



CITY OF SOMERVILLE

MASSACHUSETTS

Joseph A. Curtatone, Mayor

Office of Strategic Planning and Community Development (OSPCD)

City Hall 3rd Floor, 93 Highland Avenue, Somerville, MA 02143

Michael F. Glavin, *Executive Director*

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GERARD AMARAL (ALT)

Case #: PB2017-21

Site: Union Square CDSP (multiple sites)

Date of Decision: December 14, 2017

Decision: *Petition Approved with Conditions*

Date Filed with City Clerk:

PLANNING BOARD DECISION

Site: Union Square Coordinated Development Special Permit

(238 Washington St; 273 Somerville Ave; 269 Somerville Ave; 269 Rear Somerville Ave; 261 Somerville Ave; 259 Somerville Ave; 228 Washington Street; 234 Washington Street; 26 Prospect Street; 30 Prospect Street; 27 Bennett Street; 50 Prospect Street; 40 Bennett Street; 41 Bennett Street; 42 Bennett Street; 43 Bennett Street; 44 Bennett Street; 49-51 Allen Street; 4 Milk Place; 258 Somerville Avenue; 20-22 Prospect Street; 42 Prospect Street; 50 Webster Ave; 520 Columbia Street; 56 Webster Ave; 41 Webster Ave; 45 Webster Ave; 47 Webster Ave; 48 Webster Ave; 35 Prospect Street; 70 Prospect Street; 223 Washington Street; 231 Washington Street; 237 Washington Street; 9 Union Square; 2 Union Square; 298 Somerville Ave; 290 Somerville Ave; 286 Somerville Ave; 41 Union Square; 1 Bow Street)

Applicant Name: Union Square Station Associates LLC

Applicant Address: 31 Union Square, Somerville, MA 02143

Property Owner Name: Various, including the Somerville Redevelopment Authority

Property Owner Address: Various

Agent Name: John Rattigan, DLA Piper

Legal Notice: Applicants Somerville Redevelopment Authority (SRA) and Union Square Station Associates LLC (US2), the Master Developer for the Union Square Revitalization Plan, a M.G.L. Chapter 121B "Urban Renewal Plan", seek a Coordinated Development Special Permit (CDSP) under Sections 5.8 and 6.8.5.C (formerly known as 6.7.5.C) of the Somerville Zoning Ordinance (SZO), and related Special Permits pursuant to Sections 6.8.11.F (formerly known as 6.7.11.F) for a Residential principal use, 6.8.6.A.3 (formerly known as 6.7.6.A.3) for partial payment in lieu of civic space, and 6.8.6.E (formerly known as 6.7.6.E) for off-site compliance to consolidate Arts & Creative Enterprise uses of the SZO, as well as waivers under Sections 5.1.2.2 (certified plot plan) and 5.1.2.7 (2' contours) of the SZO, for the review of a multi-lot development that establishes general phasing parameters, analyzes the impacts related to build-out, and identifies subsequent Design & Site Plan Review applications.

Zoning District/Ward: CCD-45, CCD-45-C, CCD-55, CCD-55-C, NB, TOD-70, and TOD-100 zones. USOD Overlay District. Wards 2 & 3.

Zoning Approval Sought: CDSP, 3 simultaneous Special Permits, and 2 Waivers



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Date of Application: September 19, 2017 (supplemental information provided November 8, 2017)

Date(s) of Public Hearing: November 20, 2017 and November 30, 2017

Date of Decision: December 14, 2017

Vote: 5-0

Case #PB2017-21 was opened before the Planning Board at Albert F. Argenziano School Cafeteria (290 Washington Street) on Monday November 20th, 2017. 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. After two (2) meetings with public hearings, and an additional meeting with deliberation, the Planning Board took a vote.

DESCRIPTION:

This redevelopment project is part of the state-approved *Union Square Revitalization Plan*, an urban renewal plan (M.G.L. Chapter 121B) that focuses on transit connectivity in order to prepare the area for economic development. The proposed project will evolve Union Square into the transit-oriented mixed-use urban employment center envisioned in *SomerVision* and, at completion, the project will include approximately 2.4 million square feet of new space. Approximately 1.46 million square feet will be commercial spaces (61% of the total development) that will generate over 5,300 permanent jobs.

The approximately 1.46 million square feet of new commercial space, much of it in the form of office and lab space, will provide a range of jobs to support the regional economy, provide employment opportunities for Somerville residents, and grow the commercial tax base that can support the City's many other priorities, such as citywide school and infrastructure needs.

New residential uses help meet regional housing needs, and complement new commercial uses in order to create the vibrant 18-hour employment district envisioned for Union Square. This is important to maintain a vibrant neighborhood for existing residents and new workers. A proposed total of approximately 933,000 SF of residential uses (39%) or approximately 900 to 1,000 new homes of which 180 to 200 (20%) will be permanently affordable units for existing or recently displaced Somerville residents. Approximately 157,000sf of public realm improvements including approximately 110,000 SF of new high-quality civic spaces, will be created as part of the development. The Civic Space includes a 27,000+ square foot neighborhood park, and a significant plaza that connects the new Green Line station to the neighborhood.

The proposal also includes a public and community benefits program which is valued at approximately \$100 million, and aims to address a range of community priorities such as affordable housing, local jobs & workforce development, local business support, open space & sustainability, mobility, and infrastructure. This program is designed to ensure that Somerville residents and business, old and new, are able to benefit from this development program.

FINDINGS FOR COORDINATED DEVELOPMENT SPECIAL PERMIT (SZO §5.8):



The review of the Coordinated Development Special Permit was based on the original application dated September 19, 2017 and the updated complete package of materials submitted November 8, 2017. The Board finds that the proposal is consistent with the purposes and requirements of the Master Plan of the City of Somerville and the Somerville Zoning Ordinance as required for a CDSP. The itemized findings for §5.8 Coordinated Development Special Permit can be found in attached Appendix A.

ADDITIONAL FINDINGS FOR OTHER SPECIAL PERMITS (SZO §5.1):

The Applicant requested additional Special Permits coincident with this filing as allowed by SZO §6.7.5.C.4.B (codified as §6.8):

- Pursuant to §6.7.11.F (codified as §6.8), permitting Residential as a principal use on Blocks D2, D3, D4, D5, and D7.
- Pursuant to §6.7.6.A.3 (codified as §6.8), up to five percent (5%) or approximately 5,507sf of the required Civic Space to be satisfied by a payment in lieu.
- Pursuant to §6.7.6.E (codified as §6.8), the Arts and Creative Enterprise space requirement set forth in §6.7.6.B.3 to be satisfied through off-site compliance (by consolidating the requirements at one or more larger Receiving Sites).

In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.1 (Special Permits) of the SZO. This section of the report goes through §5.1.4 for all three Special Permit applications simultaneously.

1. Information Supplied:

The board finds that the information provided by the Applicant conforms to the requirements of §5.1 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits. See attached Appendix A for more detail.

3. Consistency with Purposes: *"Is consistent with: 1) the purposes of this Ordinance, particularly those set forth in Article 1 and Article 5; and 2) the purposes, provisions, and specific objectives applicable to the requested special permit with site plan review which may be set forth elsewhere in this Ordinance, such as, but not limited to, those at the beginning of the various sections."*

Purpose of Ordinance:

The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2.

Purpose of District:

The proposal is consistent with the purpose of the Union Square Overlay District; please refer to attached Appendix A for more information.

4. Site and Area Compatibility: *The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area, and that the scale, massing and detailing of the buildings are compatible with those prevalent in the surrounding area".*

Surrounding Neighborhood:



Historically, Union Square was a center of commerce, rail, manufacturing, and industry because of its proximity to downtown Boston. Transit-oriented development in Union Square began with row houses and apartment hotels along the first horse-drawn streetcar system (established in 1852) and continued in the early 1900's as electric streetcars made 88 stops a day.

Union Square lost density and urban character after the light rail system was removed and property owners with vacant commercial spaces removed the top stories of their buildings to lower their commercial property tax. Due to cultural shifts over the course of a century, Union Square has become a neighborhood-serving square that is burdened with a regional traffic problem and surrounded by automotive niche businesses, including salvage and auto repair and resale.

At the same time, the neighborhood has emerged as one of the region's most interesting cultural destinations with artists, young professionals, entrepreneurs, and families joining longtime residents in an affordable place to live. The location is poised, once again, to become increasingly desirable as a result of significant infrastructure improvements and the MBTA's Green Line Extension (GLX) project to build a new light rail station extending public transit service to the area and connecting it to employment centers in Cambridge, Boston, and beyond.

Impacts of Proposal (Design and Compatibility):

As the surrounding area is intended to be transformed, and there are no existing natural features of the site, the impacts of the project should be reviewed under slightly different standards than those outlined in the current ordinance. As the massing of the proposed development is considerably different than the existing buildings and fabric of the neighborhood, the "compatibility in scale, design and use with those buildings and designs which are visually related to the development site" will be difficult to interpret. The Board believes that the conceptual development will create a good urban environment.

The Board supports and approves Residential as a principal use on Blocks D2, D3, D4, D5, and D7 to support the proposed mixed-use program. There is a demonstrated need for residential to catalyze development, transportation services, and/or commercial activities in the neighborhood. The residential uses will be strategically timed or phased and located to serve as a balance to the development of commercial uses. Residential development will be conditioned to be constructed at a schedule tied to commercial development per the Development Covenant, Master Land Disposition Agreement, and Master Developer Designation Agreement. No residential development, except Blocks D2 or D7 (affordable housing), can begin until after the first D2 commercial building construction is complete and an additional commercial building has begun construction.

The Applicant is seeking a Special Permit pursuant to Section 6.7.6.A.3 (codified as §6.8) of the Ordinance in order to maintain flexibility to accommodate design modifications and changes to the required calculated areas of civic and open space through a payment in lieu. The ability to provide a small portion of the civic spaces via in lieu payment will offer much needed design flexibility to ensure that individual building projects can maximize the opportunity to realize project goals, respond to physical or site constraints and changing market needs. This request meets the goals and objectives of the City of Somerville Open Space & Recreation Plan 2016-2023 while providing funding to improve or maintain



existing civic spaces, particularly athletic fields, located elsewhere in the city. The applicant initially requested 10% of Civic Space in the “payment in lieu” program, and the Board approves 5% of total open space in this program.

A Special Permit is requested to consolidate the Arts and Creative Enterprise space requirement at one or more larger Receiving Sites. It is the intent of this application to fulfill the Arts and Creative Enterprise area requirement through off-site compliance - reallocated from one D Block to another. This is in order to provide higher quality, affordable, and ultimately more useful space for a variety of end users. If Arts and Creative Enterprise space were to be delivered to track with commercial space on each D block, smaller development sites, or those with limited commercial space would yield similarly small Arts and Creative Enterprise areas, resulting in inefficient spaces of questionable utility. The specific Generating and Receiving sites and anticipated program transfers can be found in Table 19 on page 193 of the application package.

The Board approves the requested waivers from specific application materials. Plot plans certified by a land surveyor and contour elevations in two foot increments will be included in subsequent DSPR applications when that level of detail is more appropriate and necessary for detailed review.

