



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: PB 2014-29-MA-0916
Date: November 8th, 2016
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: NorthPoint

Applicant Name: DW NP Property, LLC
Applicant Address: One Kendall Square, Suite B3201, Cambridge, MA 02139
Owner Name: DW NP Property, LLC
Owner Address: One Kendall Square, Suite B3201, Cambridge, MA 02139
Agent: Thomas N. O'Brien
Agent Address: One Congress Street, 10th Floor, Boston, MA 02114
Alderman: Matthew McLaughlin

Legal Notice: NorthPoint Neighborhood Development Plan: (Case # PB 2014-29-MA-0916)
Applicant/Owner DW NP Property LLC requests an Amendment to the Approved NorthPoint Neighborhood Development Plan with waivers for §6.6.4.B block perimeter limits abutting rail rights of way, §6.6.4.A for a dead end thoroughfare, and §6.6.5.C.4 for sidewalk requirements for street tree fencing or grates. North Point Special District (NPSD). Ward 1.

Dates of Public Hearing: November 17th, 2016

I. PROJECT DESCRIPTION

1. Subject Property:

“NorthPoint” refers to an area of land along the north bank of the Charles River, over sixty acres in total, inclusive of the area north of Msgr. O'Brien Highway from the MBTA's Fitchburg line right-of-way to the Charles River, on both sides of the Charlestown Avenue (Gilmore) Bridge.

DW NP Property, LLC (the “Applicant” or “DivcoWest”) acquired the NorthPoint property (with the exception of the previously developed Parcels N, S, and T) in August 2015. For the past year, the new



ownership team has been evaluating the approved development plan, considering ways in which it can be improved and development can be accelerated. DivcoWest, founded in 1993, is a privately owned real estate investment firm with offices in San Francisco and Boston. It owns more than 30 million square feet of commercial space throughout the United States. DivcoWest has made significant recent investments in the East Cambridge and Kendall Square neighborhoods, acquiring and repositioning the Davenport Building on First Street, acquiring One Kendall Square, and acquiring and developing 399 Binney Street. As described below, DivcoWest has made development of parcels with Commercial Office, R&D and/or Laboratory, Retail and Consumer Services, or a combination of these uses in Somerville a top priority to get under development quickly and the amendments proposed in this Application will help DivcoWest achieve that goal.

The NorthPoint project (the "Project") consists of a total of a 5,245,854 square foot ("sf") gross floor area ("GFA") mixed-use campus (3,060,792 sf residential; 2,185,062 sf commercial). The Site consists of approximately 45 acres, comprised of land in Somerville, Boston, and Cambridge. Approximately 4.688 acres of the Site is located within Somerville -- one parcel (now referred to as EF) is almost entirely in Somerville and five other parcels are partially located in Somerville. The previous application had approximately 5.36 acres including the crossover parcel transferred to the MBTA. The Site is uniquely well served by transit, specifically, the MBTA's Orange Line Community College Station and Green Line Lechmere Station. The extensive Charles River Park system, including the nine-acre North Point Park, is adjacent to the NorthPoint Site and features a convenient pedestrian/bicycle connection to Charlestown via the North Bank Bridge. Recent improvements to the area's public amenities include the Lynch Family Skatepark, a new bicycle/Hubway station, Brian P. Murphy Memorial Staircase, and an extensive community path network, which will ultimately connect to the Somerville Community Path through NorthPoint.

Prior to DivcoWest's acquisition, two residential condominiums were constructed on Parcels S and T, including a total of 329 units, and one residential apartment building was constructed on Parcel N (Twenty|20) consisting of 355 units and 8,600 sf of retail space, all located in Cambridge. In conjunction with those buildings, NorthPoint Common, an on-site four (4) acre central park, and various road segments (East Street, Glassworks Avenue, Leighton Street and a significant portion of NorthPoint Boulevard) were also constructed. NorthPoint Common was constructed as a Public Common. Other completed Project components include the following: the 17,000 sf Child Street Park; the Brian P. Murphy Memorial Staircase, providing a pedestrian and bicycle connection to the Gilmore Bridge and much improved access to the adjacent Community College Orange Line Station; portions of North Street and Child Street; and the first segment of the Community Path, which opens up pedestrian and bicycle connectivity to North Point Park and the larger Charles River park system. The following plan and recent aerial view show the previously completed work at NorthPoint.

