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MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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TO: President William White, Chairman Lance Davis, and the Members of the Board of Aldermen
Chairman Kevin Prior and the Members of the Somerville Planning Board

FROM: George Proakis, Director of Planning

RE: Union Square Zoning – 2017 Submittal, and the Union Square US2 Covenant's Exhibit C

DATE: April 3, 2017

The OSPCD Planning Division staff is recommending approval of the March 2017 Union Square Zoning Amendment submittal. This zoning has been refined since first submitted in the summer of 2016, and staff is confident that we will be able to address remaining concerns. This memo serves as a supplement to the initial staff recommendation, and also serves to explain the current status of the zoning.

The covenant from the US2 development team is now complete. Implementation of the covenant is dependent upon approval of the zoning, essentially as written. The covenant includes Exhibit C, that establishes expected changes of the zoning, based upon ongoing conversations between the City staff and US2. It anticipates an increase and clarification to the open space requirement, based upon discussions from previous meetings with the Board of Aldermen. It also addresses an offset for additional open space (additional building height to maintain total development size with increased open space). The remainder of the issues in Exhibit C are minor design issues that will permit development according to the Neighborhood Plan.

A summary of the remaining changes proposed by staff are below:

- **Open Space: (Exhibit C, item #1)** We are working to provide more open space out of the US2 development (as well as future developments). But, increases in open space change the designs from the Neighborhood Plan. The original zoning proposal for the Union Square Overlay District called for each building site to provide 15% 'pedestrian circulation space' and for a portion of that required space (which would have been approximately 9%) to be provided as high quality 'civic space'. In our recent presentations to the Board, we had a healthy conversation about the different ways to measure open space, the way that it is measured in other projects, and how we should measure open space in any proposed zoning for Union Square. We discussed the need to address any increases in open space from the Neighborhood Plan's baseline. And, we reviewed the need to

relocate development that would occur on these sites.

The most recent draft of the Union Square Overlay replaced pedestrian circulation space with a straight requirement for 'civic space' at 15%. But, it did not make any change to offset for impacts to development capacity. We now propose replacing this placeholder strategy with a new strategy.

The strategy works as follows:

- At full build out of development subject to a Coordinated Development Plan Special permit, at least twenty-five percent (25%) of the land area of a development site, excluding alleys and land occupied by the MBTA's Union Square Green Line Station, must be improved as follows:
 - At least seventy percent (70%) must be provided as two or more civic spaces of differing types, sizes, and locations; including at least one (1) neighborhood park and one (1) plaza. These are the highest quality of open spaces, and ensure that the vast majority of the space that we are able to secure as open space is in one of these civic spaces.
 - Up to thirty percent (30%) may be provided as public realm improvements within the land area of the Union Square Overlay District boundaries.

To offset the impact on planned development from increasing the above percentage from previous zoning proposals, the maximum height limit of the Mid-Rise Podium Tower building type will be increased to twenty-four (24) stories.

This system also depends upon retaining the payment in lieu of open space. This payment in lieu system is important, as it permits us to use a portion of developer funds to build successful larger open spaces (including recreational spaces) in the immediate adjacent neighborhood to the USQ project. One such open space is shown just behind D2 in the neighborhood plan.

- Clarification of how a hypothetical lot line works: (Exhibit C, Item #2) Hypothetical lot lines are expected to be a dividing point between buildings. This feature is important for the intended character of new development projects; the Union Square Neighborhood Plan focused on making sure that infill does not result in buildings that are overly long because the existing character of Union Square is a fine grain of small lots. However, there are a few locations within the plan area where it is advantageous for two buildings to facilitate internal circulation as if they were one – or as if a doorway had been added to a party wall that once separated two buildings. Hypothetical lot lines allow certain construction efficiencies related to the building code while still ensuring each building is reviewed and designed as two buildings for zoning purposes. Therefore, while buildings at a hypothetical lot line may, in many ways, operate as if they are one building, the one-site hypothetical lot line is designed to maintain:
 - Separate principal entrances with separate addresses for each building.
 - Separate lobbies with separate mailboxes for upper story residential uses.
 - Separate stairwells and means of circulation for upper story uses (although access requirements only need to be met for the combined structure)
 - Hallways on either side may align and connect via a door, subject to any fire or building code requirements.
 - No commercial spaces, dwelling units, rooming units, rooms, or exterior amenity spaces that cross the lot line.
 - Separate means of vehicular access for structured parking, however parking spaces and drive aisles may cross the hypothetical lot line and ramps are not required on both sides.

To the extent necessary, we recommend clarifications to address this intent.

- Ground Story Use Exception: (Exhibit C, item #3) The code defines general buildings as having first floor commercial/retail uses, and residential uses are limited to upper floors. There are a few corner lot locations where these buildings have a narrow frontage on the primary street and long frontage on secondary street where the buildings on the opposite side of the street change to residential building types along the same length. To permit new infill to meet both objectives for ground story commercial fronting on primary streets and to match the character of neighboring buildings on secondary (side) streets, we recommend permitting flexibility for general buildings in the Mid-Rise 4 and 5 district, on corner lots, with a secondary front lot line over one hundred and fifty (150) feet in width. In these circumstances, a General Building may have ground story residential uses provided that ground story commercial space occupy at least sixty (60) feet of secondary frontage, measured beginning at the intersection of the front lot lines.
- The next two items on Exhibit C (items #4 and #5) add findings for the CDSP to ensure that an applicant seeking review under a CDSP has met required thresholds to ensure they are providing us with the project and the benefits that we seek.
- We recommend (in item #6) adjusting the regulations to ensure that there is access for loading / parking for D6 (without breaking the Somerville Avenue sidewalk to do so). This will require a review of an attractive and efficient design solution that minimizes the impact on the neighborhood behind Block D6, without sacrificing the pedestrian condition on Somerville Avenue in front of the development.
- We discovered that the term 'pedestrian circulation space' from the previous zoning was still in the code. We recommend a correction of this (in item #7).
- We recommend removing a reference in the podium tower height requirement. (in item #8) The current requirement indicates the total height of the tower, and then in parentheses indicates the number of stories above the podium. Because the podium can shift down in size, the tower may be a larger component of the podium tower type. For example, instead of a 18 story tower on a 6 story base, we may have a 19 story tower on a 5 story base. Therefore, the reference to 'additional stories' should be removed from the tower type.
- We recommend (in item #9) extending the 5% dimensional deviations that are permitted for podium towers to include 'floor plate'.
- Item #10 is recommended to clarify language in the ordinance.
- Item #11 clarifies that the boundaries of the district include adjacent and interior streets, as we do with other overlay districts in the City.
- We will finish the incomplete sentence in 6.7.10.A.2 (per item #12). This corrects a typo in the springtime draft of the zoning.