5. Environmental Impacts: *“The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception.”*

Permitting Residential as a principal use, allowing a maximum 5% of Civic Space requirements to be satisfied by a payment in lieu, or consenting to consolidation of the Arts and Creative Enterprise spaces, would not create any additional environmental impacts beyond those created by development of the D Blocks. However, consistent with the community’s vision for an employment center, the proposed project includes potential laboratory buildings. Exhaust from these facilities will include building systems specifically designed to sensitively manage laboratory exhaust as is customary in other life sciences centers in the region.

6. Vehicular and pedestrian circulation: *The circulation patterns for motor vehicles and pedestrians which would result from the use or structure will not result in conditions that create traffic congestion or the potential for traffic accidents on the site or in the surrounding area.*

Permitting Residential as a principal use, allowing a maximum 5% of Civic Space requirements to be satisfied by a payment in lieu, or consenting to consolidation of the Arts and Creative Enterprise spaces, would not create any additional environmental impacts beyond those created by development of the D Blocks.

7. Fast food establishments: *In special permit applications for fast-order, take-out or automobile oriented food service establishments, there shall be establishment of a need for such a facility in the neighborhood or in the City, and impacts on traffic circulation, parking and visual, physical, or historical characteristics of the particular location shall not be detrimental.*

Not applicable as no auto-oriented fast food establishments are permitted in the USOD.

8. Housing Impact: Will not create adverse impacts on the stock of existing affordable housing. Only 2 existing dwelling units are expected to be removed as a result of this project so there will not be an adverse impact on the stock of existing affordable housing. The full build-out of the D Blocks will greatly improve the housing stock by providing up to 998 total dwelling units of which 20% will be permanently affordable. The final numbers and types/sizes of those units will be determined at each subsequent DSPR.

9. SomerVision Plan: Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville’s neighborhoods, transform key opportunity areas, preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs. The areas in the SomerVision map that are designated as enhance and transform should most significantly contribute towards the SomerVision goals that are outlined in the table below. The areas marked as conserve are not expected to greatly increase the figures in the table since these areas are not intended for large scale change.

In addition to the above criteria and objectives listed above, the proposed development shall take into account, insofar as is practicable, any existing or proposed plans for the neighborhood which have been or may be adopted by the City of Somerville. Detailed findings addressing specific USOD zoning requirements and the Union Square Neighborhood Plan can be found in attached Exhibit A.

<i>SomerVision Summary</i>	<i>Existing</i>	<i>Proposed (approx..)</i>
<i>Dwelling Units:</i>	2	998
<i>Affordable Units:</i>	0	183-200 TBD at DSPR
<i>Commercial Sq. Ft.:</i>	295,229 (demolished)	1,464,000
<i>Estimated Employment:</i>	unknown	5,300 jobs
<i>Parking Spaces:</i>	unknown	1,500
<i>Publicly Accessible Open Space:</i>	0	157,000sf

10. Impact on Affordable Housing: In conjunction with its decision to grant or deny a special permit for a structure of four or more units of housing, the SPGA shall make a finding and determination as to how implementation of the project would increase, decrease, or leave unchanged the number of units of rental and home ownership housing that are affordable to households with low or moderate incomes, as defined by HUD, for different sized households and units.

It is the intent of the Applicant to fulfill the requirements for affordable units on-site for each residential project. The resulting distribution of affordable units by block can be seen in Table 9 (Build-Out Program Estimate) and represents 20% of the total units delivered. This will be, in total, between 183 and 200 permanently affordable units. Pursuant to article 6.7.6.D.a (codified as §6.8) of the Union Square Zoning, the delivery and phasing of these units will be determined as individual buildings are submitted for subsequent DSPR approvals.

The units will be provided in accordance with the requirements of SZO Section 13 and an Affordable Housing Implementation Plan (AHIP) should be approved and executed by the OSPCD Housing Division. Written certification of the creation of affordable housing units, any fractional payment required, or alternative methods of compliance, must be obtained from the OSPCD Housing Division. No



Certificate of Occupancy shall be issued until the OSPCD Housing Division has confirmed that the Affordable Housing Restriction has been approved and recorded and the Applicant has provided the promised affordable units on-site.

The Applicant did NOT request permission to shift affordable housing units between D Block projects, therefore, the Board expects that 20% on-site affordable housing, at a minimum, will be provided with each individual project.

DECISION:

Present and sitting were Members Kevin Prior, Joseph Favaloro, Dorothy Kelly Gay, Michael Capuano, and Rebecca Lyn Cooper. Upon making the above findings, Kevin Prior made a motion to conditionally approve the request for a special permit, incorporating the findings and conditions of the decision. Rebecca Lyn Cooper seconded the motion. Wherefore the Planning Board voted 5-0 to **CONDITIONALLY APPROVE** the request.

This approval is based upon the findings in this report and in Appendix A.

The approval incorporates the conditions in Appendix B.

Attest, by the Planning Board:



Kevin Prior, Chairman



Joseph Favaloro


Dorothy A. Kelly Gay

Rebecca Lyn Cooper



Gerard Amaral

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 Somerville Planning Dept.

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 in order 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 _____



Appendix A: UNION SQUARE OVERLAY DISTRICT - FINDINGS

Tab A

5.8 Coordinated Development Special Permit

5.8.5 Review Criteria

A. In its discretion to approve or deny an application for a Coordinated Development Special Permit, the Planning Board shall consider the following:			Completed/ Included Yes/No	Response/Comments
1	consistency with the adopted comprehensive Master Plan of the City of Somerville,	SomerVision	Yes	Enhance and Transform areas
	consistency with existing policy plans and standards established by the City,	2003 Union Square Master Plan	Yes	Bow Street as shared space and redesign at Warren Street
		2012 Union Square Revitalization Plan	Yes	D blocks identified and master developer selected.
		2016 Union Square Neighborhood Plan	Yes	A change from the approved Neighborhood Plan is the relocation of D4.3 public space to D1. See Appendix A Tab E "2016 Neighborhood Plan"
	consistency with other plans deemed to be appropriate by the Planning Board;	City of Somerville Open Space Plan	Yes	Addressed in Civic Space Needs Assessment. The programming of all civic spaces will be determined via community input and detailed in the subsequent DSPR applications.
2	the purpose of this Ordinance in general;	1.2 <i>The purposes of the Ordinance are to promote the health, safety, and welfare of the inhabitants of the City of Somerville; to provide for and maintain the uniquely integrated structure of uses in the City; to lessen congestion in the streets; to protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; to conserve the value of land and buildings; to preserve the historical and architectural resources of the City; to adequately protect the natural environment; to encourage the most appropriate use of land throughout the City; to protect and promote a housing stock that can accommodate the diverse household sizes and life stages of Somerville residents at all income levels, paying particular attention to providing housing affordable to individuals and families with low and moderate incomes; and to preserve and increase the amenities of the municipality.</i>	Yes	This project has been designed from conception to meet the needs of the community, the purposes of the Ordinance, and the goals of the City.
3	the purpose of the overlay district where the property is located;	6.8 A. To fulfill the goals of SomerVision, the comprehensive Master Plan of the City of Somerville, the 2003 Union Square Master Plan, the 2012 Union Square Revitalization Plan, and the 2016 Union Square Neighborhood Plan, as amended.	Yes	See above
		B. To permit the off-site compliance of certain requirements as specifically indicated elsewhere in this section.	Yes	Any off-site compliance will determined in detail at DSPR
		C. To permit flexibility in the legal subdivision or parcelization of land for development that maintains consistency with the urban design provisions of this section.	Yes	The Block & Lot Plans in this application show the parcelization of each D block. Minor adjustments may be required during the DSPR for each block as building programs and designs are refined.
		D. To provide the community with a predictable outcome from development and redevelopment by permitting specific Building Types and uses according to sub-district mapped for specific sites within the Union Square Overlay District.	Yes	The CDSP serves as the master plan for the infill and development of the D blocks and as such the projected development program is established and mapped. The approval, in conjunction with other legal documents of agreement between the Applicant and the City, form the rules that must be met giving the neighborhood and City assurances that the project will be completed as negotiated.
		E. To require a Coordinated Development Special Permit for transformational redevelopment according to the provisions of the Union Square Overlay District.	Yes	This CDSP establishes the framework for development and becomes the basis by which future DSPR applications for buildings and civic spaces will be reviewed.
		F. To permit Building Types by design & site plan review following the discretionary review and approval of a Coordinated Development Plan.	Yes	Once the CDSP is approved, the DSPR for each D Block will be submitted as the next step.
4	considerations indicated elsewhere in this Ordinance for Coordinated Development Special Permit approval.	6.7.5.(Additional Review Criteria a. In its discretion to approve or deny a Coordinated Development Special Permit, the Planning Board shall consider the following:		

a.i compliance with the standards of Section 5.8 Coordinated Development Special Permit;	5.8.4 Applications for a Coordinated Development Special Permit are subject to Section 5.3 of this Ordinance. See Appendix A Tab B "SP 5.1.4 & 5.2.5"
a.ii consistency with the 2012 Union Square Revitalization Plan	See above
consistency with 2016 Union Square Neighborhood Plan, as amended; and	
b. The Planning Board may approve a Coordinated Development Special Permit only upon making a finding that the provisions of section 6.7.6 have been met.	See Appendix A Tab C "6.8.6 Build-Out Standards"
c. The Planning Board shall establish, in its decision, criteria and procedures for applicants to provide for infrastructure improvements, community impact mitigation, and the extension of the MBTA's Green Line.	See Article 15 and Appendix B.
6.7.8 Neighborhood Scale Standards	See Appendix A Tab D "6.8.8 Neighborhood Scale"
B. The Planning Board shall approve a Coordinated Development Special Permit only upon making a finding that all applicable provisions of this Ordinance have been met.	
	Yes Pursuant to Section 5.8.6 of the Somerville Zoning Ordinance, the Planning Board finds that all applicable provisions of the Somerville Zoning ordinance have been met, and further finds that any non-compliance with procedural requirements respecting the issuance of this CDSP is hereby waived by the Planning Board.

