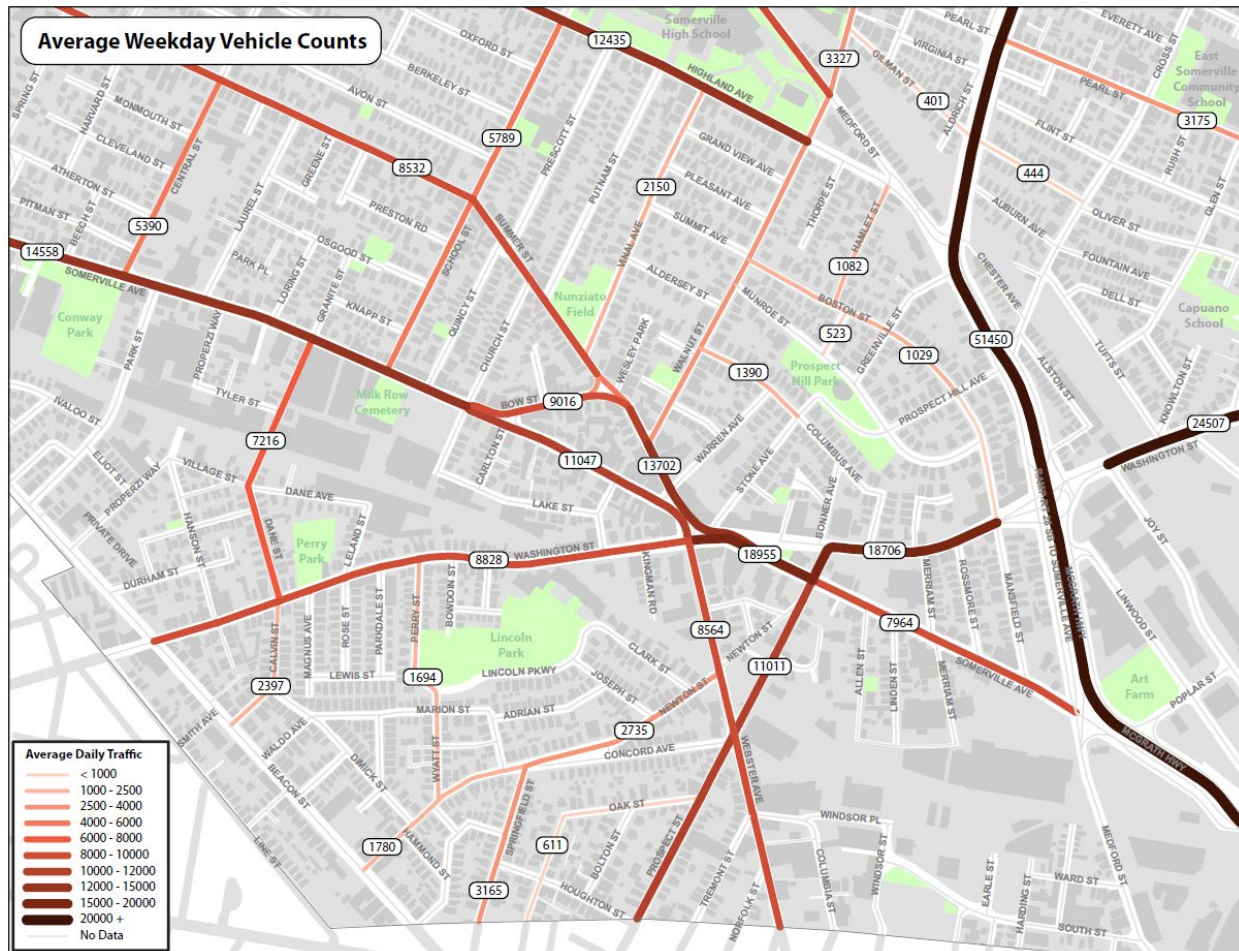
Tractor semi-trailer trucks are able to enter the alley system without crossing into oncoming traffic lanes by making a left turn into Milk Alley from Somerville Avenue when traveling west, a right turn into Bennett Court when traveling north on Prospect Street, and a left turn into Bennett Court when traveling south on Prospect Street. Turning right into Milk Alley when traveling east on Somerville Avenue requires a WB-40 truck to infringe both the west-bound travel and turning lanes of Somerville Avenue. To enter the loading dock of D2.2 from southbound travel on Milk Alley requires the WB-40 type truck to make a complex four-point turn to reverse direction using Bennett Court. To enter the loading dock from Bennett Court requires a less complex reverse maneuver into the loading dock.





