



CITY OF SOMERVILLE, MASSACHUSETTS
ZONING BOARD OF APPEALS
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Case #: PB2008-01
Site: 56-61 Clyde Street –“MaxPak” site
Date: March 6, 2008

PLANNING STAFF REPORT

Applicant Name: KSS Realty Partners
Applicant Address: 20 Park Plaza, Suite 467, Boston, MA 02116
Property Owner Name: 56 Clyde Street Acquisition LLC/61 Clyde Street Acquisition LLC
Property Owner Address: 20 Park Plaza, Suite 467, Boston, MA 02116
Agent Name: KSS Realty Partners
Alderman: Sean T. O'Donovan

Legal Notice: The applicant seeks approval of a preliminary master plan (S.Z.O. §16.8.1) for a Planned Unit Development-B1 (PUD-B1) project to construct a residential development on five parcels of land (Map 33, Block A, Lots 24-28). The residential development is proposed to contain 199 units in five buildings and is subject to inclusionary housing requirements (S.Z.O. §13.2).

The applicant is requesting additional zoning relief for number of parking spaces (SZO §9.5.1.a), parking space dimensions (SZO §9.11.a), and side yard setbacks (SZO §16.5.1.g).

Zoning District/Ward: Residence B (RB); Planned Unit Development-B (PUD-B) Overlay / 5

Zoning Approval Sought: Planned Unit Development-Preliminary Master Plan under SZO §16.8

Date of Application: February 19, 2008

Date(s) of Public Hearing: Planning Board: March 6, 2008

Date of Decision: N/A

Vote: N/A

I. PERMITTING & REVIEW PROCESS

A. Review Requirements under the Somerville Zoning Ordinance

This application is a Planned Unit Development-Preliminary Master Plan (PUD-PMP) application for a development at 56-61 Clyde Street, which is commonly known as the “MaxPak” site. As set forth in §16.8 of the Somerville Zoning Ordinance (SZO), “Application for PUD is a type of special permit with site plan review [SPSR], requiring two stages of review. A PUD applicant shall first file a preliminary master plan demonstrating a comprehensive land use plan for the entire PUD tract. Upon approval of this plan, the applicant may then submit special permit with site plan review applications for definitive plans of each portion or phase of development of the PUD tract [“Final Level Approval of a PUD”].”

The Applicant is seeking PMP approval for a 199-unit residential development surrounding a publicly accessible green space. The site would feature newly created access to Lowell Street and the Community Path, as well as new connections for non-automobile traffic between the "Patch" neighborhood of Clyde, Warwick, and Murdock Streets with Lowell Street.

As part of the PMP approval, the Applicant is seeking an indication that in the subsequent SPSR the Planning Board will grant additional zoning relief for the number of required parking spaces, parking space dimensions, and setbacks. This will be further described in the description of the proposal. Presently, there is a proposed amendment to the SZO that would clarify the form of zoning relief required for these requests; this must be clearly established prior to application for any SPSR for Final Level Approval of the PUD.

B. Background

Prior to the site's being rezoned as a PUD-B1 Overlay District in 2007, it was the subject of an extensive community process, which culminated in a signed "Development Covenant" between the City and the developer; this also incorporated a "Memorandum of Agreement between Somerville Historic Preservation Commission and Clyde Street Acquisition, LLC". Conformance with these documents will be required in addition to conformance with the standards of the SZO for PUDs and SPSRs; specific requirements will be conditions of approval of the PMP and/or SPSRs, as appropriate.

C. Organization of Reports

The present report includes the following sections:

- description of the property;
- description of the proposal;
- environmental conditions;
- off-site improvements; and
- outline of Development Covenant.

Following the initial public hearing and additional technical review by City staff, a supplementary report will be provided, which will include the following additional information:

- supplements or updates to the above-listed categories of information;
- City staff and other agency comments;
- Findings required under the Somerville Zoning Ordinance; and
- Recommendation for Board vote, including recommended conditions of PMP approval.

II. DESCRIPTION OF PROPERTY

A. Site

The subject property is trapezoidal in shape, bounded by Warwick Street and several residential properties to the northwest, the planned Somerville Community Path to the southwest (an inactive rail spur), Lowell Street to the southeast and the Lowell Branch commuter rail tracks to the northeast. The overall site is comprised of five separate parcels, which will contain 236,900 square feet (a minor project subdivision, which would convey 2,494 square feet to an adjoining property, consistent with the terms of the Development Covenant, is now pending in the office of the Land Court).