Appendix A: UNION SQUARE OVERLAY DISTRICT - FINDINGS

Tab B1 - Residential as a principal use on Blocks D2, D3, D4, D5, and D7

5.1.4. Findings and Determinations for Special Permits.

Requirement	Completed/ Included Yes/No	Response/Comments
Prior to granting a special permit with site plan review, the SPGA shall make findings and determinations that the development of the site:		
a <i>Information Required for Special Permits.</i> Complies with the information requirements of Section 5.1.2;	Yes	The CDSP application is a comprehensive document.
b <i>Compliance with standards.</i> Complies with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit;	Yes	Residential uses are addressed in the body of the Staff Report. See page 13.
c <i>Consistency with purposes.</i> 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	Yes	See Appendix A Tab A "5.8 Coordinated Development Special Permit" and the body of the Staff Report.
d <i>Site and area compatibility.</i> Is designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area, and that the scale, massing and detailing of buildings are compatible with those prevalent in the surrounding area;	Yes	Addressed in the body of the Staff Report, see page 13-14.
e <i>Adverse environmental impacts.</i> The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception	Yes	Addressed in the body of the Staff Report, see page 14.
f <i>Vehicular and pedestrian circulation.</i> The circulation patterns for motor vehicles and pedestrians which would result from the use or structure will not result in conditions that create traffic congestion or the potential for traffic accidents on the site or in the surrounding area; and	Yes	Addressed in the body of the Staff Report, see page 14.
g <i>Fast food establishments.</i> In special permit applications for fast-order, take-out or automobile oriented food service establishments, there shall be establishment of a need for such a facility in the neighborhood or in the City, and impacts on traffic circulation, parking and visual, physical, or historical characteristics of the particular location shall not be detrimental.	No	Not applicable as no auto-oriented fast food establishments are permitted in the USOD.
h <i>Housing Impact.</i> Will not create adverse impacts on the stock of existing affordable housing.	Yes	Addressed in the body of the Staff Report, see page 15.
i <i>SomerVision Plan.</i> Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville's neighborhoods, Transform key opportunity areas, Preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs.	Yes	Addressed in the body of the Staff Report, see page 15.
j In conjunction with its decision to grant or deny a special permit for a structure of four or more units of housing, the SPGA shall make a finding and determination as to how implementation of the project would increase, decrease, or leave unchanged the number of units of rental and home ownership housing that are affordable to households with low or moderate incomes, as defined by HUD, for different sized households and units.	Yes	Addressed in the body of the Staff Report, see page 15-16.

Appendix A: UNION SQUARE OVERLAY DISTRICT - FINDINGS

Tab B2 - payment in lieu of the required Civic Space

5.1.4. Findings and Determinations for Special Permits.

Requirement	Completed/ Included/ Yes/No	Response/Comments
Prior to granting a special permit with site plan review, the SPGA shall make findings and determinations that the development of the site:		
a <i>Information Required for Special Permits.</i> Complies with the information requirements of Section 5.1.2;	Yes	The CDSP application is a comprehensive document.
b <i>Compliance with standards.</i> Complies with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit;	Yes	The possible payment in lieu of Civic Space is addressed in the body of the Staff Report. See page 14.
c <i>Consistency with purposes.</i> 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	Yes	See Appendix A Tab A "5.8 Coordinated Development Special Permit" and the body of the Staff Report.
d <i>Site and area compatibility.</i> Is designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area, and that the scale, massing and detailing of buildings are compatible with those prevalent in the surrounding area;	Yes	Addressed in the body of the Staff Report, see page 13-14.
e <i>Adverse environmental impacts.</i> The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception	Yes	Addressed in the body of the Staff Report, see page 14.
f <i>Vehicular and pedestrian circulation.</i> The circulation patterns for motor vehicles and pedestrians which would result from the use or structure will not result in conditions that create traffic congestion or the potential for traffic accidents on the site or in the surrounding area; and	Yes	Addressed in the body of the Staff Report, see page 14.
g <i>Fast food establishments.</i> In special permit applications for fast-order, take-out or automobile oriented food service establishments, there shall be establishment of a need for such a facility in the neighborhood or in the City, and impacts on traffic circulation, parking and visual, physical, or historical characteristics of the particular location shall not be detrimental.	No	Not applicable as no auto-oriented fast food establishments are permitted in the USOD.
h <i>Housing Impact.</i> Will not create adverse impacts on the stock of existing affordable housing.	Yes	Addressed in the body of the Staff Report, see page 15.
i <i>SomerVision Plan.</i> Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville's neighborhoods, Transform key opportunity areas, Preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs.	Yes	Addressed in the body of the Staff Report, see page 15.
j In conjunction with its decision to grant or deny a special permit for a structure of four or more units of housing, the SPGA shall make a finding and determination as to how implementation of the project would increase, decrease, or leave unchanged the number of units of rental and home ownership housing that are affordable to households with low or moderate incomes, as defined by HUD, for different sized households and units.	Yes	Addressed in the body of the Staff Report, see page 15-16.

Appendix A: UNION SQUARE OVERLAY DISTRICT - FINDINGS
Tab B3 - off-site compliance of the Arts and Creative Enterprise space
5.1.4. Findings and Determinations for Special Permits.

Requirement	Completed/ Included/ Yes/No	Response/Comments
Prior to granting a special permit with site plan review, the SPGA shall make findings and determinations that the development of the site:		
a <i>Information Required for Special Permits.</i> Complies with the information requirements of Section 5.1.2;	Yes	The CDSP application is a comprehensive document.
b <i>Compliance with standards.</i> Complies with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit;	Yes	Off-site compliance to consolidate the Arts & Creative Enterprisespace requirements are addressed in the body of the Staff Report. See page 14.
c <i>Consistency with purposes.</i> 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	Yes	See Appendix A Tab A "5.8 Coordinated Development Special Permit" and the body of the Staff Report.
d <i>Site and area compatibility.</i> Is designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area, and that the scale, massing and detailing of buildings are compatible with those prevalent in the surrounding area;	Yes	Addressed in the body of the Staff Report, see page 13-14.
e <i>Adverse environmental impacts.</i> The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception	Yes	Addressed in the body of the Staff Report, see page 14.
f <i>Vehicular and pedestrian circulation.</i> The circulation patterns for motor vehicles and pedestrians which would result from the use or structure will not result in conditions that create traffic congestion or the potential for traffic accidents on the site or in the surrounding area; and	Yes	Addressed in the body of the Staff Report, see page 14.
g <i>Fast food establishments.</i> In special permit applications for fast-order, take-out or automobile oriented food service establishments, there shall be establishment of a need for such a facility in the neighborhood or in the City, and impacts on traffic circulation, parking and visual, physical, or historical characteristics of the particular location shall not be detrimental.	No	Not applicable as no auto-oriented fast food establishments are permitted in the USOD.
h <i>Housing Impact.</i> Will not create adverse impacts on the stock of existing affordable housing.	Yes	Addressed in the body of the Staff Report, see page 15.
i <i>SomerVision Plan.</i> Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville's neighborhoods, Transform key opportunity areas, Preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs.	Yes	Addressed in the body of the Staff Report, see page 15.
j In conjunction with its decision to grant or deny a special permit for a structure of four or more units of housing, the SPGA shall make a finding and determination as to how implementation of the project would increase, decrease, or leave unchanged the number of units of rental and home ownership housing that are affordable to households with low or moderate incomes, as defined by HUD, for different sized households and units.	Yes	Addressed in the body of the Staff Report, see page 15-16.

Appendix A: UNION SQUARE OVERLAY DISTRICT - FINDINGS

Tab C

6.8.6 Build-Out Standards (previously adopted as 6.7.6)

		Completed/ Included Yes/No	Response/Comments
6.8.6.A	Civic Space		
1	At full build-out of development subject to an approved Coordinated Development Special Permit, at least twenty-five percent (25%) of the development site, excluding alleys and any land occupied by the MBTA's Union Square Green Line station, must be improved as follows:	Yes	157,344sf (see page 228 Table 23: Zoning Conformance - 629,377sf development site excluding alleys etc.)
1.a	At least seventy percent (70%) must be provided in the form of two or more civic spaces of differing types, sizes, and locations; including at least one (1) neighborhood park, with a minimum of size of twenty-seven thousand (27,000) square feet, and one (1) plaza.	Yes	108,600sf (110,141sf required, under by 1,541sf)
1.b	Up to thirty percent (30%) may be provided in the form of public realm improvements within the land area of the Union Square Overlay District boundaries.	Yes	47,203sf (47,203sf required)
1.c	At least twenty-five percent (25%) of the cumulative land area provided as civic spaces must meet the definition of Green Space.	Yes	30,753sf (27,535sf required, over by 3,218sf)
1.d	At least fifty percent (50%) of the cumulative land area provided as civic spaces must meet the definition of Green Space or be covered by tree canopy at full maturity of the trees provided in each civic space.	Yes	159,907sf (55,070sf required, over by 104,837sf)
2	Civic space created through easement or decommissioning of an existing thoroughfare or other right-of-way abutting any property located within the Union Square Overlay District may be counted toward the required amount of civic space.	Yes	A portion of Newton Street between Everett and Emerson Streets will be decommissioned and a new civic space will be created.
3	The Planning Board may permit an in lieu payment for up to ten percent (10%) of the required amount of civic space. In its discretion to permit a payment in lieu of civic space as part of a Coordinated Development Special Permit, the Planning Board shall consider the following:	Yes	11,014sf
3.a	The review considerations for all Special Permits as specified in Section 5.1 Special Permits.	Yes	See Tab B - "SP 5.1.4 "
3.b	The goals and objectives of the City of Somerville Open Space Plan.	Yes	The body of the Staff Report addresses the Open Space Plan
3.c	The availability and suitability of lots within a development site for development as a civic space.	Yes	The D Blocks within this urban neighborhood are limited in area. The City's open space needs require larger spaces than can be satisfied in the Union Square neighborhood.
3.d	The plausible availability of sites located elsewhere in the city that are suitable for development as civic space.	Yes	Other areas of the City that are less dense and not yet redeveloped are more suited to the much needed athletic fields.
3.e	The need for funding to improve or maintain existing civic spaces, particularly athletic fields, located elsewhere in the city.	Yes	The fee-in-lieu provides the City funding to potentially acquire open space in areas of the city more suited to much needed athletic fields.
4	The Planning Board shall establish a fee schedule for a payment in lieu of civic space based on the recommendations of the Director of Transportation & Infrastructure in relation to the average cost to acquire and develop land as a civic space.	Yes	See Appendix B: Conditions, however this maybe modified prior to the first DSPR application.
6.8.6.B	Commercial Build Out		
1	At full build-out of development subject to an approved Coordinated Development Special Permit, no less than sixty percent (60%) and at least three hundred and seventy-five thousand (375,000) square feet of the total gross floor area (excluding motor vehicle and bicycle parking) must be dedicated to uses in the following principal use categories:	61%	1,464,000sf (see Table 9: Program Build-Out Estimates page 106)
1.a	Arts & Creative Enterprise	5%	74,000sf
1.b	Civic & Institutional	-	Program will be further refined with each DSPR
1.c	Commercial Services	-	Program will be further refined with each DSPR
1.d	Eating & Drinking Establishments	-	Program will be further refined with each DSPR
1.e	Lodging	6%	93,000sf
1.f	Office	79%	1,158,000sf
1.g	Retail	10%	140,000sf
1.h	Urban Agriculture	-	Program will be further refined with each DSPR

