



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
**JOSEPH A. CURTATONE**  
**MAYOR**

MICHAEL F. GLAVIN  
EXECUTIVE DIRECTOR

April 4, 2019

Union Square RELP Master Developer LLC  
c/o Greg Karczewski  
31 Union Square  
Somerville, MA 02143

Dear Mr. Karczewski,

This letter is the Final Decision of the Director of Transportation and Infrastructure for the mobility management plan ('MMP') submitted by Union Square RELP Master Developer LLC ('Applicant') for 10 Prospect Street ('D2.1') as required by the Union Square Overlay District ('USOD') of the Somerville Zoning Ordinance. The decision is an **Approval with Conditions**. This letter details the conditions necessary for the successful implementation of your plan.

**Background**

The D2.1 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, some of which relate to mobility management. Conditions applicable to D2.1 are paraphrased below.

- Condition #37 – The Applicant shall improve accessibility and comfort, to every extent practicable, at one existing MBTA bus stop along the frontage of each building site (D1.1, D1.2, D2.1, D2.2, etc.).
- Condition #43 – The Applicant shall encourage mode shift by requiring leasees to provide their employees with Qualified Transportation Fringe Benefits per the current U.S. Internal Revenue Code.
- Condition #44 – The Applicant shall, to every extent practicable, work with leasees and the community to advertise employment opportunities and seek qualified candidates that live within walking or biking distance to Union Square.
- Condition #45 – In any lease agreement for non-residential uses, the Applicant shall require the leasee to become a participating MassRides employer partner worksite that is registered for the MassRIDES Emergency Ride Home (ERH) program or provide a similar guaranteed ride home service operated by the leasee.
- Condition #46 – Mobility Management plans submitted for subsequent development review (DSPR applications for D2.1, D2.2, and D2.3) must provide an implementation schedule for programs and services included or conditioned as part of the proposed development approved by the CDSP decision (Case#: PB2017-21).

- Condition #52 – Annual reporting to track, assess, and report on the implementation of the MMP must be conducted at the same time each year, as determined by the CO for the first building.
- Condition #53 – Approved MMPs are transferrable by and among private parties, contingent upon the new owner agreeing to continue to operate in accordance with the previously approved MMP.

Mobility management programs and services required of development by §6.8.14 Mobility Management of the Union Square overlay district are summarized below:

Property owners of buildings with fifty thousand (50,000) square feet or more of commercial space and multi-tenant buildings where the tenants, in combination, have fifty (50) or more employees are required to provide the following for their tenants:

- An on-site transportation coordinator for the building
- An annual mobility management educational meeting for tenants and their employees
- Posted mobility management information
- Distributed mobility management information, and
- Un-bundled parking (spaces rented, leased, or sold as an option rather than a requirement of the rental, lease, or purchase of a dwelling unit or non-residential floor space)

Property owners of buildings with 50,000 sf or more of commercial space and owners of multi-tenant buildings where the tenants, in combination, have fifty (50) or more employees must require future tenants to provide the following through lease agreements:

- Qualified transportation fringe benefits for employees, and
- A guaranteed ride home program for employees.

Employers (future tenants) with fifty (50) or more employees are required to provide the following:

- An on-site transportation coordinator for the business,
- An annual mobility management education meeting for employees,
- Posted mobility management information,
- Distributed mobility management information,
- Qualified transportation fringe benefits for employees, and
- A guaranteed ride home program for employees.

The property owner of a commercial parking facility is required to provide the following:

- Preferential parking locations for carpool/vanpool vehicles, and
- Posted mobility management information.

The property owner of a residential building with twenty (20) or more dwelling units is required to provide the following:

- Posted mobility management information,
- Distributed mobility management information, and
- Unbundled parking (spaces rented, leased, or sold as an option rather than a requirement of the rental, lease, or purchase of a dwelling unit or non-residential floor space).

