

2016 FEB 10 4 21 PM '16

CITY CLERK'S OFFICE
SOMERVILLE, MA

HAND DELIVERY

City Clerk's Office
1st Floor, City Hall
93 Highland Avenue
Somerville, Massachusetts 02143

Re: 2 Union Square, 82/C/6
9 Union Square, 82/C/4
298 Somerville Avenue, 82/C/7
290 Somerville Avenue, 82/C/8
286 Somerville Avenue, 82/C/10

Dear City Clerk's Office:

Enclosed please find a Zoning Map Amendment regarding the captioned properties.

Once available, please let us know when this matter will be heard. If you have any questions, please contact us at your convenience.

Thank you for your consideration.

Very truly yours,



William J. Proia

cc: Hon. Ben Ewen-Campen, via email only
Hon. J.T. Scott, via email only
Daniel Bartman, Director of Planning, Preservation & Zoning

4639772.1



CITY OF SOMERVILLE

Office of Strategic Planning & Community Development

ZONING MAP AMENDMENT • APPLICATION FORM

Per Article 15.6.2 of the Somerville Zoning Ordinance (SZO), an individual property owner or ten (10) registered voters of the City of Somerville may petition the Somerville City Council to change the maps of the Somerville Zoning Atlas in response to changes in City policy or real-world conditions. To submit a map amendment petition to the City Council, the following must be provided:

1. A completed Zoning Map Amendment Application Form.
2. A copy of the appropriate Zoning Atlas map(s) with the proposed change(s) clearly noted.
3. A letter addressed to the City Council including a description of the proposed changes and the purpose for the petition.

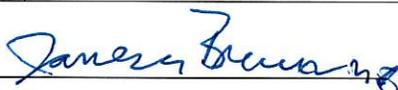
Submit all required documents to:

City Clerk's Office
1st Floor, City Hall
93 Highland Avenue
Somerville, MA 02143

Property to be changed

Property Address: 2 Union Square		
Map: 82	Block: C	Lot: 6
Property Address: 298 Somerville Avenue		
Map: 82	Block: C	Lot: 7
Property Address: 290 Somerville Avenue		
Map: 82	Block: C	Lot: 8
Property Address: 286 Somerville Avenue		
Map: 82	Block: C	Lot: 10
Property Address: 9 Union Square		
Map: 82	Block: C	Lot: 4
Property Address:		
Map:	Block:	Lot:
Property Address:		
Map:	Block:	Lot:
Property Address:		
Map:	Block:	Lot:
Property Address:		
Map:	Block:	Lot:

VER: July 13, 2020

By: 

Jameson Brown, The Hamilton Company, Inc.
39 Brighton Avenue, Boston, MA 02134

Zoning Map Amendment -Application Form (continuation)

Property Ownership Statement

- As set forth on the City of Somerville Assessor Cards for each of the five Properties subject to this Zoning Map Amendment–Application Form, the owner of the five Properties is Union 2 Associates, LLC.
- As set forth on that certain Certificate of Amendment to Certificate of Organization of Union 2 Associates, LLC, which Certificate of Amendment duly was filed with the Secretary of the Commonwealth, Union 2 Associates, LLC lawfully now is known as Union Square One Development, LLC. Accordingly, Union Square One Development, LLC is the record owner of the five Properties.
- As set forth on that certain Annual Report of Union Square One Development, LLC, which Annual Report duly was filed with the Secretary of the Commonwealth, The Hamilton Company, Inc. is the Manager of Union Square One Development, LLC and authorized to execute official documents on behalf of Union Square One Development, LLC, including documents related to the real estate owned by Union Square One Development, LLC, like this Zoning Map Amendment-Application Form.
- As Jameson Brown is the President of The Hamilton Company, Inc. which Company is the Manager of the Properties' owner Union Square One Development, LLC, he is authorized to execute official documents on behalf of the Properties' owner Union Square One Development, LLC as its Manager, including this Zoning Map Amendment-Application Form, which he has duly signed.
 - Please note that Jameson Brown in that same capacity, executed both the Certificate of Amendment described in Bullet Point 2 above, and the Annual Report described in Bullet Point 3 above.

Accordingly, this Zoning Map Amendment-Application Form duly and properly is executed.