When exiting the loading dock, a WB-40 truck type will have to turn left and exit the alley system via Milk Alley onto Somerville Avenue. Regardless of exiting direction, this truck type will infringe on traffic movements in opposing lanes temporarily.

To every extent practicable, the City intends to direct all motor vehicle traffic to and from the D2 site via Somerville Avenue east of the Prospect Street intersection due to the lower average weekday vehicle counts recorded as compared Washington Street, Prospect Street, or Somerville Avenue through the core of Union Square.

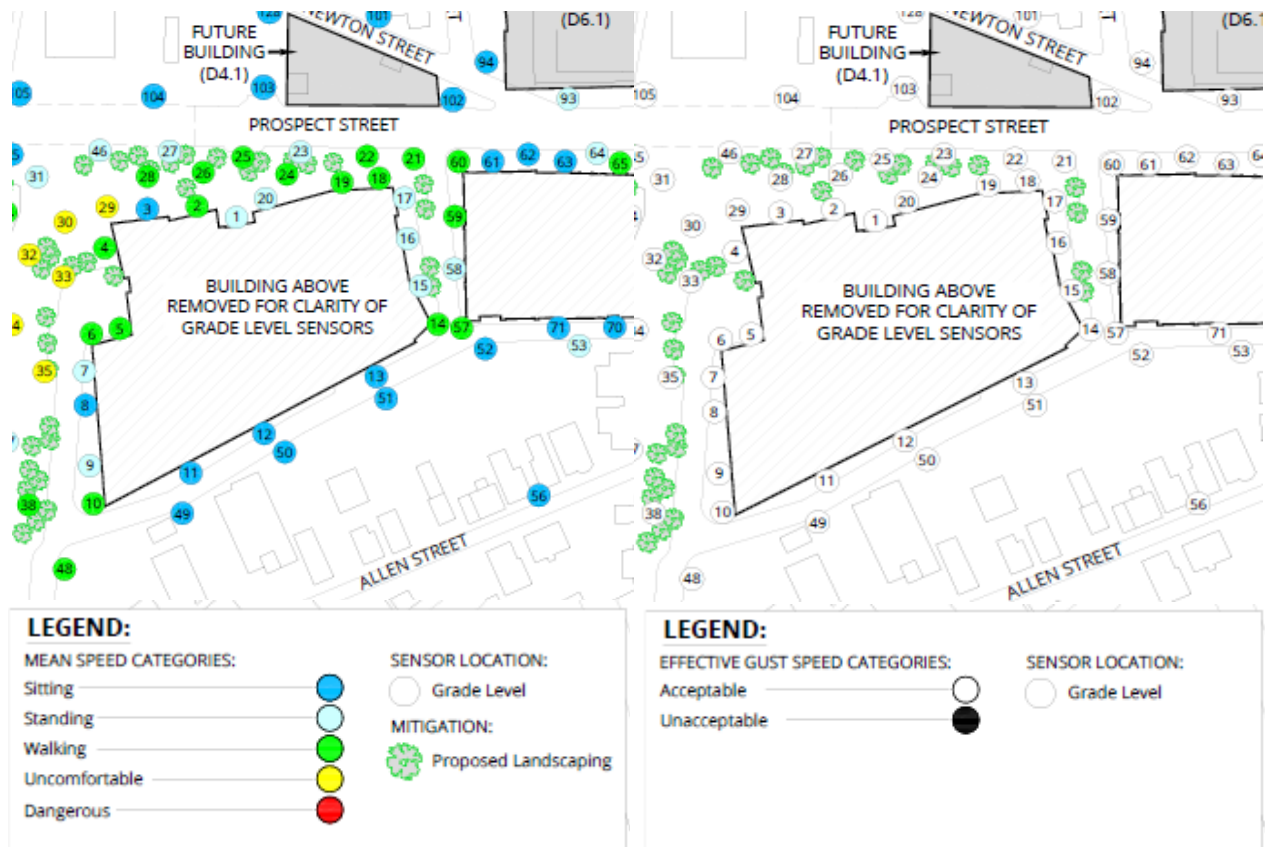


### Shadow Study

Applicant submitted a shadow study prepared by Ground, Inc. illustrating shadowing cast by the D2.2 project at the spring and fall equinoxes and summer and winter solstices, as well as the cumulative new shadows cast on adjacent sites. From the spring to fall equinox, when visitors are most likely to use the Civic Plaza adjacent to the D2.2/D2.3 buildings, this space will be in shadow during the morning, and in full sun in the afternoon and early evening hours. This shadowing will be most pronounced through the winter months when it is least likely that the Civic Plaza will be occupied. The shared space at Bennett Court will receive shadowing in the afternoon and evening from fall through spring. The most impacted sidewalks are those which lie to the north of the project site, including those along the Civic Plaza beside Prospect Street and along the shared space at Bennett Court.

