



CITY OF SOMERVILLE

MASSACHUSETTS

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Office of Strategic Planning and Community Development (OSPCD)

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Site: 50 Prospect Street

Case #: PB 2019-07

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 mid-rise podium tower building and a Special Permit under SZO §6.8.10.A.5 to authorize a 5% increase to the dimensions permitted for the point tower of the building. 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: Mixed use building with residential tower	North: Mid Rise mixed-use 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 mid-rise podium tower building type 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 D2.3 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 mid-rise podium tower 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), 20 Prospect Street (a general building also referred to as D2.2 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:

D2.3 is proposed as a 25-story, thirty-five thousand (35,000) square foot floor plate mid-rise podium tower building type with ten thousand six hundred and sixty (10,660) total square feet of commercial space, three hundred and sixty three (363) dwelling units, and a portion of an integrated, above ground Commercial Vehicular Parking Facility. The building is attached at the side to the building proposed for D2.2 (20 Prospect Street). 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 D2.3 Mid Rise Podium Tower.

	Required	Provided	Compliance?
Building Setbacks			
Primary & Secondary Front Setback (min/max)	2' / 15'	2' to 9'-5"	✓
Side Setback (min)			
Podium (Abutting RA or RB min)	10' (15')	0'-0"	✓
Tower (Abutting RA or RB min)	30' (60')	30'-0"	✓
Rear Setback			
Podium (Abutting RA or RB min)	10'	28' - 0 ¾"	✓
Tower (Abutting RA or RB min)	30'	131'-10 ½ "	✓
Parking Setbacks			
Primary Front Setback (min)	30'	30'-0"	✓
Secondary Front Setback (min)	30'	30'-0"	✓
Building Massing			
Building Width (max)	250 ft	134'-7 ½ "	✓
Façade Build Out, Primary (min)	80%	98%	✓
Façade Build Out, Secondary (min)	65%	95%	✓
Floor Plate			
Podium Floor Plate (max)	35,000 sf	35,000 sf	✓

	Required	Provided	Compliance?
Tower Floor Plate (max)	10,000 sf	10,500 sf	SP Requested
Building Height in Stories (min)	3 stories	25 stories	✓
Building Height in Stories			
Podium Height (max)	6 stories	6 stories	✓
Tower Height (max)	25 stories	25 stories	✓
Point Tower Width/Depth (max)	100'	105'	SP Requested
Point Tower Diagonal (max)	142'	149'-0"	SP Requested
Ground Story Height (min)	14'	21'-2"	✓
Upper Story Height (min)	10'	10'	✓
Building Height in Feet (max)	275'	269'-2"	✓
Façade Composition			
Primary Ground Story Fenestration (min)	70% min	78.3%	✓
Primary Upper Story Fenestration (min/max)	20% min; 50% max	39.6% to 43.4%	✓
Primary Blank Wall (max)	20'	0'-0"	✓
Secondary Ground Story Fenestration (min)	70%	78.3%	✓
Secondary Upper Story Fenestration	20% min; 50% max	37.6% to 45.8%	✓
Blank Wall (max)	20'	0'-0"	✓
Frontage Types			
Lobby Entrance	Permitted		
Width (max)	30'	26'-3"	✓
Distance between Fenestration (min)	2'	4'-0"	✓
Depth of Recessed Entry (min)	5'	5'1"	✓
Entry Canopy	Permitted		
Depth (max)	3'-0"	3'-0"	✓
Clearance (min)	8'	10'-0"	✓
Setback from curb (min)	1'-6"	65' to 84'	✓
Permitted setback encroachment (max)	100%	100%	✓
Storefront	Permitted	--	✓
Width (max)	30'	4'-8" to 21'-11"	✓
Distance between Fenestration (min)	2'	4'-4"	✓
Depth of Recessed Entry (max)	5'	1'-0" to 3'-6"	✓
Height of Display Windows above grade (min)	8'	14'-9" to 33'-0"	✓
Use & Occupancy			
Entrance Spacing (max)	30'	26' to 30'	✓
Commercial Space Depth (min)	30'	32'-8"	✓
Commercial Space Depth Area (min)	70% of sf	85.4%	✓
Bicycle Parking Spaces			
Short Term			
Retail	1.0 / 2,500 sf	3 spaces	✓
Arts & Creative	1.0 / 10,000 sf	0 spaces	✓
Residential	.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 meetings, 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 19th, 2018 from 6-8pm. Design review meetings were held at the Public Safety Building, 220 Washington Street, on August 20th, 2018 from 6:30-8:50pm, in the City Council Chambers on August 30th, 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 D2.3. 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 relative to D2.3

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 site overall. 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 envelop 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.

