



City of Somerville

PLANNING BOARD

City Hall 3rd Floor, 93 Highland Avenue, Somerville MA 02143

TO: Planning Board
FROM: Planning, Preservation, & Zoning Staff
SUBJECT: 62 Prospect Street (Civic Space), P&Z 21-166
POSTED: September 2, 2022

RECOMMENDATION: Approve with Conditions

Staff memos are used to communicate background information, analysis, responses to public comments, review of statutory requirements and other information from Planning, Preservation, & Zoning Staff to the Review Board members.

This memo summarizes the Site Plan Review application submitted for 62 Prospect Street, identifies any additional discretionary or administrative development review that is required by the Somerville Zoning Ordinance, and provides related analysis or feedback as necessary. The application was deemed complete on June 15, 2022, and was scheduled for a public hearing on August 4, 2022. The application has since been continued to the September 8, 2022, Planning Board meeting. Any Staff recommended findings, conditions, and decisions in this memo are based on the information available to date prior to any public comment at the scheduled public hearing.

LEGAL NOTICE

US Union Square D3.1 Owner LLC seeks to develop a Central Plaza civic space type in the HR zoning district, which requires Site Plan Approval.

SUMMARY OF PROPOSAL

The Applicant, US Union Square D3.1 Owner LLC, is proposing to construct a Central Plaza civic space type. The proposed civic space will produce 16,070 square feet of open space, including 3,240 square feet of landscaped area, 16 large canopy trees, 14,151 square feet of pervious area, and 545 linear feet of seating including 104 movable chairs and 16 tables.

ADDITIONAL REVIEW NECESSARY

This Application is subject to a previously approved Coordinated Development Special Permit (CDSP) issued pursuant to the Somerville Zoning Ordinance in effect on December 14, 2017 and is entitled to be developed subject to the provisions of the Union Square Overlay District (USOD) zoning, underlying zoning being the High Rise (HR) District. The property is located in the 0.25mi Transit Area in the Union Square neighborhood represented by Ward 2 Councilor JT Scott (who has recused himself from the project due to his ownership of a property within the CDSP-permitted area).

Design and Site Plan Review (DSPR) is required for the development of any lot as a building, civic space or thoroughfare, subject to the Union Square CDSP. For the procedural purposes of this application, the current Site Plan Approval process is the direct equivalent of the Design and Site Plan Review (DSPR) required previously. Site Plan Approval is an administrative review and approval of a proposed civic space to address any potential impacts, as necessary. The Planning Board is the decision-making authority for all (non-variance) discretionary or administrative permits required by the Union Square Overlay District in effect on December 14, 2017.

Establishment of the 62 Prospect Street civic space lot requires Subdivision Plan Approval prior to the issuance of this Site Plan Approval, authorizing development of the lot as a civic space. The Planning Board may only make a decision regarding the Site Plan Approval for the proposed civic space following approval of the related subdivision and subsequent recording of the land plat with the Middlesex Registry of Deeds. The Board voted at its August 4, 2022, meeting to approve a subdivision for this area.

No additional review is required following Site Plan Approval. However, the Application must comply with the requirements of the existing CDSP.

NEIGHBORHOOD MEETINGS

The first neighborhood meeting was hosted by Ward 3 Councilor Ben Ewen Campen and the applicant on August 25, 2021, via the Zoom meeting platform. A second neighborhood meeting was hosted by Ward 3 Councilor Ben Ewen Campen and the applicant on January 12, 2022, via the Zoom meeting platform. Ward 2 Councilor JT Scott had previously recused himself from the project and did not attend the meetings.

DESIGN REVIEW

The proposal was reviewed by Somerville Urban Design Commission via the GoToWebinar meeting platform on October 26, 2021, and November 19, 2021. The Commission provided its official recommendation on January 5, 2022.

ANALYSIS

The approximately 16,000 square foot plaza proposed at 62 Prospect Street is the first of three public civic spaces on the D3 site approved as part of the CDSP. Consistent with the Civic Space Study submitted as part of that application, the D3 open spaces are primarily along the Webster Avenue and Prospect Street frontages to provide a buffer between the development and the adjacent neighborhood, as requested by community members. The proposed building orientation and use of the civic space prioritizes pedestrians accessing the site. Pedestrians have access to the main lobby and retail areas of the proposed building at 50 Webster Avenue through the civic space.