### Pedestrian Level Wind Analysis

The Applicant submitted a pedestrian level wind study prepared by Rowan Williams Davies & Irwin Inc. The City requires a wind analysis to determine the suitability of various locations for various activities (e.g., walking, sitting, standing, etc.) and requires that mean wind speed and effective gust speeds not be exceeded for particular activities more than one percent (1%) of the time without mitigation. Wind statistics recorded at Boston Logan International Airport are used to estimate wind characteristics for the D2 site. The development of D2.2 is not specifically called out as increasing wind speeds.



### Solar Glare Analysis

The Applicant submitted a solar glare analysis prepared by Rowan Williams Davies & Irwin Inc (RWDI). The analysis used computer modeling to evaluate reflected sunlight from the D2.2 building as it relates

to potential thermal impacts on people and facades of other buildings as well as the potential visual glare impact on drivers, pedestrians, and facades. Peak intensities and the frequency of occurrence of reflections are used to identify locations that may experience high intensity or very frequent reflections and then determine the frequency, intensity, duration, and source of reflected glare.

The results of the analysis found no significant thermal or visual glare impacts from reflected sunlight directly attributable to the D2.2 general building.

RWDI notes in its report that façade material properties of the D2.2 building were still under consideration at the time of analysis. Should there be changes from the form or materiality of the façade design, RWDI recommends the changes are reviewed for their potential effects on solar reflection. The applicant has proposed changing to cementitious panels instead of metal since the solar glare analysis was conducted, which should further reduce glare from reflected sunlight.

### III. FINDINGS

#### **Special Permits**

For this application to be determined as compliant with the Somerville Zoning Ordinance, a Special Permit (SZO §6.8.10.A.4.d) authorizing a principal entrance oriented toward a side lot line must first be approved by the Planning Board. The Applicant has requested to provide a lobby entrance oriented toward the side lot line (facing Bennett Court and D2.1). Per the Somerville Zoning Ordinance, the Planning Board must consider the criteria of §6.8.10.A.4.d in its discretion to permit a principal entrance oriented toward a side lot line.

Review Criteria of §6.8.10.A.4.d:

1. The review considerations for all Special Permits as specified in Section 5.1 Special Permits.
2. Privacy of residential uses on neighboring lots.
3. Visibility of the entrance(s) from the public right of way and legibility of the means of access for emergency services.

The Planning Staff proposes that the Planning Board make the following findings:

#### **SZO 5.1 Special Permits**

##### **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."**

*See findings 1-2 for SZO §6.8.10.A.4.d below.*

##### **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.”

*See #2 in Section SZO §5.4.6 below.*

**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."***

*This neighborhood is currently undergoing intense physical changes, with utility and streetscape work on Somerville Avenue, and track and bridge work for the Green Line Extension already underway, and much new work proposed in later phases of development for the D Parcels. This proposal is among a series of projects going forward at this time, which will initiate a process developed through the Union Square Neighborhood planning process to establish the D Parcels as an Urban Employment Center for the City of Somerville. This project is one of the first steps in this process, responding to current neighborhood characteristics with an eye toward establishing a new built context and new patterns of land use for this Urban Center.*

*The Staff finds that this mixed use general building will respond to and be compatible with existing uses in the area by providing new residential space at the edge of Union Square, transitioning to more purely residential uses along Allen, Lincoln, and Merriam Streets. At the same time, ground floor restaurant and retail space provided for in this building will augment current commercial activity facing Prospect Street and the adjacent Civic Space. This building, along with its neighbors on the D2 Parcel will serve as the first opportunity to weave new patterns of growth and activity into the existing fabric of the city.*

**SZO §6.8.10.A.4.d**

**1. The review considerations for all Special Permits as specified in Section 5.1 Special Permits**

*See findings 1-4 for SZO §5.1 Special Permits above.*

**2. Privacy of residential uses on neighboring lots.**

*The Staff finds that there will be limited impact on neighboring uses, as the proposed entrance for the upper floor residential uses in the D2.2 building faces Bennett Court and the D2.1 Laboratory building.*

**3. Visibility of the entrance(s) from the public right of way and legibility of the means of access for emergency services.**