February 4, 2026

Lance L. Davis, President
City Council
City of Somerville
93 High Street
Somerville, Massachusetts 02143

Re: Proposed Zoning Map Amendment
2 Union Square, 82/C/6
9 Union Square, 82/C/4
298 Somerville Avenue, 82/C/7
290 Somerville Avenue, 82/C/8
286 Somerville Avenue, 82/C/10
Zoning Map, Commercial Core 5 (CC5) District to Zoning Map, Mid-Rise 6 (MR6) District

Dear Honorable President Davis and Honorable Members of the City Council:

We represent Union Square One Development, LLC, a wholly owned affiliate of The Hamilton Company and its partners (Hamilton or Hamilton Company), regarding its property commonly known as the Union Square South Block (Site). As shown on the attached locus maps, the Site is situated in center of Union Square on the southwest corner of the intersection of Somerville Avenue and Prospect Street.

The Hamilton Company respectfully submits the attached Zoning Map Amendment (Map Amendment) for the City Council's due consideration.

Current Zoning District

The Site is located within the Commercial Core 5 (CC5) district, in the USQ sub-area district. Residential uses are not permitted within the CC5, and the upper-floor lab and office uses allowed in the CC5 are not viable for the foreseeable future, for several reasons. Millions of square feet of commercial space have been permitted and built in Union Square since the adoption of the current zoning regulations. At the same time, there is an acute housing shortage affecting the greater Boston area. Accordingly, the Map Amendment would enable The Hamilton Company to seek the applicable zoning approvals for a multi-family mixed-use development at the Site (Project).

In this context, in its ongoing planning efforts, the City has recognized the need for more residential development. SomerVision 2040, and other planning documents, expressly call for additional housing, as demonstrated by the following excerpt:

“A significant increase in the supply of housing is critical for the city to keep up with the increase in demand. Importantly, in building new housing the city must additionally pursue the goals of increasing affordability and housing stock diversity.”

As will be further discussed with the Council during the public hearings, the Map Amendment and the subsequent Project would enable the City to advance these important housing objectives, as well as other SomerVision and municipal goals, including:

- Providing a substantial increase in the supply of market rate and affordable housing
- Furthering housing-stock diversity by providing a residential unit mix, with a substantial percentage of 2-and 3-bedroom units
- Realizing SomerVision and Union Square Neighborhood Plan open-space goals through the creation of significant new open and civic space
- Commitment to work with the City to evaluate the potential programming of indoor space for a public use such as a branch library, achieving a longstanding community goal in this important civic location
- Projected material increase in tax revenue over present uses
- Relocation assistance for existing businesses that opt to relocate
- Creation of new retail and restaurant space that provides a more vibrant pedestrian realm and enhances Union Square’s character as a center for small, local businesses
- Creation of temporary construction jobs and permanent jobs for the operation of the apartment building at the Site, as well as the retail establishments at the Site
- Creation of safer and friendlier streets through the implementation of city-planned pedestrian and bicycle streetscape improvements adjacent to the Site

Proposed Map Amendment

Regarding Zoning Map Amendments, the Zoning Ordinance expressly recognizes that such amendments are appropriate “in response to changes in City policy or real world conditions.” That seems to be exactly the case here. Additionally, regarding its recommendation to the Council on zoning amendments, the Planning Board is tasked with considering the City’s policy plans and standards and the City’s comprehensive planning goals, as well as the intent and purpose of the district that is the subject of the map amendment. Applying those criteria here, it is plain that the Map Amendment is not only consistent with City policy and current real-world conditions, but is the most effective way to achieve the City’s stated policy and planning goals.

The Hamilton Company and its design team are excited to discuss the Project with the City Council and the community, a transformative development anticipated to foster economic activity, offer new civic and community spaces, and promote the broad vision for Union Square.

However, without the City Council's leadership, demonstrated by the adoption of the Map Amendment, the Site will not realize its highest and best use, but will remain underutilized and an economic and civic drag on Union Square, as well as on the wider Somerville community.

Prior Zoning Amendment History

Almost six years ago, Hamilton in good-faith engaged with the community and the City attempting to position the Site for a realistic redevelopment. That engagement culminated with Hamilton, on behalf of certain residents, filing a zoning text amendment that the Council failed to act on, largely based on misleading and inaccurate information provided to the Council and to the Planning Board regarding the property rights of Union Square landowners whose properties have not been acquired under the Urban Renewal process. Among the incorrect information regarding those landowners' rights was a zoning interpretation that has since been superseded by an accurate interpretation that expressly addresses Hamilton's sole, absolute property rights as the landowner, including, without limitation, the right to redevelop the Site (Zoning Interpretation).¹

Per the Zoning Interpretation, as no other entity, public or private, has any ownership in the Site, no such party possesses any property rights, or control, whatsoever regarding the Site. Nor does Hamilton have any obligation, nor can it be compelled, to coordinate its use of the Site with any other party.