The site has hosted a number of industrial uses over the years. It now contains three vacant buildings including a warehouse and former school in derelict condition. The Property has lain vacant for several years and has been described as an "attractive nuisance" that may attract illicit behavior or pose a danger

to children who may enter the site for play. The site is poorly landscaped and includes large areas of broken pavement. Until recently the property was classified as a brownfield site and is now in the final stages of remediation, which is discussed in further detail in Environmental Conditions section of this report.

The site features a number of grade changes, sloping downward from Lowell Street toward the Northwest, and also downward toward the Community Path and Commuter Rail rights-of-way.

B. Surrounding Area

The site is surrounded by a number of residential neighborhoods featuring a mixture of types but typified by small-scale, predominantly 2 ½ story wood frame, two- or three-family structures. To the west is the neighborhood commonly known as “The Patch”, which features narrow one-way streets. Preservation of the character of this neighborhood was a driving force in the development of the Covenant. The rights-of-way of the Commuter Rail to the north and the Community Path to the south converge to the southeast of the site, facing it across Lowell Street. The four-story, approximately 100-unit VNA supportive housing community is southeast of the site, south of both rights-of-way. Other nearby residential neighborhoods lie on the opposite sides of the rail bed and the Community Path. The surrounding area also includes a mix of smaller masonry commercial structures.

Due to the proximity of active and inactive rail lines, many surrounding neighborhoods are cut off from the site and one another. Currently, access is only directly available via Warwick Street and egress via Clyde Street; both of these streets are on the northwest side, and lead to Cedar Street.

III. DESCRIPTION OF PROPOSAL

A. Overall

The Applicant is proposing to construct a residential development consisting of 199 residential units, with a mix of sizes and styles, but predominantly featuring one- and two-bedroom units. The units would be located in five separate building areas surrounding a central public green space. Four of the five building areas would be comprised of single-building multi-unit structures and one area would contain a cluster of five three-unit buildings. Of the 199 units, 25 units would be made available to qualified buyers/tenants under the City’s Inclusionary Housing Ordinance.

Compliance with dimensional standards and Covenant Restrictions is shown in the table below. (The Applicant has not calculated FAR in this phase, but the ground cover numbers factored with the four-story average development yields an FAR that is within the allowed limits.)

DIMENSIONAL REQUIREMENTS	PUD-B	Covenant	PROJECT
Minimum lot size	75,000 sf	-	236,900 sf
Minimum lot area/per dwelling unit 10 or more units (s.f.)	1,000	Max 199 units	1,190 (for 199 units)
Maximum ground coverage (%)	65%	-	30.8%
Landscaped area, minimum percent of lot	20%	-	45% overall 27% pervious
Floor area ratio (FAR)	3.00	-	1.1 (estimated)
Maximum height, stories/feet*	7 stories/100’	3 stories/40’ within 30 feet of abutting properties on	3-5 stories 22’ to approx. 60’*

DIMENSIONAL REQUIREMENTS	PUD-B	Covenant	PROJECT
		Warwick St; 4 stories/56' above Lowell St grade along Lowell St	
Setbacks (front, side, and rear perimeter)	15'	-	18' - 80' some points 5' closest point (along rail and path)

*covenant does not restrict the height of buildings located in the center of the project site

B. Site Design and Access

The MBTA has plans to extend Green Line service through the City of Somerville in the year 2014 along the existing Commuter Rail right-of-way adjoining the site. The current extension plan proposes a station to be located directly to the north of the site, making it an ideal location for Transit Oriented Development (TOD). The present application is the first proposal for a TOD within the City's already built urban context. The site has incorporated many TOD principles, including buildings that provide appropriate density while being designed to maintain pedestrian scale, walkability and beneficial natural and recreational amenities for inhabitants and neighbors.

In addition to its immediate proximity to the future Green Line station, the site adjoins the planned extension of the Community Path, which is located along an inactive rail spur, and presently terminates just west of the site at Cedar Street. This is a popular public way for alternate means of transit, including bicycling and walking. Four new connections, including two ADA-compliant connections, are proposed to access the extension of the Community Path. The applicant is prepared to constructing a fifth connection (a third ADA compliant) off of Warwick Street, subject to receipt of City approval for use of City-owned property.