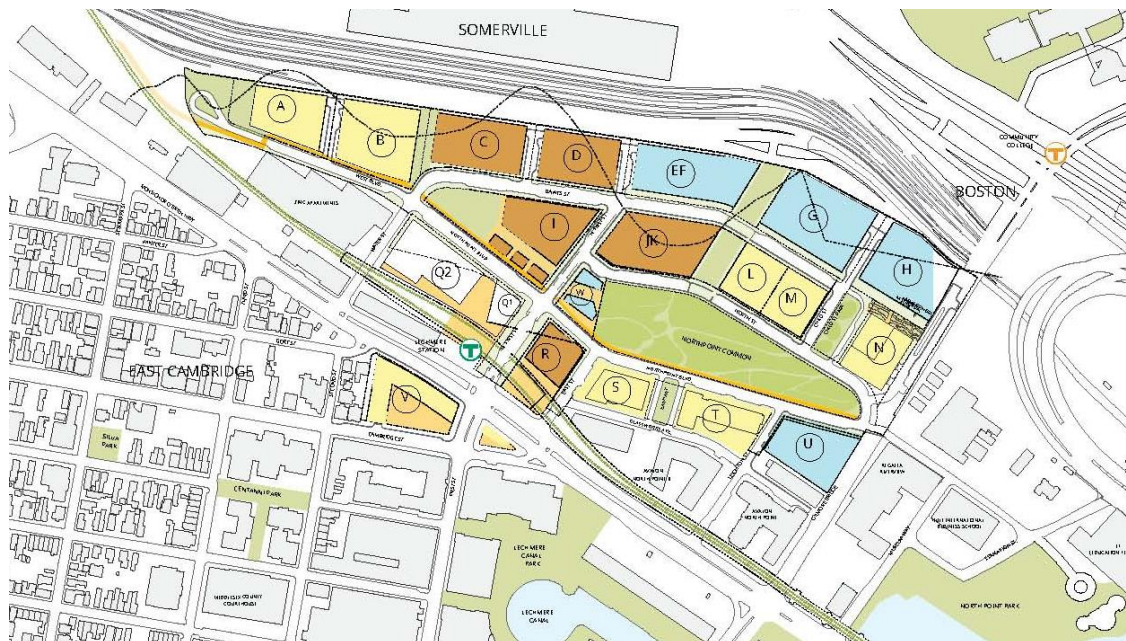
A zoning amendment was adopted by the City of Somerville on November 26, 2013 establishing the North Point Special District and modifying Section 5.4 of the Somerville Zoning Ordinance (SZO), relating to design and site plan review requirements in the new District. The previous zoning district (IB) prohibited much of what was envisioned for the neighborhood from being built, therefore the amendment to the SZO was proposed to support the development of a comprehensively planned neighborhood of mixed-use, moderate- to high-density development within easy access to public transportation. A Neighborhood Development Plan application was submitted in September 2014 and was subsequently approved by the Somerville Planning Board in October 2014. It should be noted that the zoning amendment and Neighborhood Development Plan were each unanimously approved, reflecting the strong support for this development within the City of Somerville. This application serves as an application to amend the previously approved Neighborhood Development Plan.



Aerial photograph of the NorthPoint area

2. Proposal:

DivcoWest proposes to transform an existing unproductive area of Somerville into an integral part of a new and vibrant work-live-play urban community consistent with the goals identified in SomerVision for Transformational Mixed-Use areas. The Somerville portion of the project, which has land parcels both partially and wholly within Somerville, will incorporate a diverse mix of commercial uses including high-end office space, a grocery store, fitness center, and commercial parking balanced with an appropriate amount of ground-level retail.



The overall NorthPoint project as a complex long-term mixed use development has not changed, although certain aspects of the project have evolved over time in response to changing social and economic conditions. It is the intent of this submission to amend the previously established Neighborhood Development Plan for the Somerville portion of NorthPoint to advance the next stage of NorthPoint. The immediate next stage of development includes construction of two new Commercial Buildings in Somerville. Site preparation and clean-up activities have been completed in anticipation of also commencing construction of all NorthPoint roadways and utilities in 2017.