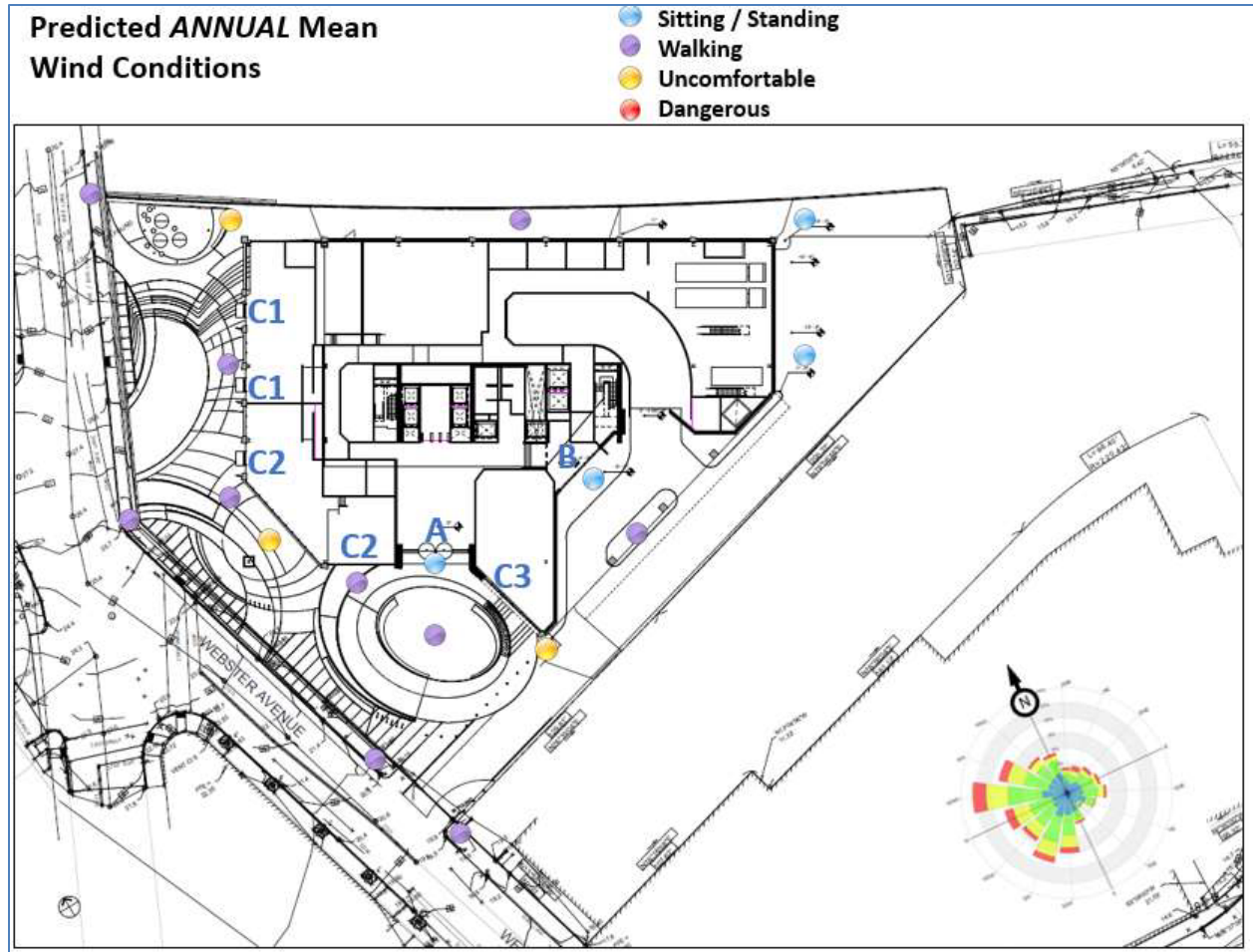
The proposed plaza program capitalizes on the combination of the 'hinge' like quality at Prospect Street and Webster Avenue and nearly 12 feet of existing grade change to

transform an industrial site into a memorable place to gather and transition between the Union Square and Boynton Yards neighborhoods. Strategic openings along the right-of-way encourage pedestrians to circulate and linger within a sequence of green rooms. The plaza is inclusive of several distinctive nodes or “alcoves”: the southern gathering oval adjacent to the lobby for 50 Webster Street; the northern amphitheater oval with space for small public events and gatherings; and the northern terminus, a glass-inspired pavilion at the highest point of the site, adjacent to the train tracks to serve as a new landmark for the Union Square neighborhood. The seating will accommodate people of all movement capabilities on site. Lighting throughout the site will enhance various public art aspects and ensure safety at night.

