



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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EXECUTIVE DIRECTOR

PLANNING DIVISION

PLANNING BOARD MEMBERS

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JOSEPH FAVALORO, *CLERK*
DOROTHY A. KELLY GAY
AMELIA ABOFF
GERARD AMARAL, (ALT.)

Case #: PB 2019-05
Site: 10-50 Prospect Street (Civic Plaza)
Date of Decision: August 22, 2019
Decision: *Approved with conditions*
Date Filed with City Clerk: September 6, 2019

PLANNING BOARD DECISION

Site: 10-50 Prospect Street
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 Plaza civic space type. TOD100 underlying zoning district. Union Square Overlay District and High-Rise sub district. Ward 2.

Zoning District/Ward: Union Square Overlay District and HR sub district. Ward 2.
Zoning Approval Sought: Design & Site Plan Review under SZO §5.4 and §6.8
Application Date(s): February 11, 2019; Revised April 30
Public Hearing Date(s): 6/20, 7/11 (re-advertised), 8/8, 8/14, 8/22
Decision Date: August 22, 2019
Vote: 3-0

Case number **PB 2019-05** was opened before the Planning Board at the Visiting Nurse Association 3rd Floor Community Room, 259 Lowell Street. Notice of the Public Hearing was given to persons affected and was published and posted, all as required by M.G.L. c. 40A, sec. 11 and the Somerville Zoning Ordinance. On August 22, 2019, the Planning Board took a vote only on the requested Special Permit.



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I. PROJECT DESCRIPTION

The subject property consists of one vacant parcel totaling 21,369 square feet of land area. The parcel was created by a subdivision, shown as Lot 2, which was approved by the Planning Board (Case No. PB 2019-02) on March 21, 2019. The parcel has been identified as Civic Space Lot A 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 plaza civic space type. 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 Lab Building also referred to as D2.1 in the previously approved CDSP), 20 Prospect Street (a General Building also referred to as D2.2 in the previously approved CDSP), 50 Prospect Street (a Mid-Rise Podium Tower building also referred to as D2.3 in the previously approved CDSP), and a new thoroughfare planned as a mid-block service alley.

The proposed gateway plaza for Union Square will serve to link the new station with the existing neighborhood fabric, prioritizing connectivity to Union Square Plaza. A clear central zone, paved in a smooth material, provides a direct connection to the station. On either side of this movement zone are opportunities for seating, gathering and other activities. The plaza is at grade and provides a gradual separation of the public space from Prospect Street using a planted sloping bank which also offers the opportunity for amphitheater style seating facing the large gathering area in the plaza with good southern exposure. With a revised total area of 21,369 SF, the civic space is 40% larger than the 15,100 SF approved through the CDSP in response to community dialogue.

A summary table of dimensional standards is provided below. All standards are met by the proposed Plaza.

	Required	Provided	Compliance?
Lot Size (min)	8,000sf – 2 acres	21,369sf	✓
Seating (min)	1 linear foot/30 sf	712 lf	✓
Tables (min)	1 per every 4 movable chairs	30	✓
Number of Large Trees (min)	1/1,000 sf	23	✓
Pervious Area (min)	70%	70%	✓
Green Space (min)	10%	70%	✓

II. FINDINGS:

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 Board made 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 Board 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 plan Goals:

- a) *Promote municipal financial self-determination and reduce fiscal dependence on state aid and residential taxes and fees by providing an estimated \$1M/yr in new commercial taxes.*
- b) *Make Somerville a regional employment center with a mix of diverse and high-quality jobs by providing an estimated 400 new permanent jobs.*
- c) *Support a business-friendly environment to attract and retain a diverse mix of businesses that can start here, grow here, and stay here by providing 157,000 square feet of commercial office and lab space, 12,090 square feet of ground floor retail space, and 8,900 square feet of arts and creative enterprise space.*
- d) *Invest in the talents, skills, and education of people to support growth and provide opportunities to residents of all social and economic levels by providing \$228,000 in jobs linkage.*
- e) *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 significant commercial building in close proximity to the MBTA's Union Square Station of the Green Line Extension.*
- f) *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.*
- g) *Expand financial, organizational, programmatic, and other resources available for housing by providing \$1.48M in housing linkage.*

2. The purpose of this Ordinance in general.

The Board 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 Board finds that the Application is consistent with the purpose of the Union Square Overlay District, including the development of a plaza form of civic space located adjacent to the future Union Square T-Station, 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 Board finds that the Application is consistent with the approved Coordinated Development Special Permit and any previously approved Special Permits.

The Plaza 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 the civic space are paraphrased below.

- Condition #34: Infrastructure must be designed to meet all requirements and standards of the City of Somerville and its relevant departments and all other legal requirements for the installation of services within public rights-of-way.
- Condition #36: A required update to the Traffic Impact Study prior to the submittal of the first DSPR application.
- Condition #37A: Provide a report of how to improve and coordinate bus transit more smoothly with other modes of transportation, specifically at and around the location of the relevant DSPR.
- Condition #38A: The Applicant shall provide sheltered and secure bike storage facilities in strategic locations, with each DSPR application.
- 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 #72: Applicant shall meet with Lights and Line Division and submit plan drawings clearly showing all existing municipal fire alarm and related communications infrastructure and clearly showing temporary and permanent relocation of all impacted fire alarm and communications infrastructure necessitated by private construction.