Key Proposed Changes: The key proposed changes to the Neighborhood Development Plan described in this application are as follows:

1. Change in use of the Somerville parcels to more commercial. Specifically, two office/lab buildings in Somerville will now be the first commercial development in NorthPoint and the first two buildings constructed by DivcoWest. Construction of both Commercial Buildings is projected to commence in 2017.
2. Total development of up to approximately 747,458 square feet in Somerville, an increase of up to approximately 95,285 square feet from the previously approved Neighborhood Development Plan.
3. Reconfiguration of the parcel lines to accommodate changes to roadway network, resulting in Parcels E and F being merged into Parcel EF (almost entirely in Somerville), Parcels J and K being merged into Parcel JK (partially in Somerville), Parcel G being located partially within Somerville, Parcel A being split into separate Parcels A and B (each partially in Somerville), and minor changes to Parcels C and D (each partially in Somerville).
4. Reconfiguration of civic space consistent with the new road network and parcels, resulting in an increase in civic space in Somerville.

In addition, the Applicant has engaged architects for both Parcel JK and EF to advance the design of two buildings with Commercial Office, R&D and/or Laboratory, Retail and Consumer Services, or a combination of these uses. Submission materials for Design Review are being prepared for Parcel JK and EF with the goal of breaking ground on NorthPoint's first buildings dedicated to Commercial Office, R&D and/or Laboratory, Retail and Consumer Services, or a combination of these uses in the near term. Together these two parcels represent the majority of the proposed non-Residential uses in Somerville totaling approximately 520,000 square feet.

3. Green Building Practices:

Green Building Practices will be reviewed in detail as part of the subsequent submissions, However, there are a few elements of the Neighborhood Development Plan worth noting;

- Three (3) areas containing civic spaces (approximately 0.6 acres) will be located in Somerville as designated on the *Proposed Civic Space Plan*.
- State-of-the-art stormwater management system that will improve the environment in NorthPoint and beyond.
- Development of unused former rail yard, transforming a blighted area of Somerville and Cambridge into an attractive, new neighborhood.

- Creation of a continuous on-site approximately 2,500 linear foot Community Path which will allow connections to the Charles River Reservation and future Somerville Community Path.
- Reconstruction of Monsignor O'Brien Highway ("MOB") which results in a multimodal arterial providing improved access for pedestrians and bicyclists and improved signal timing.

4. **Comments:**

This package was not shared given the nature of the application so there are no comments from other departments at this time.

II. FINDINGS FOR NEIGHBORHOOD DEVELOPMENT PLAN REVIEW (SZO §5.7 & §6.6.3):

Based on review of the submitted Neighborhood Development Plan, Staff finds that the proposal meets all of the requirements outlined in §6.6.3.A.3 of the SZO. This section of the report goes through the findings required by §6.6.3.A.3 in detail.

1. ***Staff finds that the submitted Neighborhood Development Plan demonstrates conformance to the adopted Master Plan of the City of Somerville, existing policy plans and standards established by the City, or to other plans deemed to be appropriate by the Planning Board.***

SomerVision, the comprehensive Master Plan of the City of Somerville, establishes a series of aspirational targets for economic development, open space improvement, housing growth, transportation, and land use detail below:

The SomerVision Numbers

- 30,000 New Jobs
- 125 New Acres of Publically-Accessible Open Space
- 6,000 New housing Units, 1,200 Permanently Affordable
- 50% of New Trips via, Transit, Bike, or Walking
- 85% of New Development in Transformative Areas (as identified by the SomerVision Map)

The submitted Neighborhood Development Plan contributes toward the first three of these aspirational targets as follows:

	Existing	Proposed
Dwelling Units:	0	235
Estimated Affordable Units:	0	29
Commercial Sq. Ft.:	0	520,000 sq. ft.
Estimated Employment:	0	1700
Publicly Accessible Open Space:	0	0.6 acres

In relationship to transportation mode share, the 2002 NorthPoint Transportation Impact Study targeted person trips to and from uses within the NorthPoint neighborhood by modes other than the automobile at 60% for Office & R&D, 90% for Retail, 48% for Residential, and 25% for Hotel – well within range of the SomerVision target when taking into consideration the build-out program proposed for the Somerville portions of NorthPoint. Finally, NorthPoint is located entirely within the area of the city identified as an

“Area to Transform” on the SomerVision map, satisfying SomerVision’s goal for having new development be focused in predetermined Transformative areas of the city.