The proposed site plan would improve existing and create new connections between surrounding areas for non-vehicular access. The proposal would allow a new connection between the neighborhood to the northwest and Lowell Street to the southeast via an ADA-compliant ramp and sidewalk, while prohibiting automobile through-traffic. The new ramp would lead from Lowell Street into the center of the development, which would be marked by a publicly accessibly green space surrounded by on-street parking and with buildings facing all sides. The ramp itself would lead underneath one of these buildings, which would form a distinctive archway into the site. The buildings would also be sited to face public ways and existing houses, relating existing and new building fabric; as part of the continuance of existing blocks and creation of new sidewalk connections, the building layout would contribute to a wider sense of "neighborhood" and encourage access by surrounding neighbors to the publicly green space.

C. Building Design

In terms of massing, the proposal would take advantage of the site's slope and depth in order to mirror the smaller scale of the neighborhoods along Warwick and Lowell Streets. Along these streets, building elements would be only three stories, with taller building elements of the development located on the interior of the site with any visual impacts buffered by the development itself.

As required by the covenant and in deference to the multiple fronts the buildings each face—along the surrounding streets and onto the proposed green space—the buildings feature facades that read as "fronts" on both sides. Building "A" would be the largest, stepping up from three stories at Lowell Street to approximately five stories (or four and a mezzanine) toward the interior of the site; this building would be

L-shaped and incorporate an archway, under which the ramp would lead into the “square”. This is a thoughtful design gesture that would create a sense of welcome and arrival. Symmetrical four-story buildings featuring three-story gallery porches and fourth-floor elements with distinctive pitched roofs would mirror each other across the village green and present similar faces on their opposite sides, facing the Community Path and the Commuter Rail. Closer to the Patch neighborhood, the building type would become a three-story townhouse style development, also with fronts on both Warwick Street and the square, on the southwest edge of the site. On the northwest edge of the site would be a grouping of five three-unit dwellings, intended to reflect the smaller scale of the nearby neighborhood. The site design incorporates primarily on-street and underground parking, in order to limit the appearance of large paved parking areas and contribute to a traditional neighborhood layout. Further reducing the need for “back yard” areas, each building would incorporate trash and recycling rooms in the garage level for internal collection.

In terms of appearance, the buildings would feature a mix of styles and types. Although the existing warehouse building has been deemed historically significant, the Historic Preservation Commission has approved the demolition of the structure, subject to a Memorandum of Agreement, which requires the site’s future building design to reflect the site’s industrial history and architectural design in specified ways. Sketches of the proposed buildings illustrate a variety of building types, which could be executed in a variety of materials; traditional elements may be interpreted in a modern manner with industrial references. Variations in the projection of façade walls, window bays, stairs, porches and balconies add definition to the exterior elevations, while the variations in building heights would also contribute to visually appeal and variety. A summary of proposed building details is shown in the following table.

BUILDING/GROUP	UNIT COUNT	HEIGHT	Proposed Construction Schedule (Phases)
A (flat-roof apartment-style, along Lowell)	61	3 stories at Lowell, 5 stories in the interior, above underground parking 30’ high flat roof at Lowell 50’ flat roof in interior	Phase 2B (12-16 months) (Phase 2A includes Lowell Street connection and site work for Phase 2B buildings)
B (pitched-roof with galleries, along path)	44	4 stories above underground parking 64’ to ridge (legal height less)	Additional Phases
C (townhouse-style, along Warwick)	40	3 stories above underground parking 40’ at highest point, stepped down along Warwick	Phase 1 (18-24 months)
D (five three-unit townhouses, northwest corner)	15	2 stories (no underground parking) 22’ high flat roof	Allowed in Phase 1, May occur in later Phases in response to neighborhood concerns
E (pitched-roof with galleries, along rail)	39	4 stories above underground parking 64’ to ridge (legal height less)	Additional Phases
TOTALS	199 Units	NA	

D. Construction Phasing

The Development Covenant describes a schedule of construction that would limit construction traffic via Warwick and Clyde Streets. As shown in the table above, three initial phases are proposed. The first

phase would see the development of 40 townhouse type units along Warwick Street. The applicant has indicated willingness to construct 40 units in the first phase, fewer than the maximum of 65 allowed under the covenant, in order to further address neighborhood concerns. The second phase is broken down into two parts, with the first (2A) involving the construction of the ramp from Lowell Street and site work and foundations for the remaining structures, and the second (2B) consisting of the construction of the 61 units in Building "A" along Lowell Street. Remaining residential structures would be constructed in subsequent phases. Solid waste disposal during demolition and construction would be handled by a private contractor, a recycling program is planned to be designed jointly with the contractor, and best practices would be utilized.