*The Staff finds that, as currently designed, the proposed entrance to upper floor residential space in D2.2 provides insufficient visibility and legibility from both Prospect Street and Bennett Court. Staff has recommended to the Applicant that a redesign of this entry be undertaken before the Special Permit can be approved; at minimum this redesign should include a selection from the strategies laid out in the Architectural Design Guidelines to make entrances for upper floor uses more apparent at street level, especially as the entrance is not located on the street that is the official address. These solutions may include, but not be limited to, changes in plane and surface treatment at entries, use of projecting entry canopies, and use of canopy or blade signage to indicate upper floor entry sequences. For purposes of emergency egress, this redesign should also include pair of swing doors at the entry sequence, as opposed to the single panel door currently indicated.*

**Design & Site Plan Review**

Per the Somerville Zoning Ordinance, the Planning Board must approve a development review application requiring Design and Site Plan Review upon verifying that the application is compliant with the review criteria required for all Design & Site Plan Reviews and for the additional criteria of §6.8.5.D.5 of the Union Square Overlay District.

Standard Review Criteria of §5.4.6:

4. Consistency with the adopted comprehensive Master Plan of the City of Somerville, existing policy plans and standards established by the City, or to other plans deemed to be appropriate by the Planning Board;
5. Consistency with the purpose of this Ordinance in general;
6. Consistency with the purpose of the district where the property is located; and
7. Considerations indicated elsewhere in this Ordinance for the required Design and Site Plan Review.  
(See §6.8.5.D.5)

Additional Review Criteria of §6.8.5.D.5:

1. Compliance with the standards of [Section 5.4](#) Design and Site Plan Review (*see above*)
2. Consistency with the approved Coordinated Development Special Permit and any previously approved Special Permits, as applicable;
3. Consistency with the 2012 Union Square Revitalization Plan and the 2016 Union Square Neighborhood Plan, as amended; and
4. Conformance with all applicable provisions of this Ordinance.

The Planning Staff proposes that the Planning Board make the following findings:

**SZO §5.4.6**

**1. Consistency with the adopted comprehensive Master Plan of the City of Somerville, existing policy plans and standards established by the City, or to other plans deemed to be appropriate by the Planning Board.**

*The Staff finds that the Application is consistent with SomerVision, the comprehensive Master Plan of the City of Somerville in that the development will help to achieve the following shared values and/or plan Goals:*

- a) *Celebrate the diversity of our people, cultures, housing and economy by being the culmination of a robust community process that incorporated feedback from residents and businesses of Union Square at every step.*
- b) *Foster vital, health, inclusive and distinctive urban neighborhoods that are the best possible places to live, work, play, do business, learn and serve by creating a new mixed-use development in Union Square.*
- c) *Transform key opportunity areas, [] such as the southeastern portion of Union Square, into dynamic, mixed-use and transit-oriented districts that serve as economic engines to complement the neighborhoods of Somerville by providing a mixed-use building in close proximity to the MBTA's Union Square Station of the Green Line Extension.*
- d) *Manage parking supply and demand in a flexible, rational and innovative manner, to balance transportation, economic development and residential goals by providing a commercial parking garage that is available for the neighborhood, not just the development.*
- e) *Increase active and alternative transportation options; reduce congestion; and promote workplace-based policies and incentives for mode choice, work hours, and employment location by implementing an aggressive Mobility Management Plan for the building and requiring future tenants of significant size to implement their own mobility management plans.*



- f) *Promote mixed-use, mixed-income transit-oriented development to provide new housing and employment options by creating new units next to transit.*

**2. The purpose of this Ordinance in general.**

*The Staff finds that the Application is consistent with the purpose of the Somerville Zoning Ordinance, including to provide for and maintain the uniquely integrated structure of uses in the City, to lessen congestion in the streets, and to encourage the most appropriate use of land throughout the city.*

**3. The purpose of the district where the property is located.**

*The Staff finds that the Application is consistent with the purpose of the Union Square Overlay District, including the redevelopment of a parcel located within close walking distance to the future Union Square T-Station, accommodating high-rise development that will support the transformation of Union Square into an urban employment center, and fulfilling the goals of SomerVision, the 2003 Union Square Master Plan, the 2012 Union Square Revitalization Plan, and the 2016 Union Square Neighborhood Plan, as amended.*