2	At full build out of development subject to an approved Coordinated Development Special Permit, no less than forty percent (40%) of the total gross floor area (excluding motor vehicle and bicycle parking) must be dedicated to principal uses in the Office use category, or the Design Services use within the Arts & Creative Enterprise category.	Yes	1,158,000sf (48% of total full build-out)
3	At full build out of development subject to an approved Coordinated Development Special Permit, at least five percent (5%) of the total gross floor area required by §6.7.6.B.1 (codified as 6.8) must be dedicated to principal uses within the Arts & Creative Enterprise use category.	Yes	74,000sf (5% of commercial area)
3.a	The total floor area required for Arts & Creative Enterprise uses is calculated based on the total amount of commercial floor space, (excluding motor vehicle and bicycle parking) proposed in a Coordinated Development Special Permit application, but the phasing and delivery of floor area for Arts & Creative Enterprise uses is determined as individual lots are built out, unless the Planning Board permits off-site compliance in accordance with §6.7.6.E Off Site Compliance.	TBD	Program will be further refined with each DSPR
4	At full build out of development subject to an approved Coordinated Development Special Permit, at least three hundred and seventy five (375) square feet of commercial space must be provided for each dwelling unit.	2,397,000	998du x 375sf = 374,250sf minimum commercial space
6.8.6.C Residential Build Out			
1	A maximum of one (1) dwelling unit per six hundred and eighty five (685) square feet of land area of a development site is permitted within the USOD.	Yes	Maximum 998 dwelling units (du)
6.8.6.D Affordable Housing & Linkage			
1	Residential development must provide at least twenty percent (20%) of dwelling units as affordable housing units.	Yes	200du (see page 228 Table 23: Zoning Conformance)
1.a	The required number of affordable housing units is calculated based on the total number of dwelling units proposed in a Coordinated Development Special Permit application, but the delivery and phasing of affordable housing units is determined as individual lots are built out, unless the Planning Board permits off-site compliance in accordance with §6.7.6.E Off Site Compliance (codified as 6.8).	TBD	Program will be further refined with each DSPR
2	At full build out of development subject to an approved Coordinated Development Plan, at least fifteen percent (15%) of affordable housing units must have three (3) or more bedrooms across the development site.	Yes	30du (see page 228 Table 23: Zoning Conformance)
3	One (1) additional bonus story may be added to the permitted number of stories for a Mid-Rise Podium Tower building type for each additional five percent (5%) of the total number of affordable housing units that have three (3) or more bedrooms across development subject to an approved Coordinated Development Special Permit.	TBD	Program will be further refined with each DSPR
3.a	Up to a maximum of three (3) additional bonus stories are permitted per Mid-Rise Podium Tower.	TBD	Program will be further refined with each DSPR
3.a	Buildings granted bonus stories are subject to the contextual massing and design requirements of 6.7.10.G.1 (codified as 6.8).	TBD	Program will be further refined with each DSPR
4	Except as noted in §6.7.6.C and §6.7.6.D, and subject to §6.7.5.C.7 (all codified as 6.8), development subject to an approved Coordinated Development Special Permit must comply with the provisions of Article 13: Inclusionary Housing and Article 15: Linkage.	Yes	Program will be further refined with each DSPR
5	The Planning Board shall establish quality standards for three (3) bedroom affordable dwelling units as a condition of an approved Design & Site Plan Review for individual buildings. Quality standards must include, but may not be limited to, minimum floor area and the inclusion of certain features such as the number of bathrooms and the existence of built-in closets.	TBD	Program will be further refined with each DSPR
6.8.6.E Off-Site Compliance			
1	The Planning Board may permit off-site compliance of §6.7.5.A.4 (Commercial Space for Arts & Creative Enterprise uses codified as 6.8) and Article 13 Inclusionary Housing, for any Generating Site(s) by a Receiving Site(s) located within the USOD and included as part of a Coordinated Development Special Permit application, subject to the following:	TBD	Program will be further refined with each DSPR

	1.a At least fifty percent (50%) of the affordable housing units required for a building must be provided onsite.	n/a	n/a
	1.b No more than fifty percent (50%) of the dwelling units of any receiving site may be affordable housing units.	n/a	n/a
2	The Planning Board may permit off-site compliance of Article 13 Inclusionary Housing only upon finding that:	TBD	Program will be further refined with each DSPR
	2.a That affordable housing at the Receiving Site is equal to or better in quality to market-rate units at the Generating Site with respect to, without limitation, unit type, unit size, number of bedrooms, size of rooms, amenities, common areas, and type of features.	n/a	n/a
	2.b That the performance of the building on the Receiving Site meets or exceeds the performance of the building on the Generating Site in accordance to the standards of Section 6.7.10.i (codified as 6.8) Sustainable Development.	n/a	n/a
	2.c That total market value of the affordable housing at the Receiving Site is equal to or greater than the affordable housing not provided at the Generating Site.	n/a	n/a
	2.c.i. The Applicant may provide additional affordable housing at a Receiving Site to balance the difference between the total market value of the affordable housing at the Receiving Site to the affordable housing not provided at the Generating Site.	n/a	n/a
	2.c.ii. Subject to Section 6.7.6.E.3 (codified as 6.8), the Planning Board may permit an Applicant to pay the difference between the total market value of the affordable housing at the Receiving Site to the affordable housing not provided at the Generating Site to the Affordable Housing Trust Fund.	n/a	n/a
3	In its discretion to permit off-site compliance for any Generating Site(s) by a Receiving Site(s) as part of a Coordinated Development Special Permit, the Planning Board shall consider the following:	TBD	Program will be further refined with each DSPR
	3.a The review considerations for all Special Permits as specified in Section 5.1 Special Permits;		
	3.b The ability to provide higher quality and more useful commercial space for Arts & Creative Enterprise uses at a Receiving Site than what could have been provided at the Generating Site.	n/a	n/a
	3.c The ability to provide affordable housing units at a Receiving Site that better meet the needs of community than the units that could have been provided at the Generating Site.	n/a	n/a
4	Development review for any lots established as a Generating or Receiving Site in an approved Coordinated Development Plan must be conducted simultaneously.	TBD	Program will be further refined with each DSPR
5	Construction of affordable housing on a Receiving Site must commence prior to the issuance of a Certificate of Occupancy for a Generating Site.	TBD	Program will be further refined with each DSPR
6	Applicants requesting off-site compliance of affordable housing requirements must provide a market analysis of comparable real-estate product to inform the discretionary review of the Planning Board.	TBD	Program will be further refined with each DSPR
7	The Planning Board shall solicit input from the Director of Housing and experienced affordable housing specialists to inform their discretionary review.	TBD	Program will be further refined with each DSPR
8	The Planning Board shall require a covenant, completion guaranty, bond or letter of credit, or other binding financial instrument to ensure that construction of affordable housing on the Receiving Site will proceed diligently and continuously to completion.	TBD	Program will be further refined with each DSPR
6.8.6.F	Phasing		
1	The Planning Board shall establish construction permitting requirements for the phasing of development as a condition of an approved Coordinated Development Plan Special Permit and subsequent Design & Site Plan Review approvals.	Yes	See Appendix B: Conditions
6.8.6.G	Property Transfer		
1	The conveyance of land to the City of Somerville or future sale of any lot included as part of a development site subject to an approved Coordinated Development Special Permit is permitted and has no bearing on the previously approved build out, phasing of development, or compliance to the standards of Section 6.7.6 (codified as 6.8).	TBD	n/a

Appendix A: UNION SQUARE OVERLAY DISTRICT - FINDINGS

Tab D

6.8.8 Neighborhood Scale Standards (previously adopted as 6.7.8)

		Completed/ Included Yes/No	Response/Comments
6.8.8.A	Land Division		
1	Development sites must be subdivided with thoroughfares, if necessary, and platted with lots for either buildings or Civic Spaces.	Yes	Block & Lot Plans (see page 209)
6.8.8.B	Lots		
1	All lots must have a lot line abutting a thoroughfare or a civic space.	Yes	Block & Lot Plans (see page 209)
2	Lots may be platted to create a corner, interior, or key lot. Flag lots and through lots are prohibited, except for lots intended as a Through Block Plaza civic space.	Yes	Block & Lot Plans (see page 209)
3	To avoid highly irregular lot shapes, lots must be platted to be generally rectilinear, where the side lot lines are within forty-five (45) degrees of perpendicular to the front lot line or to the tangent of a curved front lot line, and generally straight throughout their length.	Yes	Block & Lot Plans (see page 209)
6.8.8.C	Thoroughfares		
1	Thoroughfares must be designed, engineered, and constructed as required by the Director of Transportation & Infrastructure and the City Engineer.	Yes	The Applicant met with the Director of T&I and the City Engineer and received preliminary review comments. The details will be investigated in subsequent DSPR applications.
6.8.8.D	Alleys		
1	Alleys must be engineered and constructed as required by the City Engineer and the Director of Transportation & Infrastructure.	Yes	The Applicant met with the Director of T&I and the City Engineer and received preliminary review comments. The details will be investigated in subsequent DSPR applications.
2	Alleys must be twenty (20) feet wide in total right of way, with two (2), ten (10) foot wide travel lanes.	Yes	Block & Lot Plans (see page 209)
6.8.8.E	Mid-Block Passages		
1	A Mid-block passage is required for any Block Face that is four hundred (400) feet or greater in length.	Yes	Blocks D1, D2, and D6 are large enough to require Mid-Block Passages and are provided.
2	Mid-Block passages must connect the sidewalk of one thoroughfare to another on opposite sides of a Block.	Yes	Block & Lot Plans (see page 209)
3	Mid-block passages may be designed as an open-air passage between buildings, a covered atrium providing continuous protection from the elements, or as an up to two-story passage through a building.	Yes	Block & Lot Plans (see page 209) and more details will be provided at each DSPR
4	Mid-block passages must be at least twenty (20) feet in width, with a minimum ten (10) foot wide paved walkway designed as a continuation of the sidewalks they connect.	Yes	Block & Lot Plans (see page 209) and more details will be provided at each DSPR
5	Mid-block passages must be lighted with footlights, bollard lights, building lights, or streetlights to provide for safety and visibility at night.	Yes	Block & Lot Plans (see page 209) and more details will be provided at each DSPR
6.8.8.F	Pedestrian Orientation		
1	Any lot with frontage on a Civic Space or Somerville Avenue, Bow Street, Union Square, Prospect Street, Webster Avenue, Everett Street, or Washington Street is subject to the following:		
1.a	Any front lot line is a primary front lot line, excluding any lot line abutting Everett Street.	Yes	Block & Lot Plans (see page 209) and more details will be provided at each DSPR
1.b	Vehicular access to parking lots, structured parking, loading facilities, and service areas must be from an Alley or secondary frontage.	Yes	Block & Lot Plans (see page 209) and more details will be provided at each DSPR
1.c	Curb cuts and driveways are prohibited for all primary front lot lines.	Yes	Block & Lot Plans (see page 209) and more details will be provided at each DSPR
1.d	Development on any lot abutting a sidewalk that is less than twelve (12) feet in width must be setback an additional distance to accommodate expansion of the abutting sidewalk to a width of at least twelve (12) feet.	Yes	Block & Lot Plans (see page 209) and more details will be provided at each DSPR