E. Inclusionary Housing

In accordance with the City's Inclusionary Housing Ordinance, Article 13 of the SZO, the applicant will make twenty five (25) of the one hundred ninety-nine (199) units in the development available as affordable home ownership units. These units would be available to families earning up to 80% and 110% of the Area Median Income. The affordable units would be comparable to market-rate units in terms of location, quality and character, room size and external appearance. The affordable units would remain affordable to the designated income group in perpetuity, or for as long as legally permissible. Deed covenants or restrictions, contractual agreements, land trust arrangements, or similar legal instruments would be used to ensure the long-term affordability of these units.

F. Landscaping and Open Space

Landscaping: The proposed site plan would allow for approximately 27% of the site (63,809 square feet) to be set aside for pervious landscaping and open space, for a total of 45% of the site (106,349 square feet including impervious materials) dedicated to open space. A significant portion of this open space is located in the center of the development, which is an easily accessible public green space of sufficient size to encourage its activation and use by many. Extensive landscaping is also shown to screen the development along the community path extension and the commuter rail right-of-way. Smaller landscaped areas are located throughout the site, including around the perimeter of each building, some designed to provide more private space, and others to define building entrances. The proposal provides for the removal of invasive species and planting of a variety of native and low maintenance species chosen in order to better insure a healthy landscape and minimize periodic maintenance. The proposal also provides 113 trees, which is more than twice the number required.

Usable Open Space: Under §16.6.1 of the SZO, at least 50% of the required minimum landscaped area must be set aside as permanent usable open space, made accessible to the public at a minimum from 9:00 am to 5:00 pm, and protected through a covenant or other appropriate legal instrument. Under the proposed plan an area of approximately 27,000 square feet (57% of landscaped area, 11% of overall site) would be set aside as usable open space. This exceeds the minimum usable open space area requirements set forth in the Ordinance. The applicant has also agreed to expand the public access hours beyond the minimum requirements to allow access to the public from 7:00 a.m. to 6:30 p.m., except that during Daylight Savings, the usable open space would only be accessible from dawn to dusk.

G. Parking and On-site Circulation

Three major factors contribute to the layout of the on-site circulation and parking plans:

- The site's transit-oriented design, being located between a planned rapid transit station and the extended community path;

- Provision of significant public open space with on-site detention underground, limiting area that can be dedicated to additional parking; and
- Traffic mitigation components of the Covenant, which limit through-traffic and regulate access points for each unit.

Given the site's orientation, alternate transportation measures such as cycling, walking, and taking public transit will be attractive options as soon as the facilities are completed. The developer will further encourage alternate transportation through the provision of "ZipCar" spaces, covered bicycle storage in several locations, including immediately next to the path and within buildings, and posting bus and rapid transit routes and schedules. The applicant is proposing 70 bicycle spaces (50 covered), nearly three times the 25 spaces required by the SZO.

Quantity and Distribution of Parking: In keeping with an urban model, most parking is proposed to be located underground; visible spaces would be part of the new street network, while less-urban drive-in spaces would be confined to less-visible parts of the site. 45 parallel spaces are proposed along the new streets, including around the central green space and along Warwick Street (but on the site itself); two of these are proposed to be car-share spaces. 43 drive-in surface spaces would be provided, with some located alongside the ramp from Lowell Street and in the northwest corner of the site, along the Commuter Rail right-of-way; these would not be easily visible from surrounding residential areas. The majority of parking (167 spaces) would be located below-grade underneath the four multi-family structures.

LOCATION	UNIT COUNT	PROPOSED ASSOCIATED PARKING
Building A	61	56 spaces in two levels underground
Building B	44	27 spaces underground
Building C	40	33 spaces underground
D Complex	15	21 surface drive-in spaces
Building E	39	30 spaces underground
On-Street	-	67 (22 drive-in, 43 parallel, 2 parallel car-share)
TOTALS	199 Units	234 Spaces
Bike Parking	(25 required)	70 bike spaces (50 covered, 20 uncovered)

The proposed 234 parking spaces reflect a ratio of one parking space per dwelling unit, which is the ratio used for the City's other currently planned transit-oriented development in Assembly Square, in addition to the required "guest parking" ratio of an additional one space per six units. The applicant's architect has described a number of constraints that make provision of additional parking both unattainable and undesirable. Most parking has been placed underground, with surface parking arranged on the new "streets" in a compatible urban fashion; parking cannot be placed under the green space since detention basins would be located there.