**4. Considerations indicated elsewhere in this Ordinance for the required Design and Site Plan Review.**

*See findings 2-4 for SZO §6.8.5.D.5 below.*

**SZO §6.8.5.D.5**

**1. Compliance with the standards of [Section 5.4](#) Design and Site Plan Review**

*See findings 1-4 for SZO §5.4.6 above.*

**2. Consistency with the approved Coordinated Development Special Permit and any previously approved Special Permits, as applicable.**

*Staff finds that the Application is consistent with the approved Coordinated Development Special Permit and any previously approved Special Permits.*

*The D2.2 proposal is subject to a Coordinated Development Special Permit ('CDSP') approved by the Somerville Planning Board (Case#: PB2017-21). In its Decision dated December 14, 2017, the Planning Board approved the CDSP with a variety of conditions. Conditions that cannot be met at the time of DSPR Application are passed down to the DSPR decision for later implementation. Conditions applicable to D2.2 are paraphrased below.*

- Condition #6: D2.2 must be built developed as a general building.
- Condition #15: Development of D2.2 requires design review, prior to the submittal of a DSPR application.
- Condition #23: That no Certificate of Occupancy shall be issued for the D2.2 general building until the alley (Case# PB2019-03) and plaza (Case# PB2019-05) abutting the D2.2 site are fully completed and operational, or a bond is posted for the value of the remaining work.
- Condition #33: the Applicant is responsible for all necessary private infrastructure and utility improvements (such as electrical, telephone, data, CATV, and natural gas utilities), both on and off site, needed to support the proposed development, as approved and conditioned.
- Condition #34: Infrastructure must be designed to meet all requirements and standards of the City of Somerville and its relevant departments (including, but not limited to, the City Engineer, Department of Public Works, Inspectional Services, Traffic & Parking, Fire Department, and the divisions of the Mayor's Office of Strategic Planning and Community Development) and all other



legal requirements for the installation of services within public rights-of-way. DSPR applications must include reasonable written evidence establishing that such infrastructure is sufficient to support the proposed development, that all details are designed to City standards, that installation, unless otherwise included in capital project work of the City, is done without cost to the City, and that installation will be functionally adequate and completed at the appropriate time in the course of the phases of development.

- Condition #37: The Applicant shall improve accessibility and comfort, to the extent practicable, at one existing MBTA bus stop along the frontage of D2.2. Specific improvements must be approved by the Director of Transportation & Infrastructure. The Building Official shall not issue a Certificate of Occupancy for the subject building until such improvements have been installed or constructed.
- Condition #38: The Applicant shall provide at least two City-approved bike share stations and associated bicycles, or the functional equivalent for any future bike share service approved by the City. The Building Official shall not issue a Certificate of Occupancy for any building in Phase 2 until the first bike share station or its equivalent has been provided and is fully operational at a location approved by the City. The Building Official shall not issue a Certificate of Occupancy for any building in Phase 3 until the second bike share station or its equivalent has been provided and is fully operational at a location approved by the City.
- Condition # 41: The Director of Traffic & Parking retains the right to limit or restrict eligibility for Residential Parking Permits for any residential dwelling unit of D2.2.
- Condition #56: New sanitary connection flows over 2,000 GPD require a removal of infiltration and/or inflow by the Applicant. This will be achieved by submitting a plan for I/I work or a mitigation payment, established by the City Engineers Office, to the City based on the cost per gallon of I/I to be removed from the sewer system and a removal ratio of 4:1. If a different ratio of removal or mitigation payment amount is adopted by the Board of Aldermen (BOA) prior to the Applicant receiving a Certificate of Occupancy, payment will be adjusted to the BOA rate. The Applicant shall work with Engineering and meet this condition before a certificate of occupancy is issued.
- Condition #61: A draft Affordable Housing Implementation Plan (AHIP) must be provided by the Applicant showing the anticipated program of affordable units - types and sizes - in each DSPR application.
- Condition #62: The AHIP must be approved by the OSPCD Housing Division and executed prior to issuance of Building Permit.
- Condition #63: Written certification of the creation of affordable housing units, any fractional payment required, or alternative methods of compliance, must be obtained from the Housing Division before the issuance of a Certificate of Occupancy (CO). No CO shall be issued until the Housing Division has confirmed that the Affordable Housing Restriction has been approved and recorded and the developer has provided the promised affordable units on-site.
- Condition #64: No CO shall be issued until the Housing Division has confirmed that: (for Condominium Projects) the Condominium Documents have been approved and the Applicant has agreed to a form of Deed Rider for the Affordable Unit(s), or (for Rental Projects) the Applicant has agreed to and executed a Memorandum of Understanding for Monitoring of the Affordable Unit(s).
- Condition #66: The Applicant must contact the Engineering Department to obtain street addresses for all of the D Blocks (CDSP parcels) prior to the first DSPR application submittal. The addresses will be refined as part of the DSPR process when the development program is more refined.