The Council also was provided dubious information regarding the Union Square Urban Renewal framework, and its relationship to lawful zoning amendments. And further distortions questioned the Council's express and exclusive legislative authority to enact or amend zoning regulations for the general welfare of the City. Each of these attempts to manipulate the previous zoning-amendment process was debunked in the June 2023 Letter noted in footnote 1.

In short, the Union Square Urban Renewal framework, and any agreements thereunder, do not alter Hamilton's exclusive property rights regarding the Site. Nor is the City Council in any way constrained from adopting this Map Amendment by the Urban Renewal framework.² Accordingly, the Zoning Interpretation and the June 2023 Letter afford an accurate view of the applicable standards in this case, should similar fallacious claims be raised regarding this Map Amendment.

¹ We refer the Council to our June 8, 2023 letter, provided to the Council during the previous zoning amendment process (June 2023 Letter). The June 2023 Letter, among other documents, was the basis of the formal, legal process with the City that resulted in the issuance of the Zoning Interpretation.

² M.G.L. c. 40A, § 5 (Zoning Act) sets forth the City Council's exclusive zoning amendment power. In this context, it is also worth noting that the Somerville Zoning Ordinance, pursuant to the Zoning Act, provides that the City Council alone is authorized to hear and decide amendments to the SZO. A redevelopment authority has no statutory authority in the zoning-amendment process. The fact is, that under our law the legislative zoning power cannot be contracted away or delegated to any other entity.

Plainly, adoption of the Map Amendment would allow full and open public consideration of an exceptional project – the Project as described that would foster new economic activity, create new civic and community spaces, and help the City realize the vision for Union Square as both a neighborhood and a commercial center.

We hope the City Council finds this introduction helpful as it undertakes to legislate for the general interest. We look forward to appearing before the Council to provide a full presentation of the Map Amendment and the Project.

Thank you for your consideration.

Very truly yours,

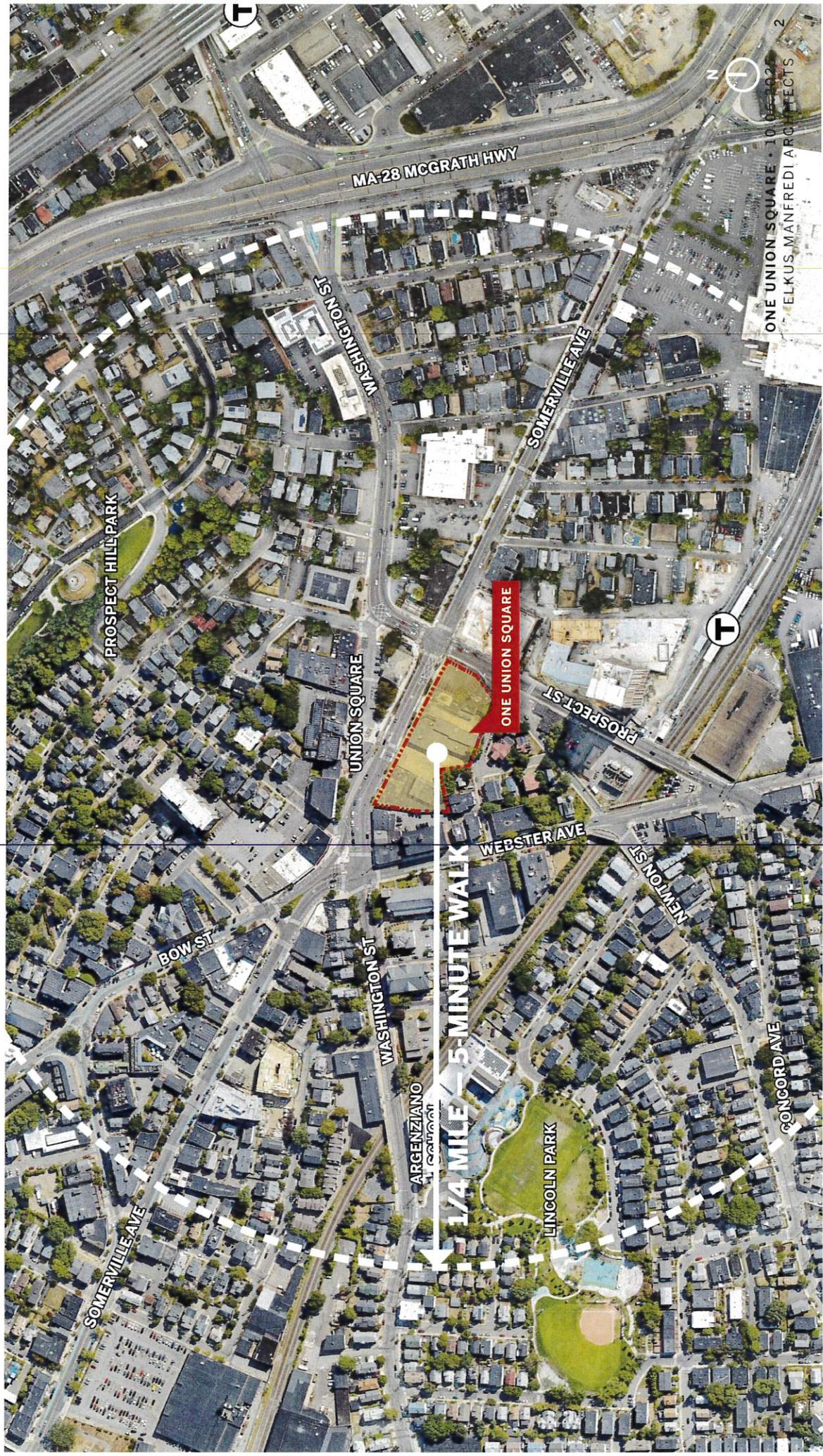
A handwritten signature in blue ink, appearing to read "Bill Proia".