The Applicant is seeking an indication that in the subsequent SPSR the Planning Board will grant additional zoning relief from two standards in the SZO: the required ratio of parking spaces, and dimensions of parallel parking spaces. This request is further described in the following Section H.

Dimensions of Parking Spaces: In addition to standard nine (9) foot by eighteen (18) foot spaces throughout the site, the applicant is proposing thirty four (34) seven (7) foot by twenty (20) foot parallel spaces, primarily surrounding the central park area. Under SZO §9.11.a a parallel space is required to be eight (8) feet by twenty two (22) feet. This request for relief is further described in the following Section H.

On-Site Circulation: As part of the Development Covenant, the applicant has agreed to certain on-site traffic mitigation items to restrict "cut-through" vehicular traffic. In particular, non-emergency motor vehicle passage would be prohibited through the site from Lowell Street to Cedar Street; toward the western end of the site, a vehicle barrier is proposed that would only allow passage by emergency vehicles. In addition to limiting cut-through traffic, this would restrict residents of the westernmost 55 units from accessing their parking via Lowell Street, while likewise restricting residents of the easternmost units from accessing the site via Warwick and Clyde Streets. To mitigate concerns about the vehicle trips accessed from each side and the number of dwellings on either side of this barrier, the site has been designed to incorporate a larger share of parking on the western side of the barrier than would be required for the units on that side. Since in all respects other than vehicular access the site would function as a connected development, this means a small number of residents of units east of the barrier may still access parking via Warwick and Clyde Streets, consistent with the desired division of traffic.

H. Waivers & Other Relief Requests

The applicant is seeking zoning relief in from one dimensional standard and two parking standards.

Dimensional Requirements: The proposal would meet most of the dimensional requirements set forth in §16.5.1 of the SZO, with the exception of the setback from the PUD boundary.

The applicant's architect has explained that the site's physical constraints severely limit the ability to fully comply with all standards. The extent of relief is minimal, as corners on this oddly angled site encroach on the setbacks in a few places, but not entire residential structures; in addition smaller storage structures would be located within these setback areas.

When considered within the context of the sensitively designed building massing and design, as well as the public benefits of improved pedestrian and cycling networks and the large public open space, the reduced setbacks along the Commuter Rail and Community Path are appropriate. Due to their orientation, there will be minimal visual, shadow, or other impacts on residential properties outside the development as a result of the reduced setbacks.

Parking Requirements: As described above, the applicant is also seeking relief from the dimensional standards for parallel on-street spaces, and to permit a ratio of one parking space per dwelling unit.

Regarding the proposed parking ratio, the exact number of parking spaces that would be required under the SZO is not presently known, since it is a function of the number of bedrooms per unit. however, since the proposal is for predominantly one- and two-bedroom units (which share a requirement of 1.5 spaces per unit) and an approximately equal number of studios (one space per unit) and three-bedroom units (two spaces per unit), it is reasonable to predict that the overall site would average out to a 1.5 space per unit requirement. This is the citywide requirement, and most properties are nonconforming in this regard.

Precedent exists in many communities for the TOD concept of providing one parking space per dwelling. This site's immediate proximity to both a future rapid transit station and a planned extension of the Community Path makes it analogous to other developments that have incorporated the TOD parking reductions. The City's Design Review Committee has also stated in their findings (in attached correspondence) that they would not support any reduction in the proposed open space in order to provide additional parking. The City's Traffic Engineer is working with the applicant to obtain additional studies related to this request.

Regarding the proposed dimensions of the parking spaces, the City's Traffic Engineer has determined that "relief sought from the required parking space dimensions is minor in nature [and he] has no objections and supports the request to alter the parking space dimension requirements requested with this application."

Note on Zoning Relief Required for Parking: Under Section 16.5, the Planning Board as SPGA in PUDs is authorized to grant waivers of dimensional and use-mix requirements in PUDs when certain findings can be made. Because the SZO is silent on how relief may be provided for parking and certain other standards within PUDs, Planning staff have submitted a proposed amendment to clearly establish what the necessary relief would be. The merits of different forms of relief—waivers and special permits to be granted by the Planning Board, versus variances to be granted by the Zoning Board of Appeals—have recently been discussed by the Land Use Committee of the Board of Aldermen. The Board has indicated their inclination to approve a provision allowing the Planning Board to approve such requests as a waiver, with the required findings already listed under Section 16.5. The amendment is slated to be re-advertised and heard anew before it can be adopted and ordained. Therefore, "zoning relief" is referred to generally in this report; however, relief from parking standards shall not be requested under an SPSR until the proper mechanism has been clearly ordained in the SZO.