- Condition #68: Each subsequent DSPR application submitted under this CDSP must identify vulnerabilities and/or risk for each parcel based on the City's Climate Change Vulnerability Assessment. The application should clearly identify the extent and nature of planning/design interventions necessary to mitigate those risks. To ensure effective strategies for resiliency by preparing for weather and flooding impacts, the Director of the Office of Sustainability & Environment shall define specific appropriate expectations for responses to this condition, and the applicant shall provide these responses with each CDSP application.
- Condition #69: Each subsequent DSPR application submitted under this CDSP must document how the proposed development, including civic spaces, public realm improvements, and buildings, will help to reduce the urban heat island, assist in the City's stated objective to be Net Zero by 2050, and assess whether the infrastructure presents an opportunity for reducing demand and/or district energy solutions.
- Condition #73: No large scale retail stores in excess of 20,000 square feet, no warehousing, no heavy industrial or manufacturing uses, other than small scale fabrication are permitted.
- Condition #73A: In an effort to provide opportunities for small, independent and local businesses, the Applicant shall share retail plans with Union Square Main Streets and the Director of Economic Development, along with strategies to encourage such businesses, and report back to the Planning Board on this process.
- Condition #75: Applicant shall provide material samples for siding, trim, windows, and doors to Planning Staff and the Design Review Committee for review, comment, and approval as part of the Design Review required prior to each DSPR application. Materials shall respect the unique and historic character of the Union Square neighborhood. In accordance with the USQ zoning, large expanses of highly mirrored glass surfaces are discouraged.
- Condition #76: Applicant shall provide an on-site mock-up or final building material samples (including color and texture) to Planning Staff and the Design Review Committee for review, comment, and approval prior to the issuance of a Building Permit.
- Condition #81: The street-facing portions of D2.1 and the alley way to the east of D2.2 and D2.3 should make accommodations for flooding during extreme storm events. These accommodations must be coordinated with the Engineering Department.
- Condition #82: The D2 Block water and sewer connections must be relocated to Prospect Street, and the drain connection location must be coordinated with the Somerville Ave Utility and Streetscape Improvements project drawings.

As part of the CDSP Decision (Case#: PB2017-21), the Somerville Planning Board also granted a Special Permit allowing residential principal uses, which includes the D2.2 general building.

**3. Consistency with the 2012 Union Square Revitalization Plan and the 2016 Union Square Neighborhood Plan, as amended.**

*The Staff finds that the Application is consistent with the 2012 Union Square Revitalization Plan and the 2016 Union Square Neighborhood Plan, as amended, by providing for the development of a 6-story general building along Prospect Street.*

**4. Conformance with all applicable provisions of this Ordinance.**

*The Staff finds that the Application is conforming to all applicable provisions of the Somerville Zoning Ordinance. A summary table of the proposals compliance to dimensional standards is provided in Section I of this report.*

**IV. RECOMMENDATION**

This recommendation by the Staff is based upon a technical analysis of the application materials submitted by the applicant and testimony and public feedback provided during the public hearing process. The Staff expects some redesign of the building but recommends **CONDITIONAL APPROVAL** of the required **DESIGN AND SITE PLAN REVIEW** as follows:

#	Condition	Compliance Timeframe	Verification	Notes						
A. Overall										
1	<div>Development must comply with the plans and other application materials submitted by the Applicant:</div> <table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>February 13, 2019</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>March 26, 2019</td><td>Revised application submitted to Planning Staff</td></tr></table> <div>Any changes to the submitted plans and other materials, as approved and conditioned, that is not determined to be <i>de minimis</i> by the Planning Director are considered a Major Amendment to the approved plans and must be processed as a revision to previously approved plans.</div>	Date (Stamp Date)	Submission	February 13, 2019	Initial application submitted to the City Clerk’s Office	March 26, 2019	Revised application submitted to Planning Staff	Perpetual	ISD/ Plng.	
Date (Stamp Date)	Submission									
February 13, 2019	Initial application submitted to the City Clerk’s Office									
March 26, 2019	Revised application submitted to Planning Staff									
2	This approval certifies that the D2.2 General Building, if constructed and operated in conformance with this decision, as conditioned, complies with the previously approved CDSP Decision ( <i>Case# PB2017-21</i> ) issued on December 14, 2017.	Perpetual	ISD/ Plng.							
3	This approval absolves all previous approvals and conditions related to 20 Prospect Street with the exception of the CDSP PB Case #2017-21.	Perpetual	ISD/ Plng.							
B. Legal Agreements										
1	Development must comply with the Development Covenant by and between the City of Somerville and Union Square Station Associates LLC dated June 17, 2017, as amended.	Perpetual	ISD/ Plng.							
2	Development must comply with the Master Land Disposition Agreement by and between the Somerville Redevelopment Authority and Union Square Station Associates LLC dated May 2, 2017, as amended.	Perpetual	ISD/ Plng.							
C. Engineering										