The Application proposes constructing sidewalks adjacent to the civic space along the southeast side of Prospect Street and northeast side of Webster Avenue to be twelve (12) feet wide and designed so the interior edges of the sidewalks appear as the front lot line of the civic space, in compliance with the USOD Ordinance (§6.8.8.F.d).

The proposed plaza will be privately owned and maintained. However, the plaza will be open to the public, and will provide opportunities for hosting public events and small gatherings that will further serve the community. The Applicant’s intent is that the space will be perceived as truly for the public and not identified as space only for the 50 Webster Avenue tenants. Activation of the space and the adjacent ground-floor retail at 50 Webster Avenue are both intended to support the goal of public use.

As part of the Application for the building at 50 Webster Avenue, the Applicant has presented a pedestrian level wind study prepared by Rowan Williams Davies & Irwin Inc. (RWDI). The study also shows wind impacts to the civic space, as shown on the plan on the following page describing predicted annual mean wind conditions. The City requires a wind analysis to determine the suitability of various locations for outdoor activities 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. The report concludes that no dangerous winds are expected at the site at full build, nor is there any expectation that wind will exceed effective gust criteria. The lobby entrances have appropriate comfort conditions, and the public sidewalks and the majority of on-site walkways are predicted to be comfortable for walking. The report does note that location of proposed retail entrances and some building corners will be exposed to less than desirable winds, but mitigation strategies have been suggested. The pedestrian level wind study recommends several mitigation strategies to address wind levels, including landscaping, canopies, and screening. The proposed shade trees and anticipated future development are both noted as measures expected to have a sufficient mitigating effect on wind on the site. Staff have included this information as the anticipated winds may impact the civic space, as seen in the plan on the following page. However, as noted above, several mitigation measures have been proposed.



Predicted Annual Mean Wind Conditions at 50 Webster Avenue and 62 Prospect Street

The proposed design has been developed in concert with local and City stakeholders, inclusive of the Commission for Persons with Disabilities and the Urban Forestry Committee, and has received support from the neighborhood, the Urban Design Commission, and the Public Space and Urban Forestry Division. Following successful approval of the required civic space permits, the Applicant will proceed to execute a public access easement agreement, and a maintenance and operation agreement.

CONSIDERATIONS & FINDINGS

The Planning Board is required by the Somerville Zoning Ordinance to deliberate each of the following considerations at the public hearing. The Board must discuss and draw conclusions for each consideration but may make additional findings beyond this minimum statutory requirement. Please note that due to the existing Union Square CDSP, the required considerations and findings reference Somerville Zoning Ordinance §5.4 – Design and Site Plan Review in effect on December 14, 2017.

Design and Site Plan Review Findings and Compliance

Pursuant to Somerville Zoning Ordinance Union Square Overlay District and §5.4.6 Findings and Compliance, the Planning Board shall approve an application for Design

and Site Plan Review (in this case, defined as a Site Plan Approval) upon verifying that the submitted plan conforms with the provisions of this Ordinance and demonstrates consistency to the following:

1. Compliance with the standards of §5.4 Design & Site Plan Review including consistency with the following:
 - a. The adopted comprehensive Master Plan of the City of Somerville, existing policy plans and standards established by the City, or to other plans to be deemed appropriate by the Planning Board;
 - b. The purpose of this Ordinance in general;
 - c. The purpose of the district where the property is located; and
 - d. Considerations indicated elsewhere in this Ordinance for the required Design and Site Plan Review.
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.

Information relative to the required considerations is provided below:

Design & Site Plan Review

1. Compliance with the standards of §5.4 Design & Site Plan Review:

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

The proposal will help achieve goals laid out in SomerVision 2040 (the City's Comprehensive Master Plan), the Union Square Neighborhood Plan, the Somerville Open Space and Recreation Plan, and the Somerville Urban Forest Management Plan including but not limited to the following:

- To contribute publicly accessible open space towards the goal of developing 105 acres of open space by 2040.
- To contribute to the goal of 15.25 acres new public space in Union Square neighborhood.
- To design and build open spaces for the entire community inclusive of space to play, sit, relax, and congregate.
- To provide open space within walking distance to the current and future Union Square neighborhood as well as an important open space connection to the Boynton Yards neighborhood.
- To plant a diversity of tree species to ensure Somerville's urban forest is sustainable and resilient to climate change and invasive pest infestations.

The proposed civic space lot shall remain privately owned and maintained. In order for the civic space to contribute to the City's open space inventory, the space must be

clearly identified and readable as open meaningfully and successfully to the public. The civic space shall be dedicated as public open space in perpetuity, with a public access easement and maintenance agreement between the Applicant and the City. Civic space signage with the management company's contact information, a statement that the space is open to the public, as well as naming the civic space all contribute to ensuring the space is understood by the community as a public amenity.

b. The purpose of this Ordinance in general.

Staff believes that the proposed civic space is consistent with the purpose and intent of the Somerville Zoning Ordinance, including to ensure a variety of functional, well-designed civic and recreation spaces that complement the character of adjacent properties, contribute to a comprehensive open space network, and increase the livability of the city.

c. The purpose of the district where the property is located.

The proposal is consistent with the intent of the HR zoning district which is, in part, "To accommodate neighborhood-, community-, and regional-serving uses." The proposal is also consistent with the intent of the Union Square overlay district, which is in part, to permit the development of multiple lots including buildings, civic spaces, and thoroughfares as identified in the master plan.

The proposal is the first of multiple civic spaces planned as part of the D3 parcel.

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

Staff believes that the proposed civic space is consistent with the additional review criteria cited below.

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

Staff believes that the proposed civic space is consistent with the Coordinated Development Special Permit. The CDSP Decision (Case #PB2017-21) was approved with conditions on December 14, 2017. This proposal is consistent with the following conditions from that approval:

- Per Condition #5, the civic space lot is being developed as a Civic Space type identified in the CDSP application materials.
- Per Condition #14, the Applicant is seeking approval for the development of the lot as a civic space via Site Plan Approval (stated in the Decision as Design and Site Plan Review).
- Per Condition #16, the SPA (DSPR) application may be processed simultaneously with SPA (DSPR) applications for the adjacent building and thoroughfare on the D3-1 Block.

- Per Condition #28, the Applicant is responsible for the cost of design and construction of the civic space.
- Per Conditions #29 and 77, the Applicant is responsible for all maintenance of the civic space on onsite amenities in perpetuity, and shall enter into a maintenance agreement with the City for the civic space.
- Per Condition #66, the Applicant has consulted the Engineering Department and received approval for the street address of 62 Prospect Street for the proposed civic space lot.
- Per Conditions #68 and 69, the Application identifies the climate vulnerabilities and documents how the proposed development supports the City's sustainability goals.

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

Staff believes that this project is consistent with the 2012 Union Square Revitalization Plan, and the 2016 Union Square Neighborhood Plan. Specific goals and objectives from those plans that will be accomplished by this proposal include the following:

- To create high quality open space that is inviting to users of Union Square and allows residents, workers and visitors to enjoy the parks, plazas, cafes, and community events.
- To provide useable open space onsite within the D3 Parcel.

4. *Conformance with all applicable provisions of [the] Ordinance.*

OSPCD Staff believes the proposed civic space is conforming with other applicable provisions of the Somerville Zoning Ordinance and Union Square Overlay District. The Applicant has met other requirements for the permitting review process and is compliant with the Civic Space Standards and development standards for civic spaces in general and for plazas.

Public Space and Urban Forestry Staff believe this civic space proposal includes a number of amenities in response to community feedback and will contribute to transforming the Union square neighborhood into a destination and enhance the neighborhood open space network.

PERMIT CONDITIONS

Should the Board approve the required Site Plan Approval for the Central Plaza Civic Space, Public Space and Urban Forestry Staff and Planning, Preservation & Zoning Staff recommend the following conditions:

Permit Validity

- This Decision must be recorded with the Middlesex South Registry of Deeds.
- This Decision is not valid unless a land plat to establish the 62 Prospect Street lot is approved and recorded with the Middlesex South Registry of Deeds.

- This Decision does not authorize the removal of any public shade trees or private trees, which is subject to the Tree Preservation Ordinance (Chapter 12, Article VI) of the Somerville Code of Ordinances.

Public Record

- Physical copies and one (1) digital copy of all development review submittal materials, as permitted by the Planning Board, must be submitted to the Planning, Preservation & Zoning Division for the public record.
- A copy of the recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted to the Planning, Preservation & Zoning Division for the public record.

Construction Documents

- Prior to the construction of the Civic Space, construction documents must be submitted for review and approval by relevant City departments as part of the Civic Space Permit application for construction.
- Construction documents must be substantially equivalent to the Site Plan Approval plans and other materials submitted for development review.

Legal Agreements

- The Applicant shall execute a public access easement agreement with the City relevant to all civic space and sidewalk areas.
- The Applicant shall execute a maintenance and operation agreement with the City; language for the agreement must be approved by relevant departments.
- Development must comply with the Development Covenant by and between the City of Somerville and Union Square Station Associates LLC dated June 8, 2017, as amended.

Public Space

- The property owner shall provide a right of first refusal to the Somerville Memorialization Committee to name the central plaza.
- The property owner shall name the central plaza as specified by the Somerville Memorialization Committee, unless the Somerville Memorialization Committee, in writing, designates another entity to name the central plaza.
- The central plaza must be provided with signage conforming to the standards in the Division of Public Space & Urban Forestry Park and Playground Signage Standards and Specifications including, at minimum, the name of the plaza, the management company's contact information, and a statement that the space is open to the public, along with the rules and hours of operation.
- Development of the civic space must not preclude the development of a future shared use path adjacent to the MBTA rail line and along the northeastern edge of 62 Prospect Street. Coordination with appropriate City departments for review and approval must be completed prior to the issuance of a civic space permit.
- Frontage area provided for a widened sidewalk along Webster Avenue and Prospect Street must be designed and paved to properly correspond with any sidewalk improvements approved within the public right-of-way.

- The design of the project shall not preclude the City of Somerville's Union Square plaza and streetscape project design and construction work along Webster Avenue and Prospect Street. Coordination with the appropriate City departments must be completed prior to the issuance of a civic space permit.

Mobility

- To mitigate transportation impacts, the east side of Webster Avenue along the frontage of the site shall be improved with a curb-separated bikeway or its substantial equivalent. This bikeway shall be interconnected with existing and proposed bikeways on Prospect Street and shall not preclude a substantially equivalent bikeway on the west side of Webster Avenue. Final design must be approved by relevant City departments prior to the issuance of a civic space permit.
- To mitigate transportation impacts, the east side of Prospect Street along the frontage of the site shall be improved with a curb-separated bikeway or its substantial equivalent. This bikeway shall be interconnected with the bikeway on Webster Avenue and shall not preclude a substantially equivalent bikeway on the west side of Prospect Street. Final design must be approved by relevant City departments prior to the issuance of a civic space permit.
- To mitigate transportation impacts, the east side Prospect Street along the frontage of the site shall be improved with design enhancements the existing busway, including the possibility of curb separation. This busway shall be interconnected with the existing and proposed busways on Prospect Street. Final design must be approved by relevant City departments prior to the issuance of a civic space permit.
- To mitigate transportation impacts, the intersection of Webster Avenue and the proposed alley thoroughfare must be improved with, at least, a raised pedestrian and bicycle crossing across the alley. Final intersection design must be approved by relevant City departments prior to the issuance of a civic space permit.
- The design of the project shall not preclude the City of Somerville's Union Square plaza and streetscape project design and construction work along Webster Avenue and Prospect Street. Coordination with the appropriate City departments must be completed prior to the issuance of a civic space permit.

Infrastructure

- The capacity of the proposed Webster Avenue sewer and drain systems must be evaluated, and the connections for D3 may need to be relocated to the Boynton Yards system. The Applicant shall coordinate with the Engineering Department prior to the approval of a civic space permit.
- An evaluation by an MA licensed Structural Engineer regarding the structural integrity of the retaining wall abutting Prospect Street and Webster Avenue must be submitted to the Engineering Department.
- The Applicant is responsible for the installation of all necessary private infrastructure and utility improvements, both on and off-site, needed to support the proposed civic space, as approved and conditioned.

Construction

- To the extent feasible, bicycle and pedestrian travel access should be maintained on the west side of Prospect Street and Webster Avenue during construction.

General Conditions

- Development must comply with the approved Coordinated Development Special Permit dated November 7, 2017.
- A written narrative or descriptive checklist identifying the completion or compliance with permit conditions must be submitted to the Inspectional Services Department at least ten (10) working days in advance of a request for a final inspection.