Staff finds the submitted revisions to the Neighborhood Development Plan in conformance with the original approved plan and supplemental documents.

2. Staff finds that the submitted Neighborhood Development Plan demonstrates consistency with the purpose of the North Point Special District and of the Somerville Zoning Ordinance in general.

The submitted Neighborhood Development Plan is consistent with the purpose of the North Point Special District which is: “to support the development of a comprehensively planned neighborhood of mixed-use, moderate- to high-density development within easy walking distance to transit and having the following characteristics:

1. An interconnected street grid and comprehensive thoroughfare network that distributes multi-modal circulation throughout the entire North Point neighborhood;
2. Thoroughfares that accommodate all modes of transportation - pedestrians, bicycles, public transit, and private motor vehicles.
3. Thoroughfares that feature frequent intersections, on-street parking, and large street trees to promote safe vehicular operating speeds by modulating the appearance and feel of the street space to drivers;
4. Appealing physical connections to surrounding areas including East Cambridge, the Community College Orange Line T-Station via the Gilmore Bridge, DCR New Charles River Basin Park, and regional pathways;
5. Pedestrian infrastructure that is accessible to and usable by persons with disabilities;
6. A North First Street extension as the primary connection to East Cambridge;
7. A distribution of diverse civic space types to serve the various social needs of neighborhood residents, workers, and visitors, including a public common;
8. A retail oriented plaza in close proximity to the relocated Lechmere T-Station;
9. Primary uses distributed throughout the neighborhood so that the many activities of daily living can occur within walking distance to residences and workplaces;
10. A constrained supply of parking spaces to encourage the use of public transit, bicycles, and walking in lieu of automobiles.
11. A diverse supply of residential unit types, sizes, and price points that meets the life-long housing needs of the community.
12. Architecture and landscape design that spatially defines civic spaces and thoroughfares as outdoor rooms and corridors.”

The submitted Neighborhood Development Plan is also consistent with the general purpose of the Somerville Zoning Ordinance as set forth under §1.2, which includes “to provide for and maintain the uniquely integrated structure of uses in the City; to provide adequate light and air; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; to encourage housing for persons of all income levels; and to preserve and increase the amenities of the municipality.”

3. Staff finds that the submitted Neighborhood Development Plan demonstrates compliance to the standards set forth in §6.6.4 Urban Design and §6.6.5 Thoroughfares.

Submittal requirements for Neighborhood Development Plan Review require the following plan drawings so that the proposed thoroughfare network and design of individual thoroughfares can be properly evaluated:

Requirement	Plan Sheet Provided
Proposed Block & Lot Plan	NDP-1
Existing Thoroughfare Network Plan	NDP-2
Proposed Thoroughfare Network Plan	NDP-3
Proposed Thoroughfare Layout & Geometry Plan	Appendix A
Proposed Cycling Infrastructure Plan	NDP-5
Proposed Civic Space Plan	NDP-6
Existing & Proposed Utilities Plan	NDP 7 & NDP 8
Proposed Retail Frontage Plan	NDP-9

The Applicant has also included Revised Master Plan – Exhibit A, Locus Map – Exhibit B, Conceptual Pedestrian Level Perspective – Exhibit C, Axonometric Drawings – Exhibit D and D1, and plan sheet NDP-4, an enlarged detail of the proposed thoroughfares within Somerville.

6.6.4 Urban Design

§6.6.4.A. Thoroughfare Network

§6.6.4.A. requires that all thoroughfares intersect with other thoroughfares so that a network is formed, that thoroughfares align where possible with those on adjacent sites. In accordance with §6.6.4.A.3, a Waiver is requested for a cul-de-sac at the far west end of the site where the property is constrained by the MBTA Commuter Rail right-of-way and the future Green Line Extension right-of-way.

Staff acknowledges that the proposed thoroughfare plan includes a dead-end thoroughfare with a cul-de-sac (West Boulevard). However, this thoroughfare is almost entirely within the municipal boundaries of the City of Cambridge and outside the jurisdiction of the City of Somerville. However, because the design of West Street has been proposed in such a manner that preserves the possibility of a bridge connection from Inner Belt Road to West Street, and the rest of North Point, while providing access to Lot A and the infill development at 22 Water Street, Staff finds that this thoroughfare segment is highly deserving of the waiver permitted under §6.6.4.A.3, had it been located at whole or in part within the City of Somerville.

Staff finds that the proposed thoroughfare network illustrated on the plan sheets included in the Neighborhood Development Plan complies with the intersection and alignment requirements of §6.6.4.A.

§6.6.4.B. Block Structure

§6.6.4.B.1 requires that the thoroughfare network be structured to define blocks with a total perimeter no greater than 1,400 feet and individual block faces no greater than 500 feet. The Somerville Zoning Ordinance defines block as “the aggregate land area circumscribed by thoroughfares or other rights-of-way.” Pursuant to §6.6.4.B.2, the Applicant previously requested a waiver from the requirements of §6.6.4.B.1. because the block containing developable lots within the City of Somerville abuts a rail right-of-way making strict adherence to the provision difficult while still maximizing developable land within Somerville.

There is no additional approval required.

§6.6.4.C. Lots

§6.6.4.C.1 requires that lots be platted to have a primary frontage abutting a thoroughfare and a lot width between 30 feet and 500 feet maximum.

Staff finds that the redesigned master plan and the combined lots EF and JK identified on plan sheet NDP-1 Proposed Lot and Block Plan all comply with the lot frontage and lot width standards of §6.6.4.B.

§6.6.4.D. Civic Space

§6.6.4.D.1 requires that at least 5% of the total land area of the development site be designed as publicly accessible civic space and be distributed throughout the site as a series of separate spaces of various types and sizes. §6.6.4.D.2 exempts civic space designed as a public common from the block size requirements of §6.6.4.B.1. Finally, §6.6.4.D.3 restricts civic spaces with only a north-facing exposure other than from qualifying for the land area designed as civic space requirement of §6.6.4.D.1

Staff finds that the civic space proposed in the revised master plan complies with the requirements of §6.6.4.D.

Staff does not agree with the identification of Civic Space Areas #1 and #3 as “Public Common” on Table 4, page 3-20 of the proposal, as the intent of the NPSD that NorthPoint Common be the central green and provide the unstructured recreation. However, the specific design of individual civic spaces is not within the scope of the Neighborhood Development Plan Review process because it can be more properly addressed during the Design & Site Plan Review process required for each individual civic space. Staff anticipates resolving this discrepancy with the Applicant at that time.

The definition of a “public square” is more appropriate to Civic Space Areas #1 and #3 as shown on the submitted plan sheets - “a civic space type for unstructured recreation and civic purposes, free standing in the block pattern, with landscape consisting of formally disposed lawns, paths, and trees”. Civic Space Areas #2 and #3 may also be designed as Plazas or Pocket Parks.

§6.6.4.B. Build Out

Staff finds that the build-out projections indicated on page 3-18 of the Neighborhood Development Plan comply with the requirements of §6.6.4.E.

6.6.5 Thoroughfares

Thoroughfare is defined in Article 2 of the SZO as “a way for use by vehicular and pedestrian traffic and providing access to lots and open spaces.” Plan sheet NDP-4 identifies the existing and proposed thoroughfares of the neighborhood plan and enlarged detail of proposed thoroughfares within Somerville, including design details (street trees, lane markings, crosswalks, etc.) Plan sheet NDP-5 has a similar overall and an enlarged plan showing the Proposed Cycling Infrastructure.

Staff finds that the proposed thoroughfares identified in the Neighborhood Development Plan submittal comply with the provisions of §6.6.5.A.

§6.6.5.B requires that all thoroughfares be designed and constructed in accordance with the City of Somerville’s adopted thoroughfare design standards or, in the absence of adopted standards, that

thoroughfares be designed and constructed in accordance to standards deemed to be appropriate by the Planning Board.

In seeking development review for lots within the City of Cambridge, the Applicant has typically submitted plan documentation for individual development parcels and the abutting thoroughfares that provide access to the site for review at the same time. The Staff anticipates a similar process and expects the Applicant to submit Design & Site Plan Review applications for the proposed thoroughfares at a late date.

Staff recommends that the Planning Board attach a condition to the Neighborhood Development Plan Approval limiting approval of the proposed thoroughfares to the general alignment, connectivity, right-of-way width, and geometry of the proposed thoroughfares.