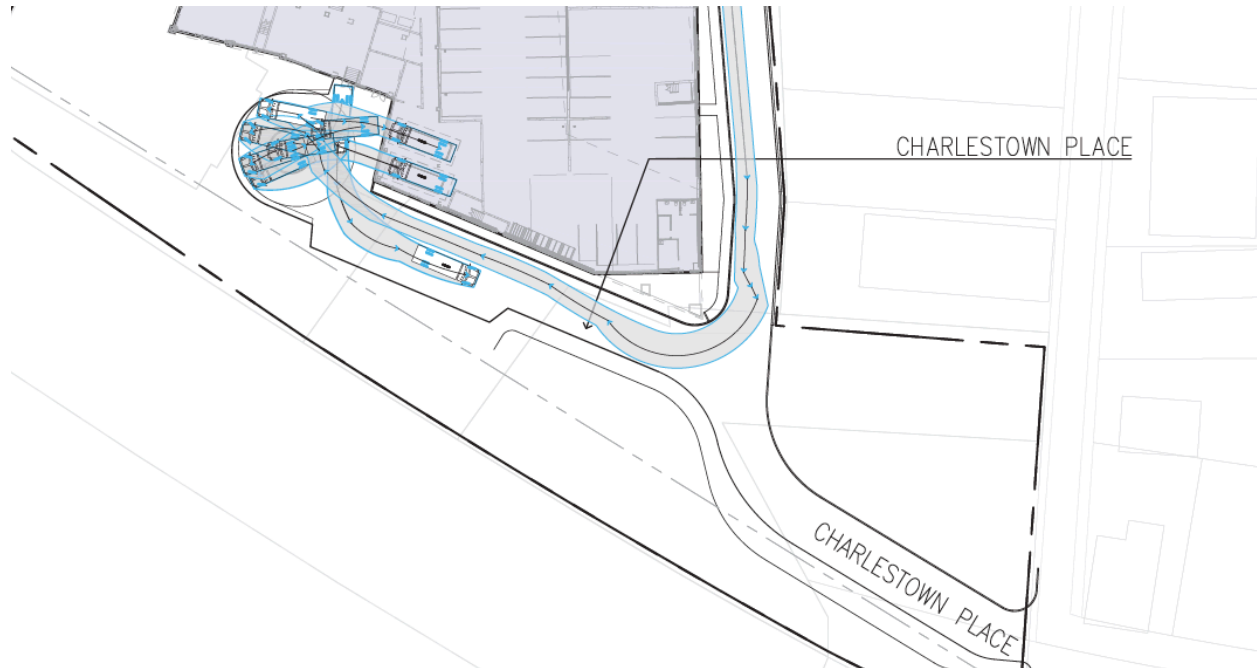
C. Impact Analysis

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 D2.3 is located in the southwest (bottom left) corner of the building near the turnaround at the western end of Charlestown Place. The loading and service area is a two-bay loading dock designed for single unit box trucks and waste pick-up vehicles. Only residential move-ins and waste pick up are anticipated for this loading dock.



