

October 21, 2016

Dear Board of Aldermen,

I respect the effort by the Planning Department to craft a zoning proposal that reflects the primary goals identified in the Neighborhood Plan and the Locus Process. Unfortunately, it has failed in three ways to accomplish that task.

First, they haven't presented the Board of Alderman with a legally filed and advertised zoning petition.

No accurate map was provided at the time of filing and advertising, as required by Chapter 40A, Section 5.

Second, concerning the goals that can be accomplished within the confines of zoning, they have fallen short on incentivizing, let alone guaranteeing, some of these goals.

And third, they cannot claim to have set up rules, regulations, or incentives to accomplish goals that are beyond the purview of zoning. Goals and priorities that fall into this category can only be accomplished within covenants or side agreements to the zoning and/or a Community Benefits Agreement.

How is the zoning inadequate in its effort to achieve what is within the purview of zoning?

The Consolidated Zoning Permit will make US2's development approval process much easier over the long haul; eliminating extensive review of individual development parcels. At a minimum, this fails to account for possible changes in developers and timing of development pieces.

The zoning proposal doesn't adequately speak to the displacement effects of luxury commercial development. The 20% inclusionary requirement for affordable housing is the only element that speaks to the problem. The Special Permit process for housing is lacking in not having as one of the criteria for approval "possible new-found demand from vulnerable populations in the district".

There is not a precise enough definition of Public Open Space and there's too little of it. The requirement to provide publicly accessible open space should not be satisfied by interior court yards inaccessible (or barely accessible) to the general public, such as rooftop gardens, interior sitting areas, and outdoor food service. Developers should be encouraged to provide these amenities for office and other workers; but it should not be counted as a partial fulfillment of the open space requirements of the zoning proposal.

The twenty-story residential towers permitted in three parcels would have adverse effects on the surrounding neighborhoods (particularly Allen Street and Washington Street). They inevitably will raise issues of congestion, light, air, shadows, and wind. There is nothing currently in Union Square that even approaches this height. Even given the guidelines of Smart Growth, which calls for density around transportation nodes, this level of height is not necessary so far away from the station itself.

Affordable housing, community gathering places (such as a branch library, SCAT, etc.) , and public open space should not be off-site. (i.e. – outside the Neighborhood Plan Area). If they are, they don't provide as much impact to enhance and build community ...melding the old with the new to create an even better community.

The zoning proposal should allow affordable housing as of right, and incentivize it. This is necessary in order to respond to the demand from a vulnerable population, particularly low-income residents being priced out of Union Square. A higher percentage of affordable housing should be required in larger residential development projects.

The zoning proposal does nothing to preserve some existing older buildings with more affordable rents. They could be sites for retention of current, locally-oriented, small businesses and incubator space for startups in the innovation economy.

What are examples of goals and priorities that cannot be achieved within the purview of zoning? And, are they achievable within side agreements to the zoning and through implementation and monitoring by a Community Benefits Agreement?

1. Developer share in the cost of the infrastructure required for new development (i.e. new streets, street trees, utilities, sewer, water, cable, etc.)
2. Local hiring at a living wage in construction and permanent jobs
3. Training programs for jobs in the new, and emerging, sectors that are expected to occupy the commercial space
4. Cooperative agreements with the school system for introducing students to these new and emerging-sector jobs
5. Adequate, affordable, on site, child care
6. Gathering spaces that facilitate communication within the neighborhood, all of which contribute to building Community (library, meeting spaces, reading and work rooms, SCAT, dog parks, etc.)

The elements agreed upon in a good Community Benefits Agreement can make the new commercial development plan a much more profitable and successful venture. They can help weave the new development into the existing surrounding neighborhood in a way that enhances both. They can preserve and enhance community in ways that create a better integration of the new with the old. They may even be able to help to create a new sense of community; richer, more diverse, and prepared for the second half of the twenty first century.

A Community Benefits Agreement can accomplish these goals, if the city, developers, and community work together from the beginning and stick with it until the full build out of the development area. It must be a genuine partnership, with all parties respecting each other's special contributions.

I urge the Board of Alderman to instruct the Planning Dept. to refile and re-advertise a revised zoning petition for Union Square that incorporates these changes. In the interim, I urge the Board of Aldermen to ask the mayor to work with US2 and the community to agree in principle to a Community Benefits Agreement.

Sincerely,

Bill Cavellini