William J. Proia

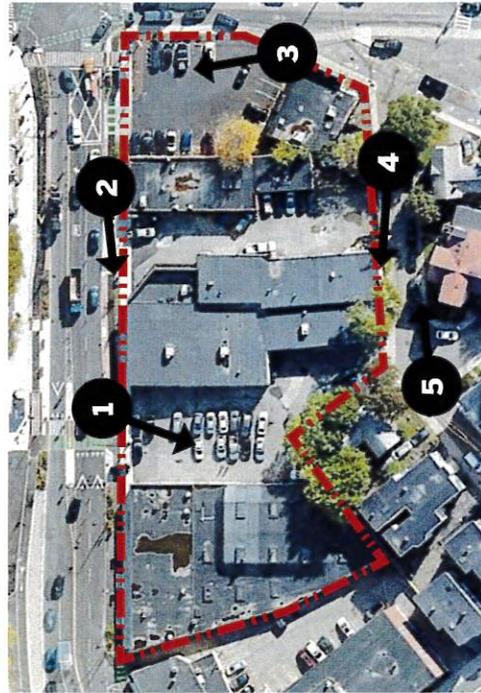
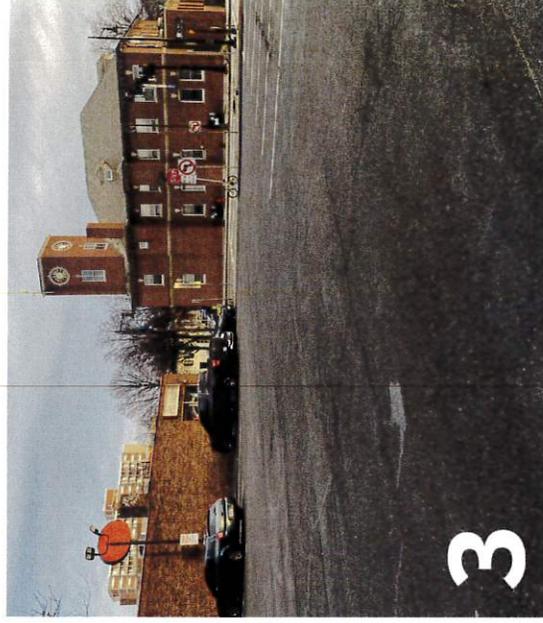
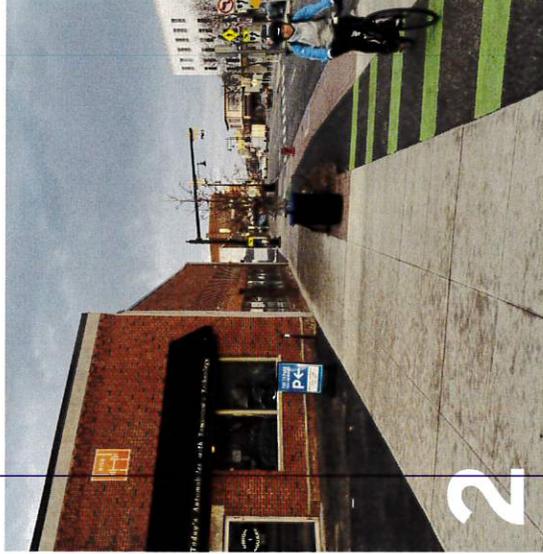
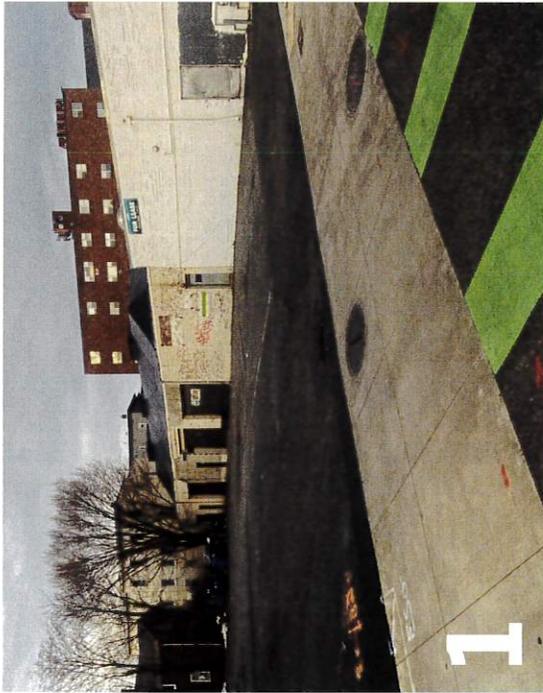
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Site Context