IV. ENVIRONMENTAL CONDITIONS

The site has an extensive history of industrial uses leading to its designation as a brownfield site. The developer has recently remediated the site under the auspices of a Licensed Site Professional (LSP), in coordination with the Massachusetts Department of Environmental Protection (DEP). Detailed records of this process are on file with DEP and have been summarized by the LSP in a letter included in the application, which reports that subsequent soil testing yielded good results and that ground water sampling is expected to be completed this spring or early summer.

The redevelopment of the site will incorporate a variety of approaches toward green building, including:

- Reuse and rehabilitation of an urban brownfield site;
- Transit-oriented development, indicating appropriately higher density when access is available to rapid transit services, and provision of car sharing facilities;
- Emphasis on walking and cycling as commute options, with multiple connections to the Community Path (with additional access to another rapid transit line and several buses), and ample covered bicycle storage;
- Creation of additional publicly accessible green space and reduction of impervious surfaces.
- Replacement of invasive plant species with native and low-maintenance plants.
- Provision of improved utilities and on-site stormwater detention.
- Potential re-use of materials from the demolition.
- Attempt to achieve LEED Certification through some combination of green/alternative construction materials; energy efficient heating, cooling, insulation as well as water saving techniques; and responsible storm water management and lighting plans.

V. OFF-SITE IMPROVEMENTS

Contributions for a number of off-site traffic and transportation improvements are proposed in conjunction with this development, as required by the Development Covenant, in order to mitigate both

existing conditions and anticipated additional needs resulting from intensified development of the subject property.

Funding for specified improvements would include equipment, construction, and/or design costs as shown in the following table.

Location	Potential Improvements	KSS Contribution
Cedar St/ Highland Ave	▪ New Traffic Controller ▪ Vehicle Loop Detectors ▪ Traffic Signal System ▪ OPTICOM Equipment	\$70,000
Cedar Street Path Crossing	Raised Pedestrian Crossing Warning Beacons/Signs	\$50,000
Cedar Street/Clyde Street	Curb Bumpout, Striping, Signs	\$10,000
Lowell Street, Alpine Street area	Raised Traffic Table	\$30,000
Lowell Street/ Medford Street	Contribution toward future signalization	\$30,000
Lowell Street, Richardson Street area	Raised traffic table	\$30,000
Total		\$220,000

In addition to funds for traffic improvements, the applicant will contribute \$20,000 for Ward 5 benefits and/or amenities and \$30,000 for “additional undesignated community benefits and/or amenities.

VI. OUTLINE OF DEVELOPMENT COVENANT

As already described, the rezoning of this site was concluded in 2007 with facilitation by the adoption of a binding Development Covenant between the Developer and the City. This Covenant reflects a history of community process surrounding the site and covers a broad variety of issues some of which have already been touched on in this report.

The Covenant provides direction on the following topical areas:

- Uses (quantity and location of units and some restrictions of quantity of bedrooms);
- Site Planning (connections to the Community Path, Lowell Street, and Clyde/Warwick Streets from the site);
- Building Design, including:
 - Height;
 - Acoustics;
 - Management;
 - Energy efficiency;
- Traffic and Parking;
- Open Space and Community Path;
- Project Mitigation, Amenities, and Phasing; and
- Miscellaneous provisions.

As the embodiment of the historic community process, and as a binding agreement to which the City is a party, the terms of the Development Covenant must be satisfied in the Preliminary Master Plan and SPSR phases of this proposal. As such, the terms of the Covenant will be reflected in the supplementary report for the next public hearing, along with final staff comments, findings, and recommendations. Provisions of the Covenant shall be included as conditions of approval, with compliance required at appropriate stages of review and permitting. As such, the covenant will become part of the permanent record of any zoning approval for the proposed PUD development.

VII. NEXT STEPS

Following the initial public hearing on March 6, 2008, staff will continue to conduct technical review of the proposal. A supplementary report will be provided at the next meeting of the Planning Board and will include the following additional information:

- supplements or updates to the above-listed categories of information;
- City staff and other agency comments;
- Findings required under the Somerville Zoning Ordinance; and
- Recommendation for Board vote, including recommended conditions of PMP approval.