§6.6.5.C identifies specific dimensional standards for motor vehicle travel lands, motor vehicle parking lanes, bike lanes, sidewalks, sidewalk extensions, pedestrian crosswalks, and driveways & alley crossings.

A waiver is requested from the street tree grating and fencing requirements contained in Section 6.6.5.C.4.e of the SZO. This waiver will allow the street tree condition to remain consistent along Dawes Street as the street goes through both Somerville and Cambridge.

Staff finds that the proposed thoroughfares identified in the Neighborhood Development Plan submittal comply with the provisions of §6.6.5.C. and the waiver request is appropriate.

§6.6.5.D allows waiver for thoroughfares designed as a close may be granted a waiver from the requirements of 6.6.5.C at the discretion of the Planning Board.

Staff finds that there are no new requests as part of this Minor Amendment.

§6.6.5.E requires all water and sewer utilities, storm water management infrastructure, public lighting, and public furniture be designed and constructed according to criteria established by relevant City departments and/or adopted by the Planning Board.

The Applicant will submit separate packages for Design & Site Plan Approval for construction of the proposed thoroughfares at a later time.

Staff recommends that the Planning Board attach a condition to the Neighborhood Development Plan Approval requiring engineering plans to be submitted to the Planning Director and the City Engineer for approval of any water and sewer utilities or storm water management infrastructure that does not correspond with thoroughfare construction to ensure compliance to required standards.

III. RECOMMENDATION

Neighborhood Development Plan Review under §5.7 & §6.6.3

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the submitted **AMENDMENT TO THE NEIGHBORHOOD DEVELOPMENT PLAN**.

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	<p>Approval is for the Amendment to the North Point Neighborhood Development Plan. This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>September 28, 2016</td><td>Initial application submitted to the City Clerk’s Office including all appendices</td></tr><tr><td>November 8, 2016</td><td>Plan Sheets: NDP-1 thru NDP-9 Appendix A</td></tr></table> <p>Any changes to the approved neighborhood development plan that are not <i>de minimis</i> must receive approval from the Planning Board.</p>	Date (Stamp Date)	Submission	September 28, 2016	Initial application submitted to the City Clerk’s Office including all appendices	November 8, 2016	Plan Sheets: NDP-1 thru NDP-9 Appendix A	DSP/BP/CO	Planning/ISD	
Date (Stamp Date)	Submission									
September 28, 2016	Initial application submitted to the City Clerk’s Office including all appendices									
November 8, 2016	Plan Sheets: NDP-1 thru NDP-9 Appendix A									
2	<p>Approval is limited to the general alignment, connectivity, right-of-way width, and geometry of the proposed thoroughfares only. Construction of thoroughfare requires an approved Design & Site Plan by the Planning Board</p>	Prior to trench permit for roadway construction	Planning/Engineering							
3	<p>The Applicant must submit engineering plans to the Planning Director and the City Engineer for approval of any water and sewer utilities or storm water management infrastructure that does not correspond to with the construction of a thoroughfare to ensure compliance to required standards.</p>	Prior to trench permit for roadway construction	Planning/Engineering							
4	<p>As the City is in the process of developing a Municipal Job Creation and Retention Trust, the applicant will participate in supporting the Trust at a level expected of other developers in Somerville's transformative areas. The applicant will participate in the Trust as follows: For building J/K, the applicant will provide a Mitigation Contribution equal to \$1.40 per square foot (that is in Somerville) to the Trust payable at the time of building permit or at the time that the Trust is created if the Trust has not been yet set up at the time of building permit for building J/K. In the event that the Board of Aldermen establish a Jobs Trust Linkage Fee in the Somerville Zoning Ordinance prior to issuance of a building permit for J/K, AND if the linkage fee, as applied to J/K is less than \$1.40 per square foot, the applicant may submit the lesser fee.</p> <p>For all other buildings in the Somerville side of Northpoint, the applicant will make payments to the Trust according to the zoning in place at the time of Building Permit (and if no zoning is in place at the time of building permit, no payment is required).</p> <p>The applicant will also be required to make Project Mitigation Contributions to the Somerville Housing Trust as required by Article 15 of the Zoning Ordinance.</p>									