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

The Board 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 significant civic space at the corner of Somerville Avenue and Prospect Street.

4. Conformance with all applicable provisions of this Ordinance.

The Board finds that the Application is conforming to all applicable provisions of the Somerville Zoning Ordinance. A summary table of the proposals compliance to dimensional standards is provided in Section I of this report.

The civic space is oriented in a north-south direction parallel to the adjacent Prospect Street. The widest portion of the civic space is to the south. This southern portion, the main gathering space, of the site is exposed to the sun during daylight hours throughout the year. The western portion of the civic space situated between the D2.2 and D2.3 buildings and Prospect Street, is exposed to the sun in the late afternoon throughout the year as well as early evening in the summer months.

Entrances will be physically and visually accessible from surrounding sites and are designed to make visitors feel welcome and comfortable. At the north end of the civic space is a 24-foot-wide at-grade entry connection with Prospect Street, Somerville Avenue, and the Union Square Plaza. There are two other entries to the civic space from Prospect Street, both of which descend stairs from the Prospect Street sidewalk through a planted embankment. To the south of the site there is an at-grade entry to the civic space directly from the MBTA station as well as the ride drop-off, a bicycle parking hub, and the neighborhood to the east via Charlestown Place.

The plaza is oriented to preserve view corridors and enhance visual connections to surrounding properties or activities by establishing a visual connection to Prospect Hill Monument and the old Post Office when an occupant is oriented facing north. It will always be accessible to the public and will comply with the Americans with Disabilities Act and the Rules and Regulations of the Massachusetts Access Board (521 CMR).

A condition will be added for all plant and surface materials to be approved by the Director of Public Space & Urban Forestry (formerly Transportation and Infrastructure) and the City Engineer as design and detailing progresses. Architectural samples must be provided for approval at the time of Building Permit application.

Trees are indicated at 3-3.5 inches in caliper specified for planting flush-to-grade with the required soil volumes and open soil area. The large trees provide 69% canopy coverage on-site and extends beyond property line to also provide shade on the Prospect Street sidewalk. All other landscaping is provided according to Table 6.8.9 with species native to New England as required.



A variety of seating types is designed to accommodate different levels of activity and for individuals and groups of different sizes. Seating is provided in different forms and orientations throughout the civic space for the convenience and comfort of visitors, located in support of gathering spaces and along pedestrian paths, including places in the sun and the shade, but out of the flow of pedestrian traffic.

Amenities and furnishings (including litter receptacles, recycling facilities, and any skateboard deterrents, along with all lighting fixtures) that are proportional to or better in quality and function to those identified in the Park Specifications Handbook will be provided with authorization from the Director of Public Space & Urban Forestry. An agreement will be required to determine long-term ownership of the civic space and requirements for maintenance, so a condition has been included to ensure writing and ratification of such a document.

Bicycle parking has been addressed with the thoroughfares and each building DSPR application. No details are shown about signage and wayfinding at this time and are anticipated to be provided in a later application.

The Irrigation and Drainage system will be low water use and employ moisture sensors. Stormwater from the civic space will be directed to a subsurface detention system and will be eventually discharged to the City’s stormwater system. The potential to reuse stormwater collected from roof surfaces for irrigation and cooling tower makeup has been studied and will continue to be investigated for possible implementation.

The Board is satisfied that the Design Guidelines have been met but there are exceptions based on specific site conditions.

- *To facilitate pedestrian access, at least fifty percent (50%) of the frontage area (the first fifteen (15) feet of a plaza measured perpendicularly from any front lot line) of a plaza must be free from obstructions. Plazas with a front lot line abutting the wing wall of a bridge approach, such as the Prospect Street bridge defining the D2 parcels, are exempt.*
- *The surface of a plaza must be equal to the average elevation of the abutting sidewalks, publicly accessible walkways, or other civic spaces. Sidewalks along bridge approaches are exempt. This exemption allows the plaza to be recessed from Prospect Street to facilitate an accessible pedestrian route through the civic space to the station entrance.*

Also, at this time, no structures are anticipated in the plaza and any outdoor cafes within the civic spaces will be requested in the future through a separate Special Permit application.