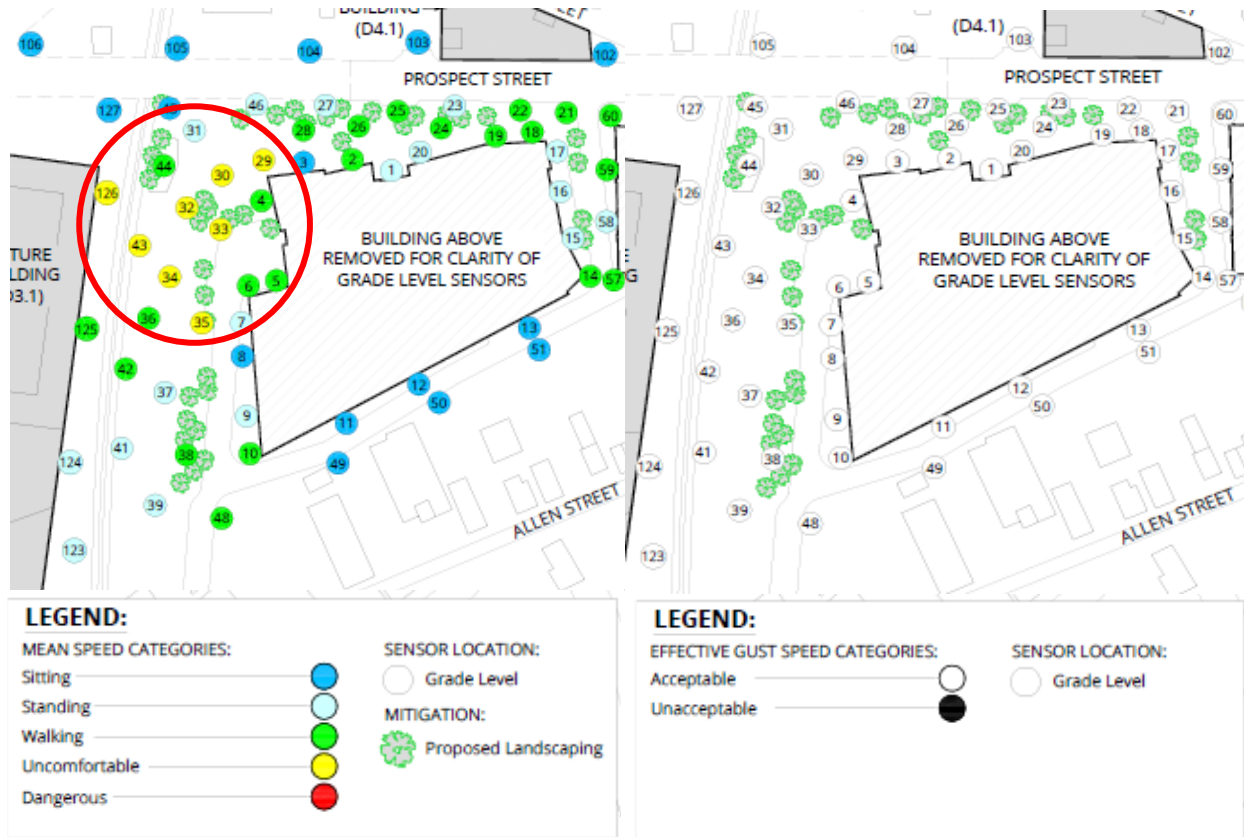
To every extent practicable, the City intends to direct motor vehicle traffic to and from the D2 site via Somerville Avenue east of the Prospect Street intersection due to the lower average weekday vehicle counts recorded as compared Washington Street, Prospect Street, or Somerville Avenue through the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

Shadow Study

The Applicant submitted a shadow study prepared by Ground as part of the application which illustrates shadows at the spring and fall equinox, summer and winter solstice, and the cumulative new shadows. During favorable weather, like the summer solstice and fall equinox, when people are expected to be hanging out on the plaza; it will be in shadow during the morning hours and in full sun (with the exception of the shadow from the bridge) during the afternoon and evening hours. Sidewalks surrounding the project site will be shadowed intermittently. The most impacted are sidewalks north of the project site including Bennett Court between D2.1 and D2.2 and Somerville Avenue north of D2.1 which is typical in New England.

Pedestrian Level Wind Analysis

The Applicant submitted a pedestrian level wind study prepared by Rowan Williams Davies & Irwin Inc. A pedestrian level wind analysis is necessary 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. Similar to most high-rise buildings, development of D2.3 is predicted to increase pedestrian level wind speeds. Uncomfortable wind speeds are predicted to occur around the south side of the D2.3 building, in the proposed plaza civic space, at about twelve (12) locations. The trees proposed for the plaza reduce these conditions to six (6) locations. The City and Applicant continue to work on the specific design on the proposed plaza. Exceeded mean wind speeds in these locations should be addressed in the Planning Board's DSPR decision for the plaza itself.