1.d.i. The minimum and maximum front setback for each Building Type is increased accordingly.	Yes	Block & Lot Plans (see page 209) and more details will be provided at each DSPR
1.d.ii. Civic spaces must be designed as if the interior edge of the expanded sidewalk is the front lot line of the civic space.	Yes	Block & Lot Plans (see page 209) and more details will be provided at each DSPR
1.d.iii. Expanded sidewalks must be rebuilt according to §6.7.8.C (codified as 6.8) and paved to match the existing walkway material of abutting sidewalks.	Yes	Block & Lot Plans (see page 209) and more details will be provided at each DSPR
1.d.iv. Existing buildings incorporated into new development and portions of lots abutting bridge wing walls are exempt.	Yes	Block & Lot Plans (see page 209) and more details will be provided at each DSPR
1.e The use of ground story commercial space, to a depth of 60 feet from the primary front lot line, excluding lobbies, means of egress, and building systems rooms, must be from the following principal use categories:	Yes	Block & Lot Plans (see page 209) and more details will be provided at each DSPR
1.e.i. Arts & Creative Enterprise	n/a	n/a
1.e.ii. Eating & Drinking Establishment	n/a	n/a
1.e.iii. Retail	n/a	n/a
1.e.iv. Civic & Institutional	n/a	n/a
1.f Non Auto-Oriented uses subject to relocation assistance in accordance with the Union Square Revitalization Plan are exempt from the use restriction for ground story commercial spaces, but are not considered grandfathered lawfully nonconforming uses upon abandonment of the relocated use.	Yes	Program will be further refined with each DSPR

Appendix A: UNION SQUARE OVERLAY DISTRICT - FINDINGS

Tab E

2016 Union Square Neighborhood Plan

Giving Shape to the D Parcels		Completed/ Included Yes/No	Response/Comments
D1	Recommendations		
	Civic uses should remain a significant feature of the D1 block, such as a public library or community center.	TBD	Program will be further refined with each DSPR
	The historic fire station on Union Square Plaza for a more active ground floor use	TBD	The Fire Station is not located within the boundary of the D1 Block.
	A portion of the D1 Parcel closest to Washington Street can be designed as a public space, reinforcing the view of the historic post office from the Union Square Green Line Station and Prospect Street.	TBD	Program will be further refined with each DSPR
	Lot D1.1 should be a 5-story commercial building and is suitable for a hotel or office uses. The site can fit an almost 21,000 s.f. floorplate within setbacks.	TBD	Program will be further refined with each DSPR
	Lot D1.2 can fit over 60,000 s.f. of building within setbacks, but should be developed as a 'lined block' building type where a central parking garage is disguised by other building types along the frontage.	TBD	Program will be further refined with each DSPR
	This site is located within 1/4 mile of the future Union Square station and should not have any minimum parking requirement because of its close proximity to transit.	TBD	Program will be further refined with each DSPR
	Parcel Divisions		
	The D1 Parcel should be platted into two or more lots.	Yes	Block & Lot Plans (see page 209) and more details will be provided at each DSPR
	A pedestrian passage and/or alley should be provided from Washington Street to Somerville Avenue between D1.1 and D1.2, generally aligning between Columbus Avenue and Allen Street.	Yes	Block & Lot Plans (see page 209) and more details will be provided at each DSPR
	Development Objectives		
	At least 15% of the D1 Parcel should be provided as useable open space unless aggregated offsite	Yes	With the Neighborhood Park being moved to D1, this requirement may need to be revisited. Program will be further refined with each DSPR.
	Lot D1.1 should be developed as a 5-story commercial building	TBD	Program will be further refined with each DSPR
	Lot D1.2 should be developed as a lined block building type, where above ground structured parking is lined by other building types	TBD	Program will be further refined with each DSPR
	Liner buildings should be 5-story commercial buildings, row houses, or 6-story general (mixed-use) buildings with ground floor retail and upper story residential. A 10-story commercial building could be located at the core of the lined block.	TBD	Program will be further refined with each DSPR
	Front setbacks should be increased abutting Somerville Avenue and Washington Street to accommodate sidewalks that are at least 12 feet in width.	TBD	Program will be further refined with each DSPR
	Off-street parking for D1.1 should be located underground or located off-site (such as on D1.2 or D2) and can serve be shared between multiple on-site or offsite buildings	TBD	Program will be further refined with each DSPR
D2	Recommendations		
	The D2.1 lot was identified early as a site that could accommodate an office or laboratory type of commercial building. The site can fit an estimated 150,000 s.f. of commercial space, with ground floor retail	TBD	Program will be further refined with each DSPR
	D2.2 and D2.3 could also be commercial buildings, but these lots will need to provide parking for a number of other buildings	TBD	Program will be further refined with each DSPR
	D2.2 and D2.3 are more likely to be developed as a lined garage or podium tower building types because residential uses have more flexibility to hide parking	TBD	Program will be further refined with each DSPR

	D2.4 is a small lot at the rear of the site and should be a smaller scale infill buildings or open space because is more a part of Allen Street than D2	TBD	Program will be further refined with each DSPR
Parcel Divisions			
	The D2 site should be platted into four or more lots.	Yes	Block & Lot Plans (see page 211) and more details will be provided at each DSPR
	An alley should be introduced into the D2 block to provide rear access and loading for any future development, including for lots fronting Allen Street.	Yes	Block & Lot Plans (see page 211) and more details will be provided at each DSPR
Development Objectives			
	At least 15% of the D2 Parcel should be provided as useable open space unless aggregated offsite. A plaza providing in front of Lot D2.3 providing access to the Union Square Green Line Station is preferred.	Yes	Program will be further refined with each DSPR
	Lot D2.1 should be developed as 7-story commercial buildings (office or laboratory) with first-floor retail.	TBD	Program will be further refined with each DSPR
	Lot D2.2 should be developed as a 6 story general (mixed-use) building with residential over retail.	TBD	Program will be further refined with each DSPR
	Lot D2.3 should be developed as a podium tower building. The podium could be up to 6-stories of residential with ground-level retail and the tower could be up to 20 stories in total.	TBD	Program will be further refined with each DSPR
	Off-street parking should be located underground or in structures lined by other uses.	TBD	Program will be further refined with each DSPR
	Front setbacks should be increased abutting Prospect Street to accommodate sidewalks that are at least 12 feet in width	TBD	Program will be further refined with each DSPR
	D2.4 should be a small infill building or open space	TBD	Program will be further refined with each DSPR
D4 Recommendations			
	Streets surrounding D4.1, where Everett is extended to provide a more regularly angled intersection with Prospect and a portion absorbed into the D6 Parcel.	Yes	Block & Lot Plans (see page 209) and more details will be provided at each DSPR
	Newton Street between Emerson and Everett should be decommissioned and redesigned as a pedestrian passage and small expansion in width of the D4.1 lot	Yes	Block & Lot Plans (see page 209) and more details will be provided at each DSPR
	Lot D4.1 has a close relationship to D2 across Prospect Street and should be redeveloped to create a iconic 4-story "flat iron" commercial building. Parking for D4.1 will also most likely be provided on D2.	TBD	Program will be further refined with each DSPR
	This plan envisions D4.2 and D4.3 as an expanded version of the Concord Ave Community Space created by local community members	Yes	With the change in the location of the Neighborhood Park from D4 to D1, only a portion of D4.3 will remain as open space - the majority of the parcel becoming residential use relocating some of the original D1 program.
Parcel Divisions			
	n/a	n/a	n/a
Development Objectives			
	At least 15% of the D4 Parcel should be provided as useable open space unless aggregated offsite.	Yes	Block & Lot Plans (see page 215) and more details will be provided at each DSPR
	Lot D4.1 should be developed as a 4-story mixed-use or commercial building.	TBD	Program will be further refined with each DSPR
	Lot D4.2 and D4.3 should be designed as a new public space.	TBD	Program will be further refined with each DSPR
	The design of D4.2's portion of the new public space is encourage to accommodate the various transportation modes that cross paths in this location, such as providing bike parking	TBD	Program will be further refined with each DSPR
	The D4.3 portion of the new public space should retain or even expand the existing community gardens. A Neighborhood Park type of public space is recommended for this site	TBD	Program will be further refined with each DSPR
	Front setbacks should be increased abutting Prospect Street to accommodate sidewalks that are at least 12 feet in width	TBD	Program will be further refined with each DSPR
D5 Recommendations			
	The former Post Office building at D.1.1 is envisioned to remain as a key historic feature of Union Square and could potentially be occupied by a mix of uses that can serve as an anchor for the core of the square	Yes	Program will be further refined with each DSPR

	D5.2 and D5.3 should be modest, 4-story general (mixed-use) buildings with ground-floor retail and upper story residential.	TBD	Program will be further refined with each DSPR
	Parking for all of the D5 lots will most likely be provided on D1	TBD	Program will be further refined with each DSPR
	Parcel Divisions		
	n/a	n/a	n/a
	Development Objectives		
	At least 15% of the D5 Parcel should be provided as useable open space unless aggregated offsite.	Yes	There is no open space shown on the Block & Lot Plan (page 217), however this space is achieved as part of the aggregated off-site compliance. Program will be further refined with each DSPR.
	The historic former post office (Lot D5.1) should be renovated into a mix of uses that serve the community. Possible uses could include performance arts space, retail and food vendor stalls, office uses, and co-working space.	TBD	Program will be further refined with each DSPR
	6 Columbus Avenue, a residential lot at the rear of D5.2, should be incorporated into the site and rezoned to match the zone of Lot D5.2, and combined with Lot D5.2 (both lots are under common ownership).	TBD	Program will be further refined with each DSPR
	Lot D5.2 and D5.3 should be developed with 4-story mixed-use or commercial buildings.	TBD	Program will be further refined with each DSPR
	Parking should be underground or (more likely) located off site.	TBD	Program will be further refined with each DSPR
	Front setbacks should be increased abutting Washington Street to accommodate sidewalks that are at least 12 feet in width.	TBD	Program will be further refined with each DSPR
	The front setback of lot D5.2 should be angled to align with the orientation of the post office facade.	TBD	Program will be further refined with each DSPR
	Side setbacks for both D5.2 and D5.3 should be increased to 10 feet in respect to the abutting properties in a Local Historic District	TBD	Program will be further refined with each DSPR
D6	Recommendations		
	n/a	n/a	n/a
	Parcel Divisions		
	The D6 Parcel should be platted into two or more lots (D6.1 and D6.2).	Yes	Block & Lot Plans (see page 219) and more details will be provided at each DSPR
	A pedestrian passage should connect Somerville Avenue to Everett Street between D6.1 and D6.2, generally aligning at the center of the block.	Yes	Block & Lot Plans (see page 219) and more details will be provided at each DSPR
	Development Objectives		
	At least 15% of the D6 Parcel should be provided as useable open space unless aggregated offsite.	TBD	Program will be further refined with each DSPR
	All D6 lots should be developed as 5-story commercial buildings with ground floor retail.	TBD	Program will be further refined with each DSPR
	Development on D6.1 should be set back from Prospect Street to increase views of the Union Square T Station and provide an advantageous location for outdoor seating. This space could be expanded into a proper plaza by reducing the width of the D6 buildings.	TBD	Program will be further refined with each DSPR
	Off-street parking should be underground or located offsite (for example, at D1 or D2).	TBD	Program will be further refined with each DSPR
	If either D6.1 or D6.2 is developed as a hotel, the pedestrian passage should serve as the vehicular access point and drop-off for the hotel.	TBD	Program will be further refined with each DSPR
	Front setbacks should be increased abutting Somerville Avenue and Prospect Street to accommodate sidewalks that are at least 12 feet in width.	TBD	Program will be further refined with each DSPR
	The rear of the D6 buildings should parallel to Everett Street and include an additional setback to provide visual relief for properties behind the development site.	TBD	Program will be further refined with each DSPR
D7	Recommendations		
	n/a	n/a	n/a
	Parcel Divisions		