III. DECISION:

Present and sitting were Michael Capuano, Joseph Favaloro, and Amelia Aboff. Gerard Amaral recused himself and Dorothy Kelly Gay was absent. Upon making the above findings, Michael Capuano made a motion to accept the Staff recommendation and conditionally approve the application for Design & Site Plan Review. Joseph Favaloro seconded the motion. The Board voted **3-0 to APPROVE** the request. **The following conditions are attached:**

#	Condition	Compliance Timeframe	Verification	Notes
A. Overall				



#	Condition	Compliance Timeframe	Verification	Notes						
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>July 11, 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	July 11, 2019	Revised application submitted to Planning Staff	Perpetual	ISD/ Eng/ PSUF	
Date (Stamp Date)	Submission									
February 13, 2019	Initial application submitted to the City Clerk's Office									
July 11, 2019	Revised application submitted to Planning Staff									
2	This approval certifies that the Civic Plaza, if constructed and operated in conformance with this decision, as conditioned, complies with the previously approved CDSP Decision (Case# PB2017-21) issued on December 14, 2017.	Perpetual	ISD/ Eng/ PSUF							
3	This approval absolves all previous approvals and conditions related to 10-50 Prospect Street (Plaza) identified as Lot 2 on the previously approved subdivision (Case No. PB 2019-02) on March 21, 2019.	Perpetual	ISD/ Eng/ PSUF							
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/ Eng/ PSUF							
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/ Eng/ PSUF							
C. Engineering										
1	The Applicant is responsible for the underground installation of all necessary private infrastructure and utility improvements (such as electrical, telephone, data, CATV, and natural gas utilities), both on and off-site.	Pavement Permit	ISD/ Eng/ PSUF							
2	All utilities interior to the site must be installed underground.	Pavement Permit	ISD/ Eng/ PSUF							



#	Condition	Compliance Timeframe	Verification	Notes
3	The applicant must work with the City and relevant utilities to pursue a strategy to place utilities along the Prospect Street sidewalk underground.	Pavement Permit	ISD/ Eng/ PSUF	
C. Transportation				
1	Pedestrian and vehicular access (particularly for the MBTA's paratransit service) must not be impeded due to construction of the Plaza 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.	Pavement Permit	Mobility	
E. Site Features				
1	Final selection of all materials including, but not limited to, paving, plants, groundcovers, lighting, trash receptacles, and signs must be approved by the Director of Public Space & Urban Forestry and bike racks by the Director of Mobility. Samples or specifications must be provided for approval at the time of Pavement Permit application.	Pavement Permit	ISD/ Eng/ PSUF	
2	The Plaza must be signed and identified according to the Division of Public Space & Urban Forestry Park Specifications Handbook.	Pavement Permit	ISD/ Eng/ PSUF	
3	Construction documents related to tree planting, irrigation, and lighting must be approved by the Director of Public Space & Urban Forestry prior to the application for a pavement permit.	Pavement Permit	ISD/ Eng/ PSUF	

#	Condition	Compliance Timeframe	Verification	Notes
4	The Applicant will continue to work with the city on the design and construction of the elevator from Prospect Street to the plaza by the MBTA entrance. The Applicant will design and build this elevator, based upon requirements provided by the MBTA. The City will work to have the MBTA maintain the elevator. The Applicant will expend the funds necessary to build the elevator. The City will develop a financial agreement that will ensure that 75%-80% of the elevator cost is paid for by other entities that will benefit from the elevator. This may take the form of the city crediting The Applicant for certain infrastructure payments and then collecting future payments from other developers in the Boynton Yards / Inman Square area.	Perpetual	ISD/ Eng/ PSUF	
5	The Applicant will work with the City to modify the CDSP to add a neighborhood park location in the vicinity of D2.4, while also continuing to collaborate with stakeholders on locating a structure incorporating affordable housing in the general vicinity of D2.4.	Perpetual	ISD/ Eng/ PSUF	
6	The applicant will work with the MBTA and the City to replace the gravel that the MBTA will install in the easement area by the station entrance, likely with some form of concrete.	Perpetual	ISD/ Eng/ PSUF	

Attest, by the Planning Board:



Joseph Favaloro



Michael Capuano





Amelia Aboff



Copies of this decision are filed in the Somerville City Clerk's office.
Copies of all plans referred to in this decision and a detailed record of the
SPGA proceedings are filed in the Planning & Zoning Division of the
Office of Strategic Planning & Community Development

CLERK'S CERTIFICATE

Any appeal of this decision must be filed within twenty days after the date this notice is filed in the Office of the City Clerk, and must be filed in accordance with M.G.L. c. 40A, sec. 17 and SZO sec. 3.2.10.

In accordance with M.G.L. c. 40 A, sec. 11, no variance shall take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title.

Also in accordance with M.G.L. c. 40 A, sec. 11, a special permit shall not take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and either that no appeal has been filed or the appeal has been filed within such time, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The person exercising rights under a duly appealed Special Permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.

The owner or applicant shall pay the fee for recording or registering. Furthermore, a permit from the Division of Inspectional Services shall be required to proceed with any project favorably decided upon by this decision, and upon request, the Applicant shall present evidence to the Building Official that this decision is properly recorded.

This is a true and correct copy of the decision filed on _____ in the Office of the City Clerk, and twenty days have elapsed, and

FOR SPECIAL PERMIT(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ there has been an appeal filed.

Signed _____ City Clerk Date _____

