

From: Mark Niedergang, Ward 5 Alderman

Date: May 25, 2017

**RE: Revised proposed amendments to the Union Square Overlay District zoning**

6.7.6. A. Civic Space

**Add:** 5. All Civic Space on the D-1 and D-2 blocks shall remain publicly-owned land belonging to the City of Somerville. As part of the Coordinated Development Special Permit process, an applicant will submit plans to build and maintain those Civic Spaces. Ongoing maintenance and management of those Civic Spaces shall be the responsibility of the owners of the properties on those blocks in coordination with the City.

6.7.6. B. Commercial Build Out

1. **Add after the sentence in 1:** A minimum of 40% of the total build out shall be commercial space of the following uses: upper story office, R &D, lab

6.7.6. D Affordable Housing and Linkage

1. **Increase from 10% to 30%:** ...at least thirty percent (30%) of affordable housing units must have three (3) or more bedrooms.

2. **Delete this section** (regarding height bonus for more 3 BR affordable units)

3. **Amend to read:** Development of individual lots subject to an approved Coordinated Development Special Permit, under the Design and Site Plan Review process, must comply with the provisions of Article 13: Inclusionary Housing and Article 15: Linkage currently in effect, regardless of whether those provisions have changed since the Coordinated Development Special Permit was approved.

6.7.6. E. Off-Site Compliance

1. a. Change from 25% to 50% (required on the Generating Site)

**Add c.** At least 33% of off-site inclusionary/affordable units must be 3 or more bedrooms and at least an additional 33% must be 2 or more bedrooms for a total of at least 66% 2 or 3 bedroom units

4. Change to "A Receiving Site must receive a Certificate of Occupancy prior to the issuance of a Certificate of Occupancy for a Generating Site."

## F. Phasing

### **Add 2. Phasing of commercial and residential development**

a. The amount of residential square footage for which a Certificate of Occupancy will be awarded shall not, at any time, exceed 50% of the amount of the commercial square footage for which a Certificate of Occupancy has been awarded, except for a 200,000 residential square footage startup bonus.

**(EXPLANATION:** *In other words, after building 200,000 sq feet of residential, a developer would need to first develop and obtain a C of O for 200,000 sq feet of commercial space in order to get a C of O for 100,000 more residential footage. This proposal came from members of the Union Square Neighborhood Council but with a 100,000 square foot bonus. I decided to double the bonus to 200,000 because (a) I believe it is in the City's interest for the master developer US2 to be successful and I know they desperately want/need to build the apartment tower on the D-2 block to make some money; (b) I believe it is important for something to be built quickly, before the business cycle turns; (c) as I calculate it, in order to build the 461,000 residential tower on D-2, US2 would need to build the 175,000 commercial on D-2 as well as the 375,000 feet of commercial on D-3 first. This seems to me like a reasonable compromise with their desire to build most of the residential first and the City's need for commercial development and corrects the MLDA's provision that would allow them to build 51% of the residential but only 11% of the commercial first.*)

#### 6.7.7. Sub-Districts

A.1.a.ii Amend to read: "CC-5 has a maximum building height of 5 stories, and on the D-6 block a maximum building height of 85 feet."

#### 6.7.13 A. 2. Parking Maximum

a. i. **Replace entirely with:** The maximum number of parking spaces may be exceeded only by special permit, and with the payment of a fee, and under the following conditions: A district-wide Transportation Management Authority (TMA) has been established that has planned and implemented programs and measures to mitigate traffic and parking problems and concerns, and the TMA has determined, and presented evidence to the Planning Board, that the measures available to it are insufficient to address the parking needs of the district, and the only recourse is to create additional parking. The Planning Board shall establish a fee schedule based on the recommendations of the Director of Transportation and Infrastructure.