An alley should be introduced into the D7.2 block to provide rear access for properties fronting onto Somerville Ave. any new development on D7.2.	TBD	Not shown on the Block & Lot Plan. Program will be further refined with each DSPR
The new alley should align behind buildings to create an 'end cap' block or may have off-set entrances to a 'common block' with a surface parking area shared between multiple lots.	TBD	Not shown on the Block & Lot Plan. Program will be further refined with each DSPR
Lot Development		
At least 15% of the D7 Parcel should be provided as useable open space unless aggregated offsite.	TBD	6,500sf shown which equals 6% as shown on the Block & Lot Plan (page 221), however this space is achieved as part of the aggregated off-site compliance.
Lot D7.1 should be developed as a 4-story general (mixed-use) building with upper story residential and ground floor retail fronting onto Bow Street.	TBD	Program will be further refined with each DSPR
Lot D7.2 should be developed as a 5-story general (mixed-use) building with upper story residential and ground floor retail fronting onto Bow/ Somerville Avenue.	TBD	Program will be further refined with each DSPR
Any building on 7.1 or 7.2 that is over 200 feet in width along Warren Avenue should be designed to look like two buildings that recreate the smaller context of neighboring properties.	TBD	Program will be further refined with each DSPR
Front setbacks should be increased abutting Bow Street and Somerville Avenue to accommodate sidewalks that are at least 12 feet in width.	TBD	Program will be further refined with each DSPR
Off-street parking could be provided at grade if common block parking is created. If a continuous alley is not plausible, alley access should be introduced to create a 'common block' with a parking area shared between multiple lots.	TBD	Program will be further refined with each DSPR

**Appendix B: UNION SQUARE OVERLAY DISTRICT - CONDITIONS
CDSP CONDITIONS**

#	Condition	Timeframe	Verified (initial)	Notes						
1	<p>Approval is for the Coordinated Development Special Permit (CDSP), 3 simultaneous Special Permits, and 2 Waivers. This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>9/19/2017</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>11/8/2017</td> <td>Modified plans submitted to OSPCD (complete revised application)</td> </tr> </tbody> </table> <p>Any changes to the approved CDSP that are not <i>de minimis</i> are considered a Major Amendment to this CDSP. A Major Amendment is subject to the procedural standards required of a CDSP.</p>	Date	Submission	9/19/2017	Initial application submitted to the City Clerk's Office	11/8/2017	Modified plans submitted to OSPCD (complete revised application)	Building Permit / Certificate of Occupancy	ISD/ Planning	
Date	Submission									
9/19/2017	Initial application submitted to the City Clerk's Office									
11/8/2017	Modified plans submitted to OSPCD (complete revised application)									
2	Approval is subject to the Applicant's and/or successor's right, title, and interest in the property.	Perpetual	Planning	Deed submitted & application form signed						
Build Out										
3	Lots must be platted in a form substantially consistent with the Block and Lot Key Plan dated 11-07-2017 of the Application materials, provided that changes to the platting of lots from the key plan will be considered and may be approved by the Director of Planning when the Director of Planning determines that they demonstrably improve the implementation of the Neighborhood Plan objectives and/or create opportunities for better architectural design.	DSPR	Planning/ Engineering							
4	New thoroughfares must be developed as detailed on p122-123 and illustrated in Figure 62 of the application materials both as to the general location and specific dimensions of the new alleys and reconfiguration of Everett Street. The Board also approves, in concept, the proposed 50' scale new thoroughfares plan provided to the City digitally on November 7, 2017. The Applicant shall work with City staff to finalize the details of each proposed new thoroughfare to ensure proper design and intersection with the existing thoroughfare network.	DSPR	T&I/Planning/ Engineering							
5	Lots identified as a Civic Space site must be developed as the Civic Space type or one of the the alternative types identified on Table 8: Proposed Civic Space Build Out and shown on Figure 14 Proposed Civic Space Plan of the Application materials.	DSPR	Planning							

6	<p>Lots identified as building sites on pages 91-109 of the Application materials must be developed as the following building types:</p> <p>D1.1 Commercial Building D1.2 Commercial Building/Lab Building/Lined Parking Garage D2.1 Commercial Building/Lab Building D2.2 General Building D2.3 Mid-Rise Podium Tower Building D2.4 Commercial Building D3.1 Commercial Building/Lab Building/Lined Parking Garage D3.2 Mid-Rise Podium Tower D3.3 Commercial Building/Lab Building/Lined Parking Garage D4.1 Commercial Building D4.2 General Building D5.1 Commercial Building D5.2 Commercial Building D5.3 General Building D6.1 Commercial Building D6.2 Commercial Building D7.1 General Building D7.2 General Building</p>	DSPR	Planning	
7	<p>Vehicular parking must be provided as illustrated in Figure 66: Parking Location Map and as specified on the revised Table 11: Parking Provision located in the Staff Report which was originally included on page 132 of the Application materials. Specific reserved spaces, as permitted by the Union Square Overlay District, may be determined on a case by case basis as part of the DSPR required for the development of each lot.</p>	DSPR	Planning	

Plan Revisions

8	<p>The configuration or number of lots may be changed and modified at any time as a Major Amendment to this CDSP. Revisions to Lot lines within Block boundaries resulting from design process and review shall not require a Major Amendment, subject to approval of the same by the Director of Planning.</p>	CDSP	Planning	
9	<p>The elimination of any proposed new thoroughfares as illustrated in Figure 62 (page123) of the application materials is permitted only as a Major Amendment to this CDSP.</p>	CDSP	Planning	
10	<p>The specific civic space types (including multiple options for specific sites) set forth in the the application materials and herein approved may be selected from types identified in the application materials. To change to a civic space type not stated in the Application materials will require s a Major Amendment to this CDSP.</p>	CDSP	Planning	
11	<p>The specific building types set forth in the the application materials and herein approved may be changed and modified at any time as a Major Amendment to this CDSP.</p>	CDSP	Planning	
12	<p>The proportion of residential and nonresidential gross floor area as approved is fixed in perpetuity and may not be changed in any material way, except through a Major Amendment to this CDSP.</p>	CDSP	Planning	

Construction Permitting

13	Parcelization and subdivision of land identified in the application materials requires the approval of one or more Design and Site Plan Review (DSPR) applications to establish the new lot boundaries. DSPR applications for parcelization or subdivision may be processed simultaneously with DSPR applications required for development on the lots resulting parcelization or subdivision.	DSPR	Planning	
14	The development of any lot as a building or civic space and the construction or reconstruction of any thoroughfare requires DSPR.	DSPR	Planning	
15	Each building, civic space, and thoroughfare (including streetscape details) and associated physical improvements requires design review per the SZO, prior to the submittal of a DSPR application. Design review will take into account not only the parcel under review, but also the larger context in terms of relationships, sight-lines, compatibility of materials, pedestrian access, and consistency with the intent of the Neighborhood Plan.	DSPR	Planning	
16	DSPR applications for thoroughfares, civic spaces, and buildings may be processed simultaneously with DSPR applications for adjacent thoroughfares, civic spaces, and buildings on the same D-Block.	DSPR	Planning	
17	The Building Official shall not issue a building permit for development on D1, D2, D3, D4, and D6 lot or civic space site until a DSPR is approved by the Planning Board for the applicable adjacent thoroughfare.	Building Permit	ISD/ Planning	
18	The Applicant may submit a DSPR application for any portion of Phase 1 at any time within two (2) years of the date of filing of this Decision with the City Clerk. Action by the Applicant during this time frame constitutes substantial use of the permit.	DSPR	Planning	
19	If a time period of one (1) year between the submittal of a required DSPR application and the date of the Decision for the previous DSPR lapses at any point during the execution of the approved development phases, the Planning Board must be updated by the Applicant on the anticipated schedule for future construction, difficulties encountered in executing the proposed development as planned, whether the entirety of the proposed development can be fully constructed in the time period provided, and, if not, how much additional time might be required.	DSPR	Planning	
20	The issuance of a building permit for any development project permitted pursuant to this CDSP shall be conditioned upon a letter of certification by the Director of Planning to the Building Official stating that (i) the applicant is a party to or otherwise subject to that certain Development Covenant between Union Square Station Associates LLC and the City of Somerville dated June 8, 2017, as amended, and (ii) the applicant is proceeding in accordance and in compliance with all provisions of such Development Covenant applicable to the development project for which a permit is being requested.	Building Permit	ISD/ Planning	
21	Except as approved in writing by the Director of Planning, the Building Official shall not issue any building permit for development in the next succeeding phase until all thoroughfares, civic spaces, and buildings are under construction in the preceding phase.	Building Permit	ISD/ Planning	
22	Except as approved in writing by the Director of Planning, the Building Official shall not issue any Certificate of Occupancy for development in the next succeeding phase until a Certificate of Occupancy has been issued for all buildings in the preceding phase and all associated civic spaces and thoroughfares in the current phase have been completed.	Certificate of Occupancy	ISD/ Planning	

23	The Building Official shall not issue any Certificate of Occupancy for any building on any lot abutting a civic space, mid-block passage, alley, or pedestrian path approved in this CDSP until the civic space, mid-block passage, alley, or pedestrian path is fully completed and operational, or a bond is posted for the value of work to remain.	Certificate of Occupancy	ISD/ Planning	
24	The Building Official shall not issue any Building Permit for any building intended for a residential use on any D Block, other than the D2.2 General Building, D2.3 Mid-Rise Podium Tower, or any General Building on D7.1 and D7.2 that is developed contemporaneously with any building on the D2 Block to provide off-site compliance with affordable housing requirements in accordance with this CDSP and per the Development Covenant and Master Land Disposition Agreement until the Applicant has commenced construction on the D2.1 Commercial or Lab Building.	DSPR	Planning	
25	The Building Official shall not issue any Building Permit for any building on any D4 or D6 lots until the realignment of Newton Street and Everett Street is completed.	DSPR	Planning/T&I/ Engineering	
26	All civic spaces, thoroughfares, infrastructure improvements, buildings, and all project mitigation measures must be constructed, under construction, installed, or put into operation on or before the expiration period identified in the MLDA. Extension of the CDSP beyond this deadline requires a Major Amendment to this Special Permit.	Building Permit	ISD/ Planning	
Civic Space				
27	Up to five percent (5%) or approximately 5,507sf of the required Civic Space may be satisfied by a payment in lieu of civic space as set by the Planning Board.	TBD	Planning	The schedule of, and amount of payments will be determined prior to the first DSPR application
27A	The Applicant will work with the Neighborhood Council and interested parties in the Union Square community to allow for the inclusion of an "indoor civic space" as a part of the design process. An "indoor civic space" is a space provided to a public and/or non-profit use or uses, with ground level access, within the interior of a D Block building. The Applicant shall, in collaboration with the Neighborhood Council, make reasonable efforts to identify the appropriate tenant or tenants for lease of this space for civic uses within the appropriate development block and the applicant shall work to consummate a lease with said tenant. This effort shall include, at a minimum, the following steps: a) seek interested tenant or tenants; b) work with tenant to develop a program; c) work with tenant on size of space for the program; d) work with tenant to locate the optimal site for the tenant. The applicant shall provide updates and collect feedback from the Neighborhood Council as the process unfolds, particularly with respect to steps (b) and (d). The Planning Board expects that the Neighborhood Council will work with the entire Union Square community as well as with the Applicant to address the tenant and program, and meet items (a) through (d), above, for the "indoor civic space" within a timeframe that permits the delivery of the "indoor open space" in accordance with condition 31A. The Applicant shall provide regular updates to the Planning Board on these efforts - at a minimum with the submittal of the DSPR for each block. Unless otherwise waived by the Planning Board, the Applicant shall complete the steps and use reasonable efforts to implement the "indoor civic space".	The Applicant shall provide updates to the Planning Board on these efforts and the deliver the space in accordance with condition 31A	Planning	
28	The Applicant is responsible for the cost of design and construction of all civic spaces, in accordance with the DSPR approved for each civic space.	Perpetual	Planning	