## **Proposal & Qualifications**

10 Prospect Street is the first proposed building of three (3) new buildings proposed for the D2 parcel in the approved CDSP (Case#: PB2017-21). This site is also referred to as D2.1 in the Union Square Neighborhood Plan and the approved CDSP. The site is located in the Commercial Core 7 (CC-7) subdistrict of the Union Square overlay district (USOD). The OSOD includes a parking maximum of one thousand five hundred (1,500) spaces for the district, with up to three hundred (300) of these parking

spaces provided as “reserved” parking for the exclusive use by a specific motor vehicle(s) and unoccupied when not in use by that specific motor vehicle(s). Section 6.8.13 of the USOD requires that all off-street motor vehicle parking spaces be rented or leased as an option rather than a requirement of the rental, lease, or purchase of a dwelling unit or nonresidential floor space; be made available for rent or lease to the public, twenty-four (24) hours per day, seven (7) days per week, three-hundred and sixty-five (365) days per year; and, be rented or leased through various offerings including, but not limited to, monthly passes, overnight passes, daily rates (weekday and weekend), and hourly fees at the discretion of the facility operator.

D2.1 is proposed as a 7-story, one hundred and seventy eight thousand eight hundred and ninety (178,890) square foot commercial building with twelve thousand and ninety (12,090) square feet of ground floor commercial space, one hundred and sixty six thousand eight hundred (166,800) square feet of upper story office or lab space, an estimated eight thousand nine hundred square feet dedicated to Arts & Creative Economy uses, forty four (44) long term bicycle parking spaces with showers and changing facilities in the ground floor of the building, and fourteen (14) short term bicycle parking spaces outside the building. No motor vehicle parking is provided at the D2.1 site. A two hundred and sixty-nine (269) parking space commercial parking facility is proposed for the abutting D2.2 and D2.3 sites (20 and 50 Prospect Street, respectively). One hundred and seventy-five (175) parking spaces are estimated to be used by tenants and visitors of the D2.1 commercial building with an estimated thirty-five (35) parking spaces specifically reserved for tenants of D2.1.

D2.1 meets the fifty thousand (50,000) square feet commercial space threshold to trigger requirements of the property owner. Due to the size of the building (166,800 square feet over 6 upper stories), one or more future tenants may trigger the requirements of individual employers with more than 50 employees. **The property owner is expected to require qualifying future tenants to provide required mobility management programs and services through lease agreements.** Due to the size of the ground floor commercial spaces, the future commercial uses are not expected to meet the fifty (50) employee threshold to trigger requirements for individual ground floor tenants – making the property owner primarily responsible for implementation of the required mobility management programs and services. **Annual reporting will be necessary to verify the cumulative employee count each year and implementation of required programs & services required of the property owner should this threshold be exceeded.**

### **Plan Commitments**

Union Square RELP Master Developer LLC (the “Applicant”) has made the following commitments in relation to the Planning Board’s requirements for all mobility management plans:

- To making reasonable efforts to control the percentage of trips made by automobile at forty percent (40%) or less and to implement additional mobility management programs and services if annual monitoring and reporting identifies a shortfall in meeting this goal.

The Applicant has made the following commitments in relation to the programs and services required for buildings with fifty thousand (50,000) square feet or more of commercial space and for multi-tenant buildings where the tenants, in combination, have fifty (50) or more employees:

- To provide an on-site transportation coordinator for D2.1 and to identify the work space location or office and contact information for the on-site transportation coordinator prior to occupancy of the building.
- To invite tenants and their employees to an annual mobility management educational meeting.
- To post information about mobility management program and services on the Applicant’s website and on any websites created for the D2.1 building.
- To post transportation information, such as maps or a TransitScreen installation.

- To distribute an information packet (physical and electronic) detailing carshare and bikeshare membership information, a local bicycle map, and a local transit map.
- To un-bundle the rental or lease of parking spaces from the rental or lease of floor space.

The Applicant has committed to the following for all future tenants:

- To require in all commercial lease agreements that tenants provide their employees with Qualified Transportation Fringe benefits per current U.S. Internal Revenue Code (*CDSP Condition #43*); and
- To require in all commercial lease agreements that tenants become a participating MassRIDES employer partner worksite that is registered for the MassRIDES Emergency Ride Home (ERH) program or to provide a similar guaranteed ride home service operated by the leasee (*CDSP Condition #45*).

In addition to the above, the Applicant has committed to the following additional programs & services, as required by the conditions of the previously approved CDSP:

- To be an active participant and contribute to the planning, design, and construction of a future bus stop along Prospect Street (*CDSP Condition #37*).
- To promote the hiring of local residents for employment opportunities associated with D2.1 and its tenants (*CDSP Condition #44*).