#	Condition	Compliance Timeframe	Verification	Notes
1	The Applicant is responsible for the installation of all necessary private infrastructure and utility improvements (such as electrical, telephone, data, CATV, and natural gas utilities), both on and off-site, needed to support the proposed general building, as approved and conditioned.	BP	ISD/ Plng.	
2	The building address shall be 20 Prospect Street. Addressing of individual tenant spaces must comply with the City of Somerville Engineering Department's Address Verification/Change standards.	BP/CO	Eng.	
<b>D. Transportation</b>				
1	Pedestrian and vehicular access (particularly for the MBTA's paratransit service) must not be impeded due to construction of the D2.2 General Building once revenue service begins at Union Square Station. In such a circumstance, the Applicant shall provide detailed plans of proposed interim vehicular, pedestrian, and bicycle access to Union Square Station (including any access to be provided from the Prospect Street Bridge) to the Director of Mobility for approval prior to the issuance of a building permit. Particular care must be taken to provide a legal and fully accessible path to Union Square Station during construction so that safe, convenient, and uninterrupted access is provided to the Station at all times.	BP	Mobility	
2	The Applicant shall coordinate with the City of Somerville and the MBTA's Service Planning Department to determine the appropriate location of bus stops along Prospect Street and Somerville Avenue.	CO	Mobility /Planning	
3	To mitigate impacts to the MBTA's 86 bus route caused by the future occupants and visitors the proposed development, the Applicant shall pay for and provide to the City of Somerville a feasibility analysis for installing a bus queue jump at the northbound approach of Prospect Street at the intersection with Concord Avenue. If the queue jump is determined to be feasible by the Director of Mobility, the Applicant shall pay for installation of the queue jump. If this same condition is applied to any other DSPR decision for development on any D2 lot, the Applicant is not required to provide repeat payments to satisfy each condition after the first.	CO	Mobility /Planning	

#	Condition	Compliance Timeframe	Verification	Notes
4	To mitigate impacts to the MBTA's 91 and CT2 bus routes by the proposed development, the Applicant shall pay for the installation of MBTA compliant passive Transit Signal Priority equipment for the intersections of Washington St./Webster Ave./Somerville Ave. and Prospect St./Somerville Ave./Washington St. If this same condition is applied to any other DSPR decision for development on any D2 lot, the Applicant is not required to provide repeat payments to satisfy each condition after the first.	CO	Mobility /Planning	
5	The D2.2 property owner and applicable future tenants shall comply with the Mobility Management Plan submitted for the D2.2 General Building, as approved and conditioned by the Director of Mobility.	Perpetual	Mobility /Planning	
6	The Applicant shall work with the Director of Mobility and any known commercial tenants to establish an off-peak time period for scheduled truck deliveries and waste pick-up services accessing the D2.2 loading and service dock. Deliveries and service must be scheduled to minimize conflicts with the intended use of Bennet Court as a shared space during peak activity times and prevent disruption to Allen Street properties to every extent practicable.	CO	Mobility/ISD	
<b>E. Site Features</b>				
1	Per the Development Covenant by and between the City of Somerville and Union Square Station Associates LLC dated June 17, 2017, mail boxes for the D2.2 dwelling units must be provided in the Bennett Court lobby entrance of the building.	BP	ISD/Plng.	
2	Outdoor lighting shall comply with the City of Somerville Dark Sky Policy.	BP	ISD/Plng.	
<b>F. Architectural Design</b>				
1	Final selection of all building materials must be approved by the Director of Planning & Zoning.	BP	ISD/Plng.	
2	The Applicant shall submit material specifications from suppliers to confirm fenestration glazing is compliant with the required VLT and VLR ratings.	BP	ISD/Plng.	