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 D2.3 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 planar nature of the facades of the D2.3 building prevent reflections emanating from the building to focus (concentrate) in any particular area and should not cause any significant thermal impacts (i.e. risks to human safety or property damage) to occur in the surrounding neighborhood. Some reflections from the southern face of the D2.3 tower may impact MBTA drivers traveling westbound. Drivers are expected to experience an increased level of visual glare impact during some afternoons in February, March, and October. The impacts are brief and infrequent; estimated at 43 days per year at most for 8 minutes or less in duration. This equates to high impact glare being possible for westbound trains in 0.08% of the daytime hours. Reflections emanating from the eastern face of the D2.3 tower with moderate levels of impact may fall onto the interior face of the four (4) story massing (above the integrated parking facility) at the rear of the building. Reflections last approximately 20-30 minutes and occur intermittently throughout the morning hours all year. The reflections are of relatively low intensity but will be visible to those inside the dwelling units facing the upper courtyard. This impact does not pose a risk to safety and is considered a nuisance at worst. Additionally, reflections that are frequently occurring and long in duration were estimated to impact the abutting plaza, the courtyards of D2.2 and D2.3, and the rear of abutting Allen Street properties but are common and expected of any high rise

building with windows. These reflections are not a risk to safety, rather a nuisance issue. To mitigate these minor nuisance impacts, RWDI recommends that façade paneling have a matte finish and that glazing with lower visible and full spectrum reflectance properties be selected for the eastern (facing Allen Street), southern (facing D2.2), and western (facing Prospect Street) elevations of the building to minimize glare.

RWDI notes in its report that façade material properties of the D2.3 building were still under consideration at the time of analysis. Should there be changes from to 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.5) authorizing a five percent (5%) increase to the dimensions permitted for the point tower of the building must first be approved by the Planning Board. The Applicant has requested a Special Permit to deviate 5% from the tower dimensions making the tower 10,500 square feet, 105' in width with a 149' diagonal. Per the Somerville Zoning Ordinance, the Planning Board must consider the criteria of §6.8.10.A.5 in its discretion to permit development to deviate up to five (5) percent from the dimensions permitted for the point tower.

Review Criteria of §6.8.10.A.5:

1. The review considerations for all Special Permits as specified in Section 5.1 Special Permits; and
2. If the proposed deviation can provide a positive refinement of the massing of a building in context to its surroundings, improve floor plate efficiency, provide for unique storefront design, or better address specific operational requirements of commercial tenants.

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.5 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."*

The surrounding neighborhood is one going through intense physical change at the moment. The utility and streetscape work on Somerville Avenue and the track and bridge work for the Green Line Extension have already begun. This proposal is one of the first that will implement the idea in the Neighborhood Plan that the D Parcels, Union Square East, and Boynton Yards can become an Urban Employment Center. There are many goals in the Union Square Neighborhood Plan aimed at stitching in new development to the existing Local Center to the west. These programs and ideas are aimed at helping all residents and businesses in Union Square of which many departments are already implementing.

The point tower is adding to the context in Union Square and the building's podium and other parts of the site will help tie the design into the neighborhood

SZO §6.8.10.A.5

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. Whether the proposed deviation can provide a positive refinement of the massing of a building in context to its surroundings, improve floor plate efficiency, provide for unique storefront design, or better address specific operational requirements of commercial tenants.

Staff finds that the increased dimensions and floorplate to create articulation in the tower massing will help break up the width of the tower and improve its visual slenderness in context to its surroundings. The dimensional changes improve the floor plate efficiency providing for more livable units in the tower.

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:

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;
2. Consistency with the purpose of this Ordinance in general;
3. Consistency with the purpose of the district where the property is located; and
4. 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 that has a delicate mix of housing and jobs, 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.

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

The D2.3 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 D2.3 are paraphrased below.

- Condition #6: D2.3 must be built developed as a mid-rise podium tower building type.
- Condition #15: Development of D2.3 requires design review, prior to the submittal of a DSPR application.
- Condition #23: That no Certificate of Occupancy shall be issued for the D2.3 mid-rise podium tower until the alley (Case# PB2019-03) and plaza (Case# PB2019-05) abutting the D2.3 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 D2.3. 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 D2.3.
- 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 D2.3 mid-rise podium tower.

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 25 story mid rise podium building at Prospect Street and the proposed GLX Union Square Station.

4. Conformance with all applicable provisions of this Ordinance.

The Staff finds that this Application needs further design articulation to ensure that it is conforming to all applicable provisions of the Somerville Zoning Ordinance.

