



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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PLANNING DIVISION

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ELIZABETH MORONEY

Case #: PB 2013-01
Site: ASQ Block 2A
Date of Decision: February 21, 2013
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: March 7, 2013

PLANNING BOARD DECISION

Applicant Name:	Tenants in Common (see legal notice)
Applicant Address:	1626 East Jefferson Street, Rockville, MD 20852
Property Owner Name:	Tenants in Common (see legal notice)
Property Owner Address:	1626 East Jefferson Street, Rockville, MD 20852
Agent Name:	Goodwin Procter, LLP
Agent Address:	Exchange Place, 53 State Street, Boston, MA 02109

Legal Notice: Applicant/Owner FR Sturtevant Street LLC, a Delaware Limited Liability Company, Street Retail Inc, a Maryland Corporation, SRI Assembly Row B2, LLC, a Delaware Limited Liability Company, SRI Assembly Row B3, LLC, a Delaware Limited Liability Company, SRI Assembly Row B5, LLC, a Delaware Limited Liability Company, SRI Assembly Row B6, LLC, a Delaware Limited Liability Company, SRI Assembly Row B7, LLC, a Delaware Limited Liability Company, SRI Assembly Row B8, LLC, a Delaware Limited Liability Company, SRI Assembly Row B9, LLC, a Delaware Limited Liability Company seek a Special Permit with Site Plan Review–A, final level approval of “Block 2A” of the Planned Unit Development Preliminary Master Plan (PUD-PMP) approved by the Planning Board on December 14, 2006 and as revised on August 5, 2010. Applicant and owner seek approval under SZO Article §16.8.3 and §5.2, to construct an approx 3,605gsf single-story building for retail or food service use as approved in the PUD-PMP. ASMD / Ward 1



<u>Zoning District/Ward:</u>	ASMD zone/Ward 1
<u>Zoning Approval Sought:</u>	§16.8.3, §5.2, §5.1, §6.4.14, 6.4.12, §16.5.5, §9.16.3 & §9.7
<u>Date of Application:</u>	January 22, 2013
<u>Date(s) of Public Hearing:</u>	February 21, 2013
<u>Date of Decision:</u>	February 21, 2013
<u>Vote:</u>	5-0

Appeal #PB 2013-01 was opened before the Planning Board at Somerville City Hall on February 21, 2013. Notice of the Public Hearing was given to persons affected and was published and posted, all as required by M.G.L. c. 40A, sec. 11 and the Somerville Zoning Ordinance. After one hearing of deliberation, the Planning Board took a vote.

DESCRIPTION:

A. Overall

The plan for Block 2 includes two parcels that are divided by a one-way street and each sub-block contains a building: a small approximately 3,605 square foot pavilion building, which is the subject of this report, and an approximately 132,708 square foot office and retail building, labeled 2A and 2B respectively. Block 2A is 20,922 square feet and 2B is just over an acre at 47,642 square feet. There will be a plaza primarily on parcel 2A at the terminus of Assembly Row and the plaza is named “the point”.

Building 2A will be a one-story, 3,605 gross square foot building and the anticipated uses are food service or retail such as a café, specialty-food shop or ice cream parlor. It is anticipated that the project will employ 15 people. The hours of operation are will be determined by the tenant that is not known at this time.

Compliance with dimensional standards is shown in the table below.

DIMENSIONAL REQUIREMENTS	PUD-A	Approved PUD	Proposed Project
Minimum lot size	20,000 sf	66.5 acres	20,922 sf (0.48 acres)
Frontage	-	-	210 ft
Front yard setback	No minimum	-	11.1 ft
Side yard setback (left)	No minimum	-	67.3 ft
Side yard setback (right)	No minimum	-	59.8 ft
Rear yard setback	No minimum	-	32 ft
Maximum Floor area ratio (FAR)	10.0	2.0	0.16
Maximum height, feet	70 feet up to 250 feet	Varying up to 250 feet	22.25 ft
Minimum lot area/per dwelling unit	No minimum	Approx 1379	N/A
Total open space (%)	25%	25.2%	64.2 %
Useable open space (%)	12.5%	17.7%	64.2 %

* The dimensional requirements do not need to be met for each individual SPSR as they contribute to the approved PUD that does comply with the dimensional requirements.

B. Site Design and Access

The project area is triangular in shape and the building is framed by a plaza called “the point”. There will be a 20 foot wide right of way for one-way traffic between buildings 2A and 2B that is designed to be incorporated in the plaza and function like a woonerf or a shared pedestrian and vehicular space. The street can be blocked off for special events to create a larger plaza space. The roadways that frame the project area are Great River Road,



Assembly Row and Artisan Way. A subdivision plan has been approved; however, the buildings have not yet been assigned addresses.

Pedestrian access will be via sidewalks throughout Assembly Row to the plaza. The plaza will extend across Great River Road to provide a strong visual connection between the spaces and slow traffic driving over it, making it easier for pedestrians to move from the plaza to the riverfront park. The Applicants stated that the design of the plaza was approved in the 'Assembly Row at Assembly Square phase 1B Roadway and Streetscape Improvements' plan. The materials of the hardscape include 4 types of pavers, concrete, and wood decking. There are areas that will be planted along some of the edges of the plaza and trees and planter boxes will be in strategic locations. There will be different seating options in the plaza, including fixed seats created by salvaged granite curbs at different heights and movable seats and tables in designated areas. Strings of lights will hang above the right of way in the plaza.

Design guidelines lay out the form and key elements of the Blocks of the Preliminary Master Plan (PMP) that were adopted as part of the PMP approval. These guidelines include the Block 2 plaza and the proposed design complies with them. The plaza has a fan shape to maximize views and broaden the mouth of Assembly Row to improve the connection to the river and extend the presence of the Mystic River preservation into the neighborhood. The view through the middle of the plaza will be maintained because the building is transparent. The guidelines call for a focal point at the southern end of the plaza and there is a location for art with up lighting on the plan to fill this need. There are also two focal points in the riverfront park and these have been already been implemented by the installation of steel beam structures. The circulation includes two one-way streets flanking the plaza that can be closed for special events and adequate circulation space around the building. The plaza will not have raised curbs so that the activity of the plaza will extend into Assembly Row. The primary building access of Building 2B has been moved from the plaza to Artisan Way.

Entrances to the building will be on all four sides of the building. There is no vehicular parking on this Block.

C. Building Shape and Placement

The building was designed to be pedestrian-friendly along all four sides, although the trash, electrical, water and gas rooms will be located along the eastern wall and therefore this façade will be less transparent. The form of the building was not detailed in the design guidelines approved in the Preliminary Master Plan except that it was anticipated to be a one-story building in the plaza. The building shifted to be closer to Building 2B, which creates a more defined space for the extension of Assembly Row and the ability to create more defined functions for sections of the plaza as opposed to designing one large open space.

D. Uses

The use of the building is proposed to be restaurant or retail as approved in the PUD-PMP. The Applicants intend to find a café, specialty-food shop or ice cream parlor to tenant the building. Fast order food establishments conducted partially outside (Section 7.11.10.2.2.b) of less than 5,000 square feet are allowed by-right in the ASMD. The square footage of this establishment will contribute to the 512,000 sf of retail space including restaurants that was permitted through the PUD-PMP and as the blocks of the plan are developed, the total square feet of each use category is being tracked. A list of specific uses in the use table was approved as part of the PUD-PMP and the building could contain a mix of those approved uses. The number of tenants in the building is not yet known.

E. Linkage

The City, the Somerville Redevelopment Authority, IKEA, and Federal Realty Investment Trust have entered into a development covenant from 2006 that establishes that linkage will be paid after the first 300,000 square feet of space is constructed in the PUD PMP, excluding the existing Mall. Appendix F is a table of the square footage that is built in the PUD to keep track of when linkage payments will be required. Linkage will be required for the square footage of this building.



F. Inclusionary Housing

The provisions of SZO section 13.2 do not apply to this proposal because there will not be a residential component to the development.

G. Landscaping and Open Space

Landscaping: The open space at the site will be comprised of landscape and hardscape. The planting schedule includes 27 trees, shrubs and groundcover. The plaza is in an urban context and will be programmed to ensure that it is used in such a way that provides life and activity to the area. The riverfront park will provide more opportunities for a larger planted open space.

Usable Open Space: The usable open space on this site is extensive. The plaza on this site and the one planned for Block 8 are important elements of the site planning for Assembly Row. The Block 2 plaza provides an outdoor area in which to gather and it will hopefully be a node of activity in the neighborhood. Under §16.6.1 of the SZO, the usable open space must be permanent, 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. This site has 64.2% (approximately 13,437 square feet) of usable open space that is counted towards Block 2A. The overall calculation of useable open space in the PUD is 17.7%.

H. Parking and On-site Circulation

The minimum parking requirements are 1 per 1,000 square feet of retail space, and 1 per 500 net square feet of restaurant space. The minimum requirement is between 4 and 7 parking spaces depending on the breakdown of retail and restaurant uses.

There will be no parking on Block 2A. Parking spaces will be available in garages on Blocks 3 and 4, temporary parking lots on Blocks 5 and 6 and on the street. There are parallel parking spaces throughout the site and 8 in very close proximity on Assembly Row.

No loading docks are required for this small building. Loading will occur on the right of way in the plaza during non-peak traffic hours.

The non-residential use bicycle parking requirements is one space for every 10 required parking spaces. Since less than 10 parking spaces are required for this building, there is not a bicycle parking requirement. There will be 4 bicycle racks on sidewalks adjacent to building 2B, just across the right of way from the main plaza.

I. Form and Design of the Building

The design guidelines that lay out the form and key elements of the Blocks of the Preliminary Master Plan (PMP) that were adopted as part of the PMP approval, provide details for the plaza design but not the building. The building is simply shown as a small one-story building surrounded by the plaza and the proposed building complies with this plan.

The building will be steel framed and much of the façade will be a glass curtain wall. The building has three sections: the two end structures will be transparent spaces with 15 foot ceilings and large canopies that project over outdoor seating areas. The middle portion of the building is lower in height and is transparent on the west side. The east side will not be transparent because this is the location of the utility space for the building. There will be an arcade on the west side of this middle portion of the building that will have a relationship with the third outdoor seating area. The eastern façade by the interior utility space will be a rough stone faced concrete masonry unit (CMU) blocks and there will be a large sliding barn door to add some interest to this side of the building. Above this area is a trellis system where a graphic may be placed. A graphic designer will be working with local artists to create an art installation here. Air handlers will be located on the roof and screened by a metal surface.



J. Signage

The retail signage will be located along the first floor. Staff will review and approve first floor retail signage based on the Assembly Row Signage Design Standards. Plans that are inconsistent with the Standards will require review from the Design Review Committee and approval from the Planning Board.

K. Waivers & Other Relief Requests

The Applicant is requesting two waivers from the requirements of the Zoning Ordinance for the submission requirements for providing a 3-D model of the site and a building shadow analysis.

- Building 2A was included in past 3-D models of the entire PUD and the building has consistently been a one-story small structure. The renderings submitted give context to the proposal and achieve a similar purpose as a 3-D model.
- The building will not cast shadows that will be more impactful than the future buildings on either side on Blocks 1 and 2B. Block 1 is a 5-story building and Block 2B is a 4-story building. Building 2A is located farther south than these two taller buildings. Due to its height and location, this building will be less impactful on the Mystic River Park than the shadows of the surrounding buildings that were already evaluated for Block 1 and that have been submitted for Block 2B. Additionally, Building 2A is included in the shadow study that was submitted for Building 2B.

FINDINGS FOR SPECIAL PERMIT WITH SITE PLAN REVIEW-A:**A. General Application Requirements**

Application requirements are identified in Section 16.8 of the SZO. Section 16.8.2 and 16.8.3 identifies the general information required for a preliminary PUD PMP approval and final level approval. Section 16.8.2.H and 16.8.3 identifies that the Special Permit with Site Plan Review requirements in Section 5.2 are required for both phases of approval. The Board finds the SPSR-A meets the application submittal requirements in the above listed sections. Detailed findings are contained in Appendix A.

B. Required Findings of Fact for PUD

Section 16.10.1 of the SZO indicates that PUD preliminary master plan approval shall be considered preliminary approval that recognizes that the plan is in general accordance with provisions of the Somerville Zoning Ordinance (SZO). Findings are then required under 16.1, 6.4.1, 6.4.3, 16.4, and 16.7 of the SZO. The ASMD further requires findings to meet development standards and design guidelines under 6.4.7 and 6.4.8. The Planning Board determined that the PMP met the required findings for a PUD PMP, but indicated that some issues would require further review at the SPSR-A submittal. The Board has reviewed these required findings as they relate to the SPSR-A application and find that these findings have now all been met. Detailed findings are contained in Appendix B.

C. Requirements for SPSR (SZO §5.2.5 and 6.4.9)

The SZO requires that the PMP be reviewed to ensure that projects under the PMP can meet the standards required for SPSR-A in the ordinance. Section 6.4.9 requires that the requirements in Section 6.4.9C as well as parts a-h of Section 5.2.5 must be addressed when SPSR-A requests are submitted. The Board finds that projects submitted for SPSR-A under this PMP meets the findings required as identified in Appendix C.

D. Requirements for Waterfront Overlay District (SZO §6.1.15)

Section 6.1.15 identifies specific standards that are required in the Waterfront Overlay District. The Board finds that the SPSR-A meets these findings, and they are contained in Appendix D.

Waiver Standards (no appendix needed)

Upon written request by the applicant, the SPGA may waive submission of any of the required information for Special Permit with Site Plan Review applications, if the SPGA finds the information is not applicable to the project, per Section 5.2.3. The Board finds that the requested waiver from the requirement in Section 6.4.8B for a three-dimensional model is reasonable given the extent of the three-dimensional computer graphic images provided by the Applicant. Also, the Board finds that a separate shadow study is not required because Building 2A is included in the shadow study for Building 2B and the Building 2A will have a less impactful shadow than the adjacent buildings on Blocks 1 and 2B.

DECISION:

Present and sitting were Members Kevin Prior, Elizabeth Moroney, Joseph Favaloro, James Kirylo and Michael Capuano.

The Planning Board determined that the application for Special Permit with Site Plan Review–A for final level approval of a planned unit development under the Planned Unit Development Preliminary Master Plan approved by the Planning Board on December 14, 2006 and as amended on August 5, 2010 meets the required findings, as addressed in Appendixes A, B, C and D of this decision. Upon making the findings, Kevin Prior made a motion to approve the request for a Special Permit with Site Plan Review–A. Elizabeth Moroney seconded the motion. Wherefore the Planning Board voted 5-0 to approve the request incorporating the conditions in Appendix E and attaching Appendix F that addresses the PUD-PMP thresholds that will adjust as the Assembly Row project is built out. In order to complete this project, the attached PMP-PUD conditions in Appendix G need to be satisfied within the designated timeframe for compliance.

Approval constitutes an approval of the final site plans and building design details for a 1-story, approximately 3,605 gross square foot building for retail or restaurant uses. Parking for the uses in this building will be supplied in Blocks 3 and 4, on the street, and temporarily on Blocks 5 and 6. Approval does not include the design of the storefronts or first floor retail signs, which are subject to the Assembly Row Signage and Storefront Standards that are currently before the Planning Board for approval. The storefront design and signage are subject to staff review to ensure that the design is consistent with the standards. Wayfinding signs will be subject to design standards that the Owner submits.

This approval is based upon the Special Permit with Site Plan Review-A Application stamped in at the City Clerk's Office on January 22, 2013, including updated plans:

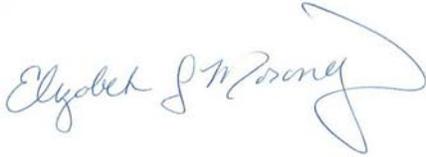
- A1.1 Ground Level Plan dated Sept 10, 2012
- A3.1 West and East Elevations dated Feb 21, 2013
- A3.2 North and South Elevations dated Feb 21, 2013
- C-2, C-3 Neighborhood Context Map 1 and 2; C-4 Overall Site Plan 1; C-5 Overall Site Plan 2; C-6 Layout and Materials Plan; C-7 Grading, Drainage Plan; C-8 Utility Plan; all dated Jan 22, 2013
- Open space Summary for the PUD dated January 22, 2013
- Somerville Assembly Row – Main Street Plaza Materials Plan OSPCD date stamped Feb 14, 2013.



Attest, by the Planning Board:



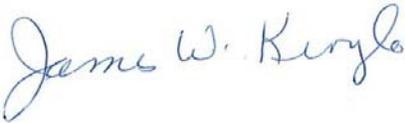
Kevin Prior, Chairman



Elizabeth Moroney



Joseph Favaloro



James Kirylo



Michael A. Capuano, Esq.

Copies of this decision are filed in the Somerville City Clerk's office.
Copies of all plans referred to in this decision and a detailed record of the
SPGA proceedings are filed in the Somerville Planning Dept.



CLERK’S CERTIFICATE

Any appeal of this decision must be filed within twenty days after the date this notice is filed in the Office of the City Clerk, and must be filed in accordance with M.G.L. c. 40A, sec. 17 and SZO sec. 3.2.10.

In accordance with M.G.L. c. 40 A, sec. 11, no variance shall take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner’s certificate of title.

Also in accordance with M.G.L. c. 40 A, sec. 11, a special permit shall not take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and either that no appeal has been filed or the appeal has been filed within such time, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner’s certificate of title. The person exercising rights under a duly appealed Special Permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.

The owner or applicant shall pay the fee for recording or registering. Furthermore, a permit from the Division of Inspectional Services shall be required in order to proceed with any project favorably decided upon by this decision, and upon request, the Applicant shall present evidence to the Building Official that this decision is properly recorded.

This is a true and correct copy of the decision filed on _____ in the Office of the City Clerk, and twenty days have elapsed, and

FOR VARIANCE(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ any appeals that were filed have been finally dismissed or denied.

FOR SPECIAL PERMIT(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ there has been an appeal filed.

Signed _____ City Clerk Date _____



Appendix A: Application Requirements

<u>A.1: Procedures for PUD Applications - Supportive Information (SZO 16.8)</u>					
Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
16.8.2.A	A neighborhood context map, at a scale not less than one (1) inch equals one hundred (100) feet, providing a graphic description of the neighborhood in which the tract lies, including roads, utilities and other public facilities, major existing buildings and structures. There shall also be a statement and/or plan as to the general impact of the proposed PUD upon the area, indicating how the PUD relates to surrounding properties and what measures will be taken to create appropriate transitions and access from the subject property to abutting public properties (i.e. parks, waterfront, etc.) or other neighboring tracts (if applicable)	x		x	Included in application submission
16.8.2.B	A conceptual site plan drawn to a scale of not less than one (1) inch equaling fifty (50) feet, or series of drawings at the same scale, and any necessary supporting information	x		x	
16.8.2.C	Analysis of compliance with regulations as to dwelling units per square feet of lot area, height, building coverage, floor area ratio (FAR) and parking requirements	x		x	See Overall Site Plan

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
16.8.2.D	Names of all property owners within five hundred (500) feet of the PUD boundary	x			
16.8.2.E	Explanation of provisions for the landscaping and maintenance of all open space and drainage areas	x		x	See Stormwater Management section in Utility Analysis for maintenance of drainage areas. There is a condition relative to preparation of Maintenance Agreement for the PUD.
16.8.2.F	A traffic analysis and recommendations prepared by a registered professional engineer qualified to conduct such studies, including current traffic counts for streets surrounding the project, analysis of the existing capacity of those streets, projections of the amount of traffic that will be generated by the proposed development, and the ability of the thoroughfare system to absorb the increased traffic without decreasing the level of service below an acceptable level . .	x		x	A transportation study was completed with 2006 plan. The amended PMP provides current traffic data for 2010, certifying that baseline conditions have not significantly changed since the existing plan was completed, and therefore establishing that the 2006 report remains valid.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
16.8.2.G	A utilities analysis and recommendations prepared by a registered professional engineer qualified to conduct such studies. Said analysis shall contain an inventory of existing utilities including, but not limited to, storm sewers and drains, sanitary sewers, electrical lines, fire alarm boxes and lines, gas lines/mains, water mains, lighting, curb and gutter, etc. Said inventory shall illustrate utility locations, sizes, diameters, carrying capacity and present load on the system. The engineer's report shall state if the current system is capable of adequately serving the proposed development. If the current utility system is found to be inadequate for the proposed development, the report shall confirm the deficiencies and make recommendation(s) as to the infrastructure improvements necessary to properly service the proposed development and maintain the existing service. The report shall also present a formal plan for infrastructure improvements, documenting timing, funding mechanisms and coordination with the City	x		x	See Utility Analysis

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
16.8.2.H	All applicable information required for special permit with site plan review (See Article 5 of this Ordinance). This information may be submitted at a preliminary level, in consideration that PUD approval is a preliminary approval	x		x	See section A2, below
16.8.2.I	Any other supportive information the applicant feels may be beneficial to the City of Somerville in the evaluation of the request	x			Additional information provided includes design guidelines and supplemental detail on individual plans to later be submitted for SPSR-A review
<u>A.2: General Information Required for SPSR Applications (SZO 5.2)</u>					
Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
5.2.3.1	names, addresses, and telephone numbers of the applicant, the owner if other than the applicant, and other agents for the applicant, such as the architect, engineer and/or attorney, and the name and address of the proposed project	x		x	Included in application submission
5.2.3.2	plot plan certified by land surveyor indicating total land area, boundaries, angles, and dimensions of the site and a north arrow	x		x	The Layout and Materials Plan, certified by Hugh Hahn, PE depicts boundaries, angles and dimensions for the proposed Block 2 project area.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
5.2.3.3	scaled site plans certified by a registered land surveyor, architect, landscape architect or engineer showing present and proposed use of land and existing buildings, if any; dimensions of existing and proposed structures; location and dimensions of any easements and public or private rights of way; and at grade parking and loading areas.	x		x	See Overall Site Plan, Layout and Materials Plan, Grading and Drainage Plan, Utility Plan, Building Elevations. The footprint is shown on the Layout and Materials Plan. The existing easements and rights of way are shown on the Existing Conditions Plan. The elevations submitted were prepared by D'Agostino Izzo Quirk Architects, Inc.
5.2.3.4	brief written description of the proposed project, such as proposed construction or demolition, all uses, who the project is intended to serve, expected number of employees, and/or occupants and methods and hours of operation, as applicable	x		x	The proposal is for a 3,605 square foot building for a restaurant or retailer. The uses in the building will create approximately 15 new jobs. The hours of operation will be determined by the tenant.
5.2.3.5	the total floor area and ground coverage ratio of each proposed building and structure	x		x	The total floor area is approx 3200 nsf on a site that is 20,922 for a total FAR of 0.15. The amount of open space is 64.2%, which contributes to the 25.2% of open space for the PUD
5.2.3.6	front, side, and rear elevations			x	See A3.1 West and East Elevations and A3.2 North and South Elevations dated Sept 10, 2013
5.2.3.7	existing and proposed contour elevations in two foot increments	x		x	The ground elevations are shown in one-foot intervals on the Drainage and Grading Plan. The project is generally flat with elevations ranging from 10.4 feet to 11.7 feet. The site is at the same relative elevation as the surrounding area.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
5.2.3.8	provisions for vehicular and pedestrian circulation	x		x	Pedestrian walks and the plaza area will extend from the building to the project perimeter connecting points along Great River Road, Artisan Way and Assembly Row.
5.2.3.9	color, materials, and exterior features of proposed structures	x		x	The building materials include glass, steel, stone faced CMU, and metal.
5.2.3.10	landscaping and screening, including trees, stones, walls, fences, and other features to be retained and removed, as well as color, size, and type of landscaped surface materials	x		x	The lot is currently vacant. A landscaping plan including a planting schedule of trees, shrubs, and ground cover has been submitted.
5.2.3.11	measures taken to preserve and protect natural resources	x		x	There are no unspoiled natural resources to preserve. Remediation of the brownfields is an environmental benefit.
5.2.3.12	outdoor lighting, including location and intensity of lighting facilities			x	Outdoor lighting associated with the building is proposed as street lighting along the three perimeter streets, extensive plaza lighting and lighting the exterior of the building façade.
5.2.3.13	dimensions and locations of signs, proposed and existing			x	There is no existing signage at the site. The retail signage will be dictated by the tenants and must comply with the Assembly Row Storefront and Signage Standards.
5.2.3.14	location and significance of historic structures	x		x	Based on a Historical Survey conducted by Vanasse Hangen Brustlin in 2005, no properties included in the State or National Restiers of Historic Places are located within the Project limits.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
5.2.3.15	method for handling solid waste disposal, and for screening of disposal facilities			x	A licensed private contractor will pick up solid waste disposal and recycling. Dumpsters and compactors will be located within the building and will not be visible from public view.
5.2.3.16	description and location of all proposed mechanical and electrical system components, including exhaust and ventilation system, transformers, and satellite dishes			x	Major electrical system components such as the transformers and switch gear will be located in a manhole under Assembly Row, east of the Pavilion. The major mechanical equipment such as condensing units will be on the roof behind enclosures. Retail kitchen exhaust, if required, will terminate on the roof top. Retail fresh air makeup will be strategically integrated into the building elevation.
5.2.3.17	locations of and adequacy of existing and proposed on-site public utilities, facilities, and conditions (water, sewerage, and drainage), showing size and direction of flows	x		x	See Existing Conditions Plan; Utility Analysis; Layout and Materials Plans. The utility infrastructure improvements (water, sewer, drainage) within the streets have been designed to accommodate the full build out of the Master Plan and have been constructed under previous local and state approvals.
5.2.3.18	demolition and construction procedures including impact mitigation measures; an estimate of the time period required for completion of the development			x	There are no buildings to demolish. The estimated completion date for the project is late 2013 or early 2014.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
5.2.3.19	a traffic study including estimated peak hour traffic volumes generated by the proposed use in relation to existing volumes and projected future conditions or, if the project is twenty-five thousand (25,000) square feet or more, a traffic impact analysis which is prepared by a professional traffic engineer	x			The transportation study was completed with 2006 plan. The amended PMP provides current traffic data for 2010, certifying that baseline conditions have not significantly changed since the existing plan was completed, and therefore establishing that the 2006 report remains valid. The development plan for Block 2A is consistent with the past plan for the area and an updated traffic analysis is not required. The improved roadway infrastructure within Assembly Square can handle the traffic generated from Block 2A and the overall redevelopment plan. The new MBTA Orange Line Station is expected to be operational in late 2014.
5.2.3.20	general summary of existing and proposed easements or other burdens now existing or to be placed on the property	x		x	A 20-foot wide proposed driveway easement exists within the limits of the proposed Block 2A project area. The proposed easements are shown on the Layout and Materials Plan.
5.2.3.21	wetlands, ponds, and surface water bodies, as defined under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, and rules promulgated thereunder, 310 CMR 10.00	x			See Existing Conditions Plan. There are no wetlands or land subject to flooding on the project area.
5.2.3.22	photographs of at least eight (8) by ten (10) inches, showing the development site and surrounding parcels	x		x	Included in application submission
5.2.3.23	names and addresses of all property owners within three hundred (300) feet of site boundaries	x		x	Included in application submission. Staff generated a current list.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
5.2.3.24	such other information as will aid the SPGA in judging the application and in determining special conditions and safeguards, and as the SPGA should deem necessary, in its determination of completeness of said application as provided in Section 5.3.1 and the SPGA Rules and Regulations	n/a			n/a

Appendix B: Required Findings of Fact for PUD

<u>B.1: General Findings under Section 16 (SZO 16.9 and 16.1)</u>					
Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
16.9	The SPGA shall review and determine whether a PUD application is complete and place special emphasis in its review as to PUD compliance with provisions of Article 16 herein, including compliance with the purpose and general requirements/features of a PUD	x			See Appendix A. Applicant has provided a complete application. See the remainder of Appendix B which establishes that Applicant has provided an application that is in compliance with the provisions of Article 16 and complies with the purpose, general requirements and features of a PUD.
16.9	The SPGA shall . . . determine whether the proposal is consistent with the most suitable development of the City, and conduct a review in accordance with the requirements for special permit with site plan review as set forth in Article 5 of this Ordinance. The PUD shall comply with all requirements of this Ordinance unless a deviation from these strict requirements is authorized herein in Article 16	x			The proposal to reuse a brownfield next to the Orange Line for a transit-oriented mixed-use, green development is consistent with the most suitable development in the City. It is based upon a long-term set of principles established by the City for redevelopment of the Assembly Square area in the ASD Plan. The subject property complies with the requirements of the Ordinance.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
16.1	<p>The purpose of a Planned Unit Development, or PUD, is to provide for a mixture of land usage at designated locations at greater variety, density and intensity than would normally be allowed . . . to achieve, to the greatest possible degree, land development responsive to an analