



# 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, *Executive Director*

## PLANNING DIVISION STAFF

SARAH LEWIS, *DIRECTOR OF PLANNING*

DANIEL BARTMAN, *SENIOR PLANNER*

SARAH WHITE, *PLANNER/PRESERVATION PLANNER*

ALEX MELLO, *PLANNER*

MONIQUE BALDWIN, *ADMINISTRATIVE ASSISTANT*

CHARLOTTE LEIS, *PLANNING INTERN*

**Site: 10-50 Prospect Street**

**Case #:** PB 2019-02

**Hearing Date:** March 21, 2019

**Recommendation:** Conditional Approval

## DESIGN & SITE PLAN REVIEW (SUBDIVISION) - STAFF REPORT

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

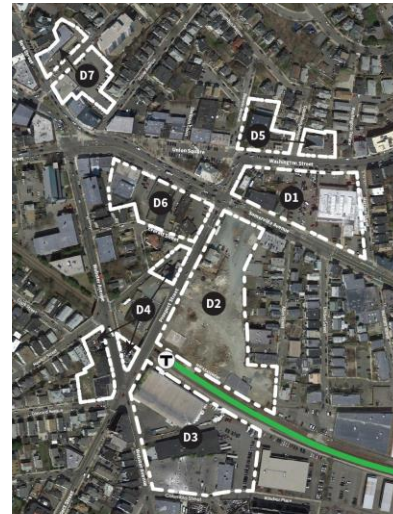
**Owner Name:** The City of Somerville & Somerville Redevelopment Authority

**Agent Name:** John Rattigan, DLA Piper

**City Councilor:** Ward 2, 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 a Design & Site Plan Review under SZO §5.4 and SZO §6.8 to merge and subdivide the multiple existing lots making up Block D2 (as identified in the Union Square Revitalization Plan and the Union Square Neighborhood Plan) into buildable lots and thoroughfares as proposed in the previously approved Coordinated Development Special Permit. TOD 100 and CCD 55-C underlying zoning district. Union Square Overlay District and CC7 and HR sub districts. Ward 2.



Zoning	Use	Surrounding Zoning and Land Use	Property Metrics
USOD	Existing: Vacant Proposed: Platting new lots	North: Prospect Hill neighborhood East: Target area and McGrath Highway South: Cambridge Street and Inman Square (Cambridge) West: Union Square	12 existing lots and 3 existing rights-of-way

**I. PROJECT DESCRIPTION**

1. Subject Property:

The subject property consists of twelve existing parcels of land as follows:

Parcel	Owner	Address	MBL	Deed
A	Somerville Redevelopment Authority	4 Milk Place	See Plan Sheet #1	BK. 61890 PG. 47
B	Somerville Redevelopment Authority	20-22 Prospect St.	See Plan Sheet #1	BK. 34934 PG. 102
C	Somerville Redevelopment Authority	26 Prospect St.	See Plan Sheet #1	BK. 61890 PG. 47
D	Somerville Redevelopment Authority	27 Bennett Street	See Plan Sheet #1	BK. 61890 PG. 47
E	Somerville Redevelopment Authority	30 Prospect Street	See Plan Sheet #1	BK. 61890 PG. 47
F	Somerville Redevelopment Authority	40-44 Bennett St.	See Plan Sheet #1	BK. 61890 PG. 47
G	Somerville Redevelopment Authority	42 Prospect St.	See Plan Sheet #1	BK. 14224 PG. 180
H	Somerville Redevelopment Authority	49-51 Allen St.	See Plan Sheet #1	BK. 61890 PG. 47
I	Somerville Redevelopment Authority	258 Somerville Ave.	See Plan Sheet #1	BK. 59656 PG. 226
J	City of Somerville	Somerville Ave at Prospect St.	See Plan Sheet #1	NONE
K	Somerville Redevelopment Authority	50 Prospect St.	See Plan Sheet #1	BK. 61890 PG. 47
L	Somerville Redevelopment Authority	Off Allen St.	See Plan Sheet #1	BK. 34934 PG. 102

2. Proposal:

The proposal is to merge and subdivide the existing parcels of land into six separate lots as follows:

- Lot 1 (a thoroughfare parcel) is comprised of all or portions of former parcels A, B, D, E, F, H, I, & K, along with portions of the discontinued Bennett Street.
- Lot 2 is comprised of all or portions of former parcels D, E, & G, along with portions of the discontinued Bennett Street.
- Lot 3 is comprised of all or portions of former parcels B, C, D, E, F, G, H, & K, along with portions of the discontinued Bennett Street.
- Lot 4 is comprised of all or portions of former parcels A, B, C, I, & J, along with portions of the discontinued milk place, Bennett Court & Bennett Street.
- Lot 5 is comprised of portions of former parcel L.
- Lot 20 is comprised of portions of former parcel H.

3. Zoning Compliance:

The proposal is compliant with the Somerville Zoning Ordinance. Per Section 6.8.8 of the Union Square Overlay District, all buildable lots are platted with a Lot Line abutting a thoroughfare or civic space; as a corner, interior, or ley lot; and with side lot lines that are generally rectilinear to the front lot line and straight throughout their length.

**II. DEVELOPMENT IMPACTS**

1. Departmental Comments:

*Engineering:* The Engineering Department has reviewed the proposed subdivision and raised no issues related to the platting of land.

*Transportation & Infrastructure:* The Transportation & Infrastructure Division has reviewed the proposed subdivision and raised no issues related to the platting of land.

2. Analysis

The proposed subdivision of land as described in the application materials does not include any external impacts.

**III. FINDINGS FOR DESIGN WITH SITE PLAN REVIEW**

Per SZO §6.8.5.D.5, The Planning Board shall approve a required Design and Site Plan Review upon verifying that the submitted plans for the proposed development demonstrates the following:

1. **Compliance with the standards of [Section 5.4](#) 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.**

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

1. *Staff finds that the proposed subdivision is compliant with the standards of Section 5.4, as detailed below:*

Per SZO Section 5.4, The Planning Board shall approve an application for Design and Site Plan Review upon verifying that the submitted plan conforms to the provisions of this Ordinance and demonstrates consistency with the following:

1. **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;**

*Staff finds that the proposed subdivision is consistent with SomerVision, the comprehensive Master Plan of the City of Somerville and existing standards for platting land and the submittal of plat plans for approval through DSPR.*

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

*Staff finds that the proposed subdivision is consistent with the purpose of the Somerville Zoning Ordinance, including encouraging the most appropriate use of land throughout the City.*

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

*Staff finds that the proposed subdivision is consistent with the purpose of the Union Square Overlay District, including permitting flexibility in the legal subdivision or parcelization of land 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 for SZO §6.8.5.D.5.*

2. *The Staff finds that the proposal is consistent with the approved Coordinated Development Special Permit and any previously approved Special Permits. A CDSP decision (Case# PB2017-21) was approved with conditions on December 14, 2017, including the following:*
  - *The proposal is consistent with Condition #3 requiring lots to be platted in a form that is substantially consistent with the Block and Lot Key Plan dated 11-07-2017.*
  - *The proposal is consistent with Condition #13, which restates the SZO in requiring Design & Site Plan Review for the parcelization and subdivision of land.*
3. *Staff finds that the proposed subdivision is consistent with the 2012 Union Square Revitalization Plan and the 2016 Union Square Neighborhood Plan, as amended.*
4. *Staff finds that the proposed subdivision is conforming to the provisions of the Somerville Zoning Ordinance, as follows:*
  - A. **Per SZO §6.8.5.B.1, Development within the USOD requires a two- (2) stage permitting process. First, a Coordinated Development Special Permit is required as a prerequisite to the development review for any individual lot. Second, Design and Site Plan Review is required for [] the subdivision of a development site.**

*Staff finds that the Applicant's CDSP (Case# PB2017-21) was approved with conditions by the Planning Board on December 17, 2017.*

- B. **Per SZO §6.8.5.D, Design and Site Plan Review, in accordance with the provisions of [Section 5.4](#), is required for [] the subdivision of a development site. SZO §6.8.5.D.2 requires the following Review Process for Design and Site Plan Review:**
  - i. *Preliminary Review.*
    - a) Step 1: Pre-Submittal Meeting;
    - b) Step 2: Neighborhood Meeting;
    - c) Step 3: Design Review Meeting;
    - d) Step 4: Neighborhood Meeting.
  - ii. *Administrative Review.*
    - a) Step 5: Public Hearing

*Staff finds that the Applicant has followed the required steps of the Review Process for DSPR.*

**Per Section 6.8.8 of the Union Square Overlay District, all buildable lots are platted with a Lot Line abutting a thoroughfare or civic space; as a corner, interior, or ley lot; and with side lot lines that are generally rectilinear to the front lot line and straight throughout their length.**

*Staff finds that the proposed subdivision is compliant with the Somerville Zoning Ordinance. Per Section 6.8.8 of the Union Square Overlay District, all buildable lots are platted with a Lot Line*

*abutting a thoroughfare or civic space; as a corner, interior, or key lot; and with side lot lines that are generally rectilinear to the front lot line and straight throughout their length.*

**Per SZO §5.4.6.B, the Planning Board may reject a design and site plan only when:**

- 1. The submittal fails to furnish adequate information required for review;**
- 2. The imposition of reasonable conditions would not ensure compliance to standards, as applicable; or**
- 3. The submittal, although proper in form, includes or creates an intractable problem so intrusive on the needs of the public in one regulated aspect or another and cannot be adequately mitigated.**

*The Staff finds that none of the circumstances of §5.4.6.B are true.*

**V. RECOMMENDATION**

This recommendation by Planning Staff is based upon a technical analysis of the application materials submitted prior to the public hearing. This report may be revised or updated with new recommended findings or conditions based upon additional information provided during the public hearing process.

The Planning Staff recommends **CONDITIONAL APPROVAL** of the required **DESIGN AND SITE PLAN REVIEW**.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	<p>Approval is for subdivision. This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table border="1" style="width: 100%;"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>February 13, 2019</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>March 14, 2019</td> <td>Subdivision Plan of Land prepared by Design Consultants, Inc.</td> </tr> </tbody> </table> <p>Any changes to the approved lot lines that are not determined to be minor by the Planning Director must receive Planning Board approval.</p>	Date (Stamp Date)	Submission	February 13, 2019	Initial application submitted to the City Clerk’s Office	March 14, 2019	Subdivision Plan of Land prepared by Design Consultants, Inc.	Perpetual	ISD/PIng.	
Date (Stamp Date)	Submission									
February 13, 2019	Initial application submitted to the City Clerk’s Office									
March 14, 2019	Subdivision Plan of Land prepared by Design Consultants, Inc.									
2	This approval does not grant permission for any development on the proposed lots. Future development proposed on the lots will be subject to applicable requirements of the Somerville Zoning Ordinance.	Perpetual	ISD/PIng.							
3	<p>The Applicant must make the following changes to the final plat submitted to the Registry of Deeds:</p> <ol style="list-style-type: none"> <li>1. Remove the graphic depiction of Future Easement E1 over a portion of Lot 1 and Future Easement E2 over a portion of Lot 2 from the final plat submitted to the Registry of Deeds.</li> <li>2. The Bennet Court “20’ wide proposed traveled way” label must be corrected to read “20’ wide <u>right of</u></li> </ol>	DSPR	ISD/PIng.							

#	Condition	Timeframe for Compliance	Verified (initial)	Notes
	<p><u>way</u>".</p> <p>3. The Bennet Court "21' wide right-of-way" label must be removed.</p> <p>4. The Milk Alley "20' wide proposed traveled way" label must be corrected to read "20' wide <u>right of way</u>" in each instance on the plat plan.</p> <p>5. The Milk Alley "22.5' wide right-of-way" label must be removed in each instance on the plat plan.</p> <p>6. The Charlestown Place "20' wide proposed traveled way" label must be corrected to read "20' wide <u>right of way</u>".</p>			
4	<p>The Applicant must submit 11x17 physical and electronic copies of the final plat plan submitted to the Registry of Deeds to the Planning Department prior to the issuance of a building permit or other permit authorizing any construction on any of the new lots created by this subdivision.</p>	<p>Building or Paving Permit</p>	<p>ISD/ Engineering</p>	