### **Supporting Efforts**

The Applicant intends to encourage future tenants to provide the following additional mobility management programs & services:

- Employer subsidized monthly MBTA transit passes as an employee benefit.
- Employer subsidized monthly Blue Bike memberships as an employee benefit.
- Flexible work hours as an employee benefit.
- Telecommuting as an employee benefit.
- Car pool matching services administered through Bay State Commute (Agile Mile).

The Applicant intends to provide, when possible, the following additional mobility management programs & services:

- Bicycle repair facilities
- Preferential carpool/vanpool parking spaces in the commercial parking facility on D2.2/D2.3.
- On-site car sharing services in the in the commercial parking facility on D2.2/D2.3.

The Applicant notes that the majority of the mobility management programs and services necessary to achieve the commitment to keeping trips made by automobile at forty percent (40%) or less will be implemented by future employers and the property management firm that will be responsible for the D2.1 building. **Employers (future tenants) with fifty (50) or more employees are required by the Somerville Zoning Ordinance to submit a mobility management plan individually and independent from the MMP for D2.1.** Property management firms, if applicable, are recognized as the responsible party for implementing requirements of property owners, but property owners are held accountable for non-compliance with an approved MMP.

### **Approval Conditions**

*The following conditions are necessary for approval of the submitted mobility management plan:*

- **CONDITION #1:** Posted and distributed mobility management information must be reviewed and approved by the Director prior to the issuance of any Certificate of Occupancy for the building. Information must include, but may not be limited to, MBTA maps and schedules for bus

routes in the Union Square area, maps and schedules for the Green Line, maps of bicycle and pedestrian facilities within Union Square, locations of near-by car sharing stations, locations of Blue Bikes stations, and the availability of carpool/vanpool opportunities.

- **CONDITION #2:** The agenda and any educational materials for the required annual mobility management educational meeting must be reviewed and approved by the Director prior to the issuance of any Certificate of Occupancy for the building.
- **CONDITION #3:** The property owner must provide an affidavit signed by the property owner and each tenant verifying that access to any parking was provided 'un-bundled' as an option rather than a requirement of the rental, lease, or purchase of floor space.
- **CONDITION #4:** Documentation of efforts to advertise employment opportunities and seek qualified candidates that live within one-quarter mile of D2.1 must be included in required annual reporting.
- **CONDITION #5:** In any lease agreement with future tenants, the Applicant shall require the lessee to join the MBTA's Perq Program for employers. To verify ongoing conformance, the property owner must provide either a copy of the executed lease agreement or an affidavit signed by the owner and tenant verifying that this language was included and agreed to in the lease.

### **Monitoring and Reporting**

The property owner has committed to Annual Reporting to track, assess, and report on the implementation of the Mobility Management program as required by the Director's submittal requirements, which include:

- Annual travel surveys of employees of participating non-residential tenants.
- Annual reporting of parking utilization and operations for any Commercial Service Vehicular Parking facility
- Biennial (every other year) counts of automobile trips entering & exiting any parking facilities.
- Status update of Mobility Management program & service implementation.

All monitoring must be conducted at the same time each year, as determined by the Certificate of Occupancy for each building. If the Certificate of Occupancy for a building is issued between September 1 and February 29, the monitoring shall take place during the months of September or October and be reported to the Transportation & Infrastructure Division no later than November 30. If the Certificate of Occupancy for a building is issued between March 1 and August 31, monitoring shall take place during the months of April or May and be reported to the Transportation and Infrastructure Division no later than June 30. This will ensure that the monitoring captures a realistic assessment of the performance of the project, while giving time to compile the results and report them to the City.

It is important to note that while approved Mobility Management Plans are transferable by and among private parties, this transfer is contingent upon the new owner agreeing to continue to operate in accordance with the previously approved Mobility Management plan, as conditioned. Should the property owner elect to transfer some portion or all of the development subject to this Mobility Management Plan, commitment to the previously approved Mobility Management Plan is required by the new property owner.

I look forward to working with you in the future as you implement this plan. If you have any questions, please feel free to contact me at (617) 625-6600 or [brawson@somervillema.gov](mailto:brawson@somervillema.gov).

Sincerely,

**Brad Rawson**

Director of Transportation & Infrastructure  
City of Somerville, Massachusetts

I certify that I have read and agree to implement the Mobility Management Plan in the form approved by the Director of Transportation & Infrastructure. I understand that failure to implement the approved plan may result in enforcement actions taken by the City of Somerville.

Agreed and accepted,

**Greg Karczewski**

Union Square RELP Master Developer LLC