29	Unless the City establishes, with the Applicant, an alternative strategy to maintain a civic space, the Applicant is responsible for the maintenance of that civic space in perpetuity, and shall enter into a maintenance agreement for each such civic space. The City will own and maintain the Neighborhood Park.	Perpetual	Planning	
30	The Neighborhood Park shall be located as shown in the application on Table 8 and Figure 14 (on Parcel D1) or on a comparably sized location approved by the Director of Planning in accordance with conditions 3 and 8 above. If further study and additional community input indicates to the Director of Planning that an alternative location on the D blocks would improve the attractiveness, access, and functionality of the park, the Director of Planning shall, at that time, direct the Applicant to move this civic space to Parcel D7 while maintaining at a minimum the amount of appropriately sited open space described in earlier versions of the plan on the D blocks. Regardless of this, a Civic Space must be maintained on D1 and on D7. If the Director of Planning instructs a change to occur, the Applicant will update the CDSP documents and provide an update to the Planning Board. (This determination will be considered as a part of the approved plan and, if approved by the Director of Planning, shall not require a Major Amendment). Additional community input, as referenced above, shall include, but not be limited to, a design workshop (format approved by the Director of Planning) to be attended by urban designers and other professionals with appropriate backgrounds who are familiar with the neighborhood, in addition to representatives of the Applicant and the City, and any such workshop will consider the open space plan for the D Blocks in the context of the Neighborhood Plan, from an urban design and planning perspective, taking into account the multiple perspectives expressed and documented at earlier community meetings. The workshop shall be open to the public and/or incorporate or be followed by a public presentation of findings and results. As this process continues, the Director of Planning will also submit a zoning amendment to change the overlay subdistrict on the portion of D7 mapped as MR4 to be mapped at MR5. Should an amendment be approved that changes this subdistrict, without any other substantive change being made to the zoning as approved in June 2017, the Applicant has agreed to file an application to shift some development from D7 across Warren Street into this newly up-zoned area, thereby allowing for a larger civic space on D7 while maintaining the Neighborhood Park on D1. (This application may be approved through a Minor Amendment if deemed to be permitted through that process, but otherwise will require a Major Amendment to the CDSP after any zoning amendment is passed).	Prior to DSPR application for any portion of Parcel D1 or D7, with determination to be made no later than 12 months after the CDSP Notice of Decision date.	Planning	
31	Unless an alternate schedule is designated and approved per the Development Covenant or the Master Land Disposition Agreement, the Applicant must acquire the Neighborhood Park site (Civic Space site A on Table 8: Proposed Civic Space Build Out and Figure 14 Proposed Civic Space Plan of the Application materials, unless the site is changed per the above condition) at or before 30% of the proposed development is completed. At or before 50% completion of the proposed development, the Applicant must begin the improvement or construction of the Neighborhood Park.	Building Permit	ISD/ Planning	
31A	The indoor civic space addressed in condition #27A above, shall be provided at the same time as completion of the building for which the indoor civic space program is identified through the DSPR process.	DSPR	Planning	

32	Following completion of construction in accordance with approved plans, the Applicant shall convey civic spaces D1-A (the 'Neighborhood Park') and, if agreed upon in the Development Covenant, D2-B, D2-C, D3-D, D3-E, D3-F, D4-G, D4-H, D4-I, D6-J, and D7-K as specified on Table 8 and shown in Figure 14 in the application materials (together with all improvements and an assignment of all construction and equipment warranties, to the extent assignable), in fee and at no cost to the City of Somerville, subject to any reserved easements for the purposes of maintenance and repair by the Applicant. The Applicant shall not carry on any commercial activity within any civic space, except pursuant to the terms of any lease, license, permit, operating agreement, or other concession granted by the City of Somerville. Event programming and outdoor cafe seating within any civic space requires compliance with all City Ordinances.	Construction Completion	Planning/T&I	
Infrastructure				
33	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 development proposed and its constituent phases, as approved and conditioned.	DSPR	Various	
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 application 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.	DSPR	Various	
Conveyance				
35	Prior to acceptance by the City, any civic space, thoroughfare, or utility and the land upon which or within which it is located that is to be conveyed to the city must be certified by the Applicant to meet all Federal, State, and local environmental laws and other standards as they are applied at the time of conveyance. The Applicant is responsible for the preparation of all documentation necessary for the conveyance of these facilities to the City.	Certificate of Occupancy	ISD/ Planning	
Transportation				
36	As noted in the review comments of the TIS on page 6 of the Staff Report, the TIS provides a typical analysis of transportation impact according to industry standards but needs further refinement. While the TIS meets needs for a CDSP submittal, prior to the submittal of the first DSPR application any building in Phase 1 of the proposed development, the TIS must be updated as follows: <ul style="list-style-type: none"> a Use the most recent version of the ITE Trip Generation Manual. b Apply one standard deviation to the ITE Trip Generation Manual trip generation rates and apply those additional trips to the pedestrian trips total. c Add the number of vehicle trips removed for internal trips (15% of person trips) to the pedestrian trips total. d Provide a distribution of pedestrian trips through the study area thoroughfares and intersections to reassess the Project's impact on City sidewalks for each scenario (base year and future year built condition analyses), so that updated analysis can be conducted. 	Prior to the first DSPR application	T&I/Planning	

	<p>e Assess Project-related MBTA Green Line trips with the latest capacity data to understand how they effect existing capacity challenges at the North Station, Government Center, and Park Street MBTA station.</p> <p>f Provide Automatic Traffic Recorder (ATR) data, including hourly and daily volumes broken down by vehicle type, and hourly and daily 85th percentile speeds for a 72-hour period spanning from a Thursday at midnight through a Saturday at 11:59pm, in summarized form and the raw data.</p> <p>g Provide a narrative demonstrating active consideration of strategies to shift, as much as possible, travel modes from cars to other forms of transportation.</p>			
37	The Applicant shall improve accessibility and comfort, to the extent practicable, at one existing MBTA bus stop along the frontage of each building site (D1.1, D1.2, D2.1, D2.2, etc.). Building sites where bus stops have already been improved or where no MBTA bus stop exists at the time of DSPR submittal are exempt. 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.	Certificate of Occupancy	T&I/Planning	
37A	As a part of the continued effort to shift travel away from private cars, the Applicant shall map all bus stops in the CDSP area, consider how the stops are used and whether relocation or more are necessary, and provide a report with each DSPR application of how to improve and coordinate bus transit more smoothly with other modes of transportation, specifically at and around the location of the relevent DSPR.	DSPR	T&I/Planning	
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.	Certificate of Occupancy	T&I/Planning	
38A	As a part of the continued effort to shift travel away from private cars, the Applicant shall provide sheltered and secure bike storage facilities in strategic locations, with each DSPR application.	DSPR	T&I/Planning	
39	If any revision to this CDSP results in a significant change to the proposed built out program specified on Table 9 of the Application materials, subject to the provisions of the Union Square Overlay District, a revised TIS will be submitted as part of the Major Amendment to this CDSP.	Amended CDSP	T&I/Planning	
40	At the beginning of Phase 3 of the proposed development, the Applicant must monitor and reassess traffic operations for at least ten intersections within the study area. Intersections must be approved by the Transportation & Infrastructure Division. The Building Official shall not issue a Certificate of Occupancy for any building in Phase 3 until this analysis has been submitted to the City.	Certificate of Occupancy	T&I/Planning	
41	The Director of Traffic & Parking retains the right to limit or restrict eligibility for Residential Parking Permits for any residential dwelling unit included in this development proposal, through a condition of the relevant DSPR.	DSPR	T&P/T&I/Planning	

Mobility Management

42	Mobility management conditions below (conditions 43-53) are established and hereby incorporated into the Mobility Management Plan, as approved by the Director of Transportation & Infrastructure. The Director of Transportation & Infrastructure may modify or waive the provisions of these conditions if the Applicant provides satisfactory proof that the intended purpose of each condition is being achieved through other methods (i.e. vanpools that don't need parking spaces, etc.). The modification of these conditions by the Director of Transportation & Infrastructure shall not be permitted simply as a cost savings strategy.	Certificate of Occupancy	T&I/Planning	
43	In any lease agreement for non-residential uses, the Property Owner shall encourage mode shift by requiring the leasee to provide their employees with Qualified Transportation Fringe benefits per the current U.S. Internal Revenue Code.	Certificate of Occupancy	T&I/Planning	
44	For the purpose of reducing daily peak-hour vehicle trips, the Property Owner shall to the extent practicable, work with leasees and the community to develop strategies to advertise employment opportunities and seek qualified candidates that live within walking or biking distance from to Union Square. The applicant shall provide to OSPCD annual reports of data on the compliance with this condition, including but not limited to employee's daily trip place of origin data (i.e. home city/town), as required by the Director of Transportation & Infrastructure.	Certificate of Occupancy	T&I/Planning	
45	In any lease agreement for non-residential uses, the Property Owner shall require the leasee to become a participating MassRIDES employer partner worksite that is registered for the MassRIDES Emergency Ride Home (ERH) program or provide a similar guaranteed ride home service operated by the leasee.	Certificate of Occupancy	T&I/Planning	
46	Mobility management plans submitted for subsequent development review must provide an implementation schedule for programs and services included or conditioned as part of the approved plan. Annual reporting of data, per 6.8.14.D (formerly 6.7.14.D), will be collected as determined by the Director of Transportation & Infrastructure as required to help direct mode shift and reduce the use of private vehicles.	DSPR/ Perpetual	T&I/Planning	
47	Each commercial service vehicular parking (public garage) use must make at least 2 parking spaces available for car share vehicles at no cost to the care share service provider. Spaces may be brought online at the discretion of the car share service provider. Notification of available spaces to car share service providers must be documented in annual reporting.	DSPR/ Perpetual	T&I/Planning	
48	At least 5 parking spaces or 5% of the total parking spaces provided in each commercial service vehicular parking facility, whichever is less, must be designated and reserved for carpools or vanpools before 9:00 AM on weekdays. More spaces may be provided but are not required. These parking spaces must be located closest to the main pedestrian entrance or elevator (exclusive of spaces designated for the handicapped). Signs must be posted indicating these spaces are reserved for carpool or vanpool use before 9:00 AM on weekdays.	DSPR/ Perpetual	T&I/Planning	Note: Carpooling (such as Transportation Network Companies) will require on-street drop-off and pick-up locations, the Applicant will coordinate with the Director of Transportation & Infrastructure to ensure adequate curb space is provided by the City.
49	Commercial service vehicular parking facilities (public garages) must be operated by the property owner or a management agency independent from other non-residential uses located on the same site or within the same building.	Perpetual	T&I/Planning	