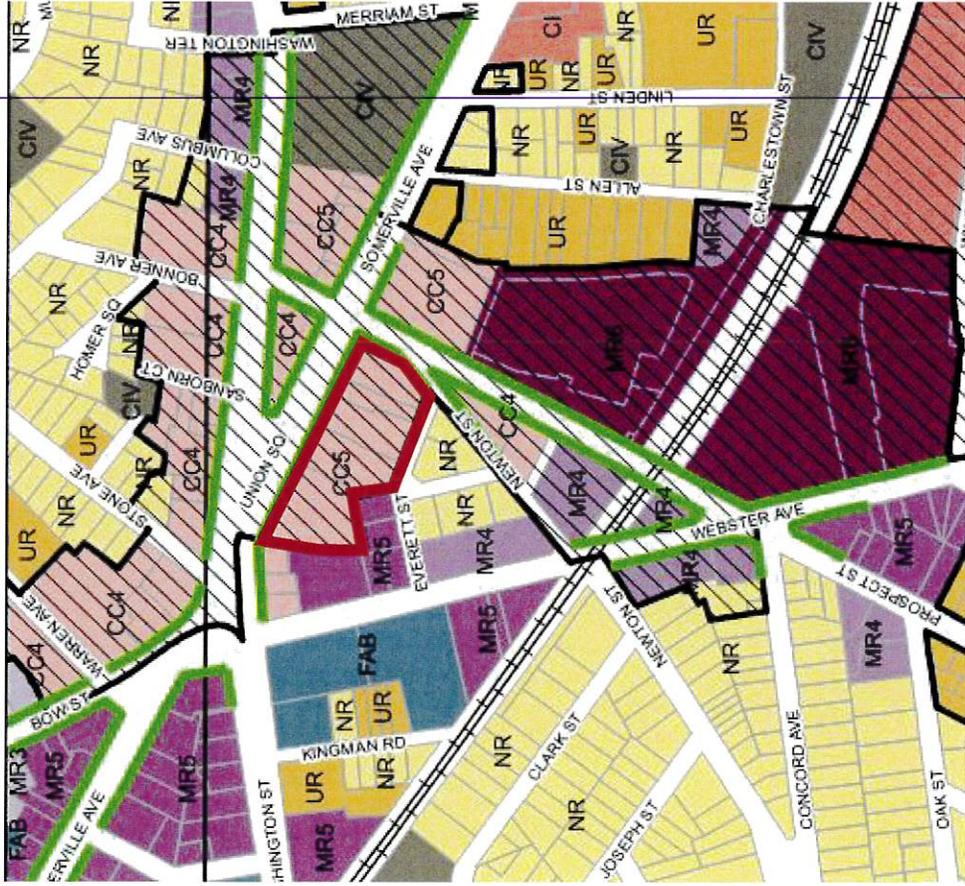
Existing Site



Existing Site

Proposed Zoning Map Amendment

CURRENT ZONING (CC5)



PROPOSED ZONING (MR6)