#	Condition	Compliance Timeframe	Verification	Notes
3	Per SZO §6.8.10.G.5, rooftop mechanical equipment must not exceed ambient noise levels at ground level measured at the property line or cause a noise disturbance as defined by the Somerville Code of Ordinances Article VII, Division 2, Section 9-114. An acoustical report, including field measurements, demonstrating compliance with all applicable noise requirements must be prepared by a professional acoustical engineer and submitted to the Building Official. Additional reports must be submitted if additional mechanical equipment is added to the building for future tenants.	CO	Eng./ISD	
4	The Applicant will work with the Director of Planning & Zoning so the design of the façade's base must include the full height of the ground story. Storefronts must be 80% of the ground story height and set within the resulting frame provided for each by the building. Any exhausts or architectural louvers necessary for venting purposes shall be incorporated into the design of individual storefronts, not the required spandrel/fascia of the "frame" provided for each by the building, which serve as the sign band.	BP	Planning	
5	The Applicant will work with the Director of Planning & Zoning so the building proposes to meet the 'framing' requirement of SZO §6.8.10.G.2.c with a fascia/spandrel between columns, leaving a void for individual storefronts and lobby entrances. The height of the fascia/spandrel must be about 20% of the ground floor height.	BP	Planning	
6	The Applicant will work with the Director of Planning & Zoning to refine the design the side and rear exterior walls of the building to appear as a six-story general building (regardless of interior use) with architectural materials and details similar to the Prospect Street front façade.	BP	Planning	
7	The Applicant will work with the Director of Planning & Zoning to design an architectural feature at the top of the building where D2.2 and D2.3 meet at the hypothetical lot line, including but not limited to a change in height, parapet, or cornice. The façade design for each building must end in a corner condition to give the appearance of two separate and distinct buildings abutting each other.	BP	Planning	



#	Condition	Compliance Timeframe	Verification	Notes
8	The Applicant will work with the Director of Planning & Zoning to refine the entrance to upper floor residential space for increased visibility and legibility from both Prospect Street and Bennett Court. This redesign should include a selection from the strategies laid out in the Architectural Design Guidelines to make entrances for upper floor uses more apparent at street level, including but not be limited to, changes in plane and surface treatment at entries, use of projecting entry canopies, and use of canopy or blade signage to indicate upper floor entry sequences. For purposes of emergency egress, this redesign should also include pair of swing doors at the entry sequence, as opposed to the single panel door currently indicated.	BP	Planning	
<b>G. Future Modifications</b>				
1	Storefronts, awnings or entry canopies, signs, and outdoor seating areas shall require Design & Site Plan Review, but are permitted administratively as Minor Projects (with review and approval by the Director of Planning & Zoning) in accordance with the Rules & Regulations of the Planning Board.	Perpetual	Plng./ISD	
2	The spacing between entry doors to ground floor tenant spaces is expected to change from what is shown in the application materials as future tenants seek to customize their storefronts. Compliance with the entrance spacing maximum of SZO §6.8.10.C.4 must be maintained.	Perpetual	Plng./ISD	
<b>H. Use Restrictions</b>				
1	Occupancy of commercial floor space over 20,000 square feet in area by any single retail use is prohibited.	Perpetual	ISD	
2	The Applicant shall provide ground story building plans and a written retailing strategy to the Director of Economic Development and the Director of Union Square Main Streets.	CO	Planning/ Econ. Dev.	
<b>I. Building Resilience &amp; Sustainability</b>				
1	Prior to the issuance of the first Building Permit and prior to the issuance of the first Certificate of Occupancy, the LEED checklist and narrative description outlining compliance with LEED Gold must be updated to identify any design changes made subsequent to Design and Site Plan Review and submitted to the Building Official accompanied by an affidavit by a LEED-AP Project Manager or appropriate consultants stating that to the best of their knowledge, the project has been designed to achieve the stated LEED building standard.	BP & CO	ISD/OSE	

#	Condition	Compliance Timeframe	Verification	Notes
2	The Applicant shall provide documentation to the Director of the Office of Sustainability & Environment if there are any design changes that alter the envelope performance or building efficiency.	BP & CO	ISD/OSE	
3	The Applicant shall provide documentation detailing the 10-year period during which renewable energy offsets will be purchased, what types of certificates will be purchased, and if the renewable energy purchase will offset the building's electricity use or all energy use (heating and other uses included).	CO	ISD/OSE	
4	The Applicant shall submit certified results of envelope commissioning to identify if the building is performing as intended.	CO	ISD/OSE	
5	The Applicant shall submit documentation detailing the stormwater/flood event management plan for the building.	CO	ISD/OSE	