The building type definition of a Mid-Rise Podium Tower Building Type is “a multi-story building type composed of a residential point tower above a mid-rise general building serving a podium”. Staff recommends that the mid-rise “podium” on Prospect Street, even when part of the “tower”, should be articulated at 6-stories (the maximum height for a podium). This height will then correspond with the rear massing which also must be designed to appear as a six-story structure (which includes part of the parking garage uses) with architectural materials and details coordinating with the front massing of the building.

Staff also recommends that the Applicant continue to work with the Director of Planning & Zoning to refine the storefront size and spacing to ensure that each storefront incorporates all the elements required for each tenant. Specific elements, such as venting for a restaurant use, must be included within the frame of the storefront design and not part of the overall building.

These recommendations have been included as potential condition language below.

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 AND SPECIAL PERMIT** as follows:

#	Condition	Compliance Timeframe	Verification	Notes						
A. Overall										
1	<p>Development must comply with the plans and other application materials submitted by the Applicant:</p> <table border="1"> <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>April 30, 2019</td> <td>Revised application submitted to Planning Staff</td> </tr> </tbody> </table> <p>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.</p>	Date (Stamp Date)	Submission	February 13, 2019	Initial application submitted to the City Clerk’s Office	April 30, 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									
April 30, 2019	Revised application submitted to Planning Staff									
2	This approval certifies that the D2.3 Podium Tower, 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 50 Prospect Street with the exception of the CDSP PB Case #2017-21.	Perpetual								
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 laboratory building, as approved and conditioned.	BP	ISD/ Plng.	
2	The building address shall be 50 Prospect Street. Addressing of individual tenant spaces must comply with the City of Somerville Engineering Department's Address Verification/Change standards.	BP/CO	Eng.	
D. Transportation				
1	Pedestrian and vehicular access (particularly for the MBTA's paratransit service) must not be impeded due to construction of the D2.3 Podium Tower 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 D2.3 property owner and applicable future tenants shall comply with the Mobility Management Plan submitted for the D2.3 Mid-Rise Podium Tower, 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 D2.3 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	
E. Site Features				
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 D2.3 dwelling units must be provided in the Prospect Street lobby entrance of the building.	Perpetual	ISD	
2	Outdoor lighting shall comply with the City of Somerville Dark Sky Policy.	BP	ISD/Plng.	
F. Architectural Design				
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.	
3	To every extent practicable, the Applicant shall select façade paneling with a matte finish and glazing with visible and full spectrum reflectance properties as low as practicable for the eastern (facing Allen Street), southern (facing the MBTA right of way), and western (facing Prospect Street) elevations of the building to minimize solar glare impacts.	BP	ISD/Plng.	

#	Condition	Compliance Timeframe	Verification	Notes
4	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	PIng/ISD	
5	The Applicant will continue to work with the Director of Planning & Zoning to verify that the design of the facade complies with the building type definition. At the front of the building, the mid-rise “podium”, even when part of the “tower”, must be articulated at 6-stories like the rear massing.	BP	ISD/PIng.	
6	The Applicant will continue to work with the Director of Planning & Zoning so the side and rear portion of the building is designed to appear as a six-story structure with architectural materials and details that relate to the front facade of the building.	BP	ISD/PIng.	
7	The Applicant will continue to work with the Director of Planning & Zoning so the base of the building’s facade includes the first two stories at the front and the total height of the parking facility to effectively incorporate the parking facility into the design of the building. (The integrated commercial parking facility is measured as 2 stories because it is lined by habitable space at the front of the structure.)	BP	ISD/PIng.	
8	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	ISD/PIng.	

#	Condition	Compliance Timeframe	Verification	Notes
9	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	ISD/PInG.	
10	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	ISD/PInG.	
G. Future Modifications				
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	PInG./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	PInG./ISD	
H. Use Restrictions				
1	Occupancy of commercial floor space over 20,000 square feet in area by any single retail use is prohibited.	Perpetual	PInG./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	PInG./ISD	
3	The Applicant shall advertise all dwelling units of the D2.3 Mid-Rise Podium Tower building as ineligible for on-street parking permits in accordance with the City of Somerville's official parking policy for Transit Areas.	Perpetual	PInG./ISD	
I. Building Resilience & Sustainability				

#	Condition	Compliance Timeframe	Verification	Notes
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	
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	