50	Each commercial service vehicular parking facility (public garage) must provide a sign at the vehicular entrance to the parking structure or lot that identifies, at minimum, the number of spaces available in real time.	Perpetual	T&I/Planning	e.g. gate counter or sensors
51	Any Hotel use must have access to a shuttle van or bus, and provide complementary scheduled or on-demand guest shuttle services between the hotel and Logan Airport in order to reduce automobile trips between the airport and the hotel. Conceptual plans for the operation of this service must be approved by the Director of Transportation & Infrastructure prior to the issuance of the Certificate of Occupancy for the Hotel. Revisions to operations at any time require approval by the Director of Transportation & Infrastructure.	Certificate of Occupancy	T&I	
52	Annual Reporting to track, assess, and report on the implementation of the Mobility Management program as required by the Somerville Zoning Ordinance and the Planning Board's Mobility Management Plan Submittal Standards must be conducted at the same time each year, as determined by the CO for the first building, subject to the approved Mobility Management Plan.	Perpetual	T&I/Planning	
53	Approved Mobility Management Plans are transferable by and among private parties, contingent upon the new owner agreeing to continue to operate in accordance with the previously approved Mobility Management plan, as conditioned. Should the developer elect to transfer some portion or all of the development subject to this Mobility Management Plan, commitment to the previously approved Mobility Management Plan is required by the new property owner.	Perpetual	T&I/Planning	
Linkage				
54	Housing Linkage payments will be required to be paid to the Somerville Housing Trust Fund per the SZO.	Certificate of Occupancy	Planning/Housing	
55	The GLX Contribution (\$2.40/gross square foot excluding structured parking and mechanical penthouses - fee adjusted annually by CPI per Section 2(a) of the Development Covenant) will be due and payable per the terms of Section 2(a) of the Development Covenant.	Building Permit/ Certificate of Occupancy	Planning/ Economic Development	
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.	Building Permit for each building	Engineering	
57	The Infrastructure Contribution (\$2.00/gross square foot - fee adjusted annually by CPI per Section 2(b) of the Development Covenant) will be due and payable per the terms of Section 2(b) of the Development Covenant.	Building Permit/ Certificate of Occupancy	Planning/ Economic Development	
58	One-third (33.3%) of the Community Benefits Contribution (\$1.60/gross square foot excluding structured parking and mechanical penthouses - fee adjusted annually by CPI per Section 3 of the Development Covenant) for the first building to be constructed on the D2 Block has been deposited in escrow with the City and will be released in accordance with Section 3 of the Development Covenant. The remaining 66.7% of the Community Benefits Contribution for the first building to be constructed on the D2 Block as well as the Community Benefits Contribution for all other buildings will be due and payable per the terms of Section 3 of the Development Covenant.	Building Permit/ Certificate of Occupancy	Planning/ Economic Development	

59	The Future Phase Contribution (\$2.00/gross square foot excluding structured parking and mechanical penthouses - fee adjusted annually by CPI per Section 4 of the Development Covenant) will be due and payable per the terms of Section 4 of the Development Covenant subject to an offset amount of up to \$750,000 as set forth in Section 4 of the Development Covenant.	Building Permit/ Certificate of Occupancy	Planning/ Economic Development	
60	Per the Development Covenant, and/or relevant portions of the SZO, a municipal job creation and retention linkage fee will be due.	Building Permit/ Certificate of Occupancy	Planning/ Economic Development	
Affordable Housing				
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.	DSPR	Planning/Housing	
62	The AHIP must be approved by the OSPCD Housing Division and executed prior to issuance of Building Permit.	Building Permit	Housing/ISD	
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.	Certificate of Occupancy	Housing/ISD	
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).	Certificate of Occupancy	Housing/ISD	
Design & Site Plan Requirements				
General				
65	Approval of a building or civic space pursuant to the DSPR Approval process acts as certification that such building or civic space, if constructed in conformance with such approval, complies with the findings, limitations, and conditions of this Coordinated Development Special Permit.	DSPR	Planning	
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.	Prior to DSPR application	Engineering/ Planning	
67	The Applicant will not begin construction of any residential buildings on any D Block, except the D2 Block, until the Applicant has commenced construction on the office/lab building of the D2 Block. Exception: if the D7 Block (or a portion thereof) is developed contemporaneously with the D2 Block to provide a portion of the affordable housing component of the Project in accordance with the CDSP and per the Development Covenant and the Master Land Disposition Agreement.	DSPR	Planning	
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.	DSPR	OSE/Planning	

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.	DSPR	OSE/Planning	
70	The Applicant shall complete the Site Plan Review Checklist and supply the information to the Engineering Office. The plans must comply with the City's Stormwater Management Policy.	DSPR	Engineering	
71	The Applicant shall develop a demolition plan in consultation with the City of Somerville Inspectional Services Division. Full compliance with proper demolition procedures shall be required, including timely advance notification to abutters of demolition date and timing, good rodent control measures (i.e. rodent baiting), minimization of dust, noise, odor, and debris outfall, and sensitivity to existing landscaping on adjacent sites.	Demolition Permitting	ISD	
72	Applicant shall submit plan drawings clearly showing all existing municipal fire alarm and related communications infrastructure to be impacted by proposed construction, including but not limited to underground conduit, above-ground alarm boxes and control cabinets. Applicant shall submit plan drawings clearly showing temporary and permanent relocation of all impacted fire alarm and communications infrastructure necessitated by private construction. Applicant shall meet with Lights and Line Division to discuss plans and address conflicts to avoid service interruption during construction and occupancy phases.	DSPR	DPW/Fire/Engineering	
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.	DSPR	Planning	
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.	with each DSPR	Planning / Econ Dev	
74	If pursuant to the Master Land Disposition Agreement, the Applicant and the SRA agree to allow a third party developer unrelated to the Applicant to redevelop a D Block (or any portion thereof), the Applicant and the SRA shall enter into an amendment to the Master Land Disposition Agreement providing for the development of a D Block (or any portion thereof) by such third party developer prior to DSPR for such D Block (or any portion thereof).	Prior to DSPR application	Planning/Economic Development	
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.	DSPR	Planning	
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.	Building Permit	Planning	
77	The Applicant, its successors or assigns, shall be responsible for maintenance of both the buildings and all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	Perpetual	ISD	

77A	Where sides or backs of buildings face a civic space, they must incorporate (physically or visually) strategies that address the public frontage and impact of these spaces. These strategies need not be related to retail spaces or functional entrances, and can be small in scale. But, these spaces should be ambitious, active, and should encourage creativity and engagement. These spaces may include, but are not limited to, public art installations or display cases for artwork, play equipment or a climbing wall, large scale supergraphics or murals, green walls, and/or artist/maker space, etc. The applicant shall, through the DSPR neighborhood meeting process, engage with the community for design and programming suggestions.	DSPR	Planning	
Specific Blocks				
D1				
78	The Planning Board specifically permits the Hotel use on lot D1.1. Such hotel use is required unless a Minor Amendment to the CDSP is approved to an alternate permitted non-residential use.	DSPR	Planning/ Economic Development	
79	Buildings on the D1 Block must be designed for flood tolerance to every extent practicable - such as emergency back-up systems for improving resiliency, utility improvement plans include hardening, and/or other hazard protection. These elements should be explained in the DSPR application or reasons for not considering flood tolerance must be provided.	DSPR	Planning/OSE/ Engineering	
80	The D1 Block water, sewer and drain connection locations must be coordinated with the Somerville Ave Utility and Streetscape Improvements project drawings and the City's Director of Engineering.	DSPR	Planning/ Engineering	
D2				
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.	DSPR	Planning/ Engineering	
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.	DSPR	Planning/ Engineering	
D3				
83	Buildings on the D3 Block must be designed for flood tolerance to every extent practicable - such as emergency back-up systems for improving resiliency, utility improvement plans include hardening, and/or other hazard protection. These elements should be explained in the DSPR application or reasons for not considering flood tolerance must be provided.	DSPR	Planning/OSE/ Engineering	
84	The capacity of the proposed Western Avenue sewer and drain systems must be evaluated, and the connections for D3 may need to be relocated to the Boynton Yards system. The Applicant should coordinate with Engineering prior to the DSPR application submittal.	Prior to DSPR application	Planning/ Engineering	
D4				
85	The sewer and drain connections for D4 need to be evaluated and possibly relocated. The Applicant must coordinate with Engineering prior to the DSPR application submittal.	Prior to DSPR application	Planning/ Engineering	
86	Buildings on the D4 Block must be designed for flood tolerance to every extent practicable - such as emergency back-up systems for improving resiliency, utility improvement plans include hardening, and/or other hazard protection. These elements should be explained in the DSPR application or reasons for not considering flood tolerance must be provided.	DSPR	Planning/ Engineering	
D5				

	none			
D6				
87	D6 sewer connection must be provided to the 20" combined sewer on the south side of Somerville Avenue. Utility plans must be coordinated with Engineering.	DSPR	Planning/ Engineering	
88	D6 water, sewer, and drain connection locations must be coordinated with the Somerville Ave Utility and Streetscape Improvements project drawings and approved by the Engineering Department.	DSPR	Planning/ Engineering	
D7				
89	D7 sewer and drain locations must be coordinated with the city's Spring Hill Sewer Separation project and approved by the Engineering Department.	DSPR	Planning/ Engineering	
Engineering & Public Safety				
90	The Applicant must contact the Engineering Department to coordinate the timeline for cutting or opening any street and sidewalk for utility connections or other construction. There is a moratorium on opening streets from November 1st to April 1st and there is a list of streets that have additional opening restrictions.	Building Permit	Engineering	
91	The Applicant shall meet the Fire Prevention Bureau's requirements.	Certificate of Occupancy	Fire Prevention	
92	The Applicant shall submit a proposed drainage report for each building and civic space site that demonstrates compliance with the City's storm water policy.	Building Permit	Engineering	
93	The Applicant will work with the City as a determination is made if fire response would be optimized by maintaining a fire department presence on D1 (or any other D Block), including; a Design the appropriate block to incorporate the fire department, if the studies determine that it is the appropriate location. b Incorporate that station in the design submittal for the appropriate DSPR application.	Prior to DSPR application for any portion of Parcel D1	Planning	
Final Sign-Off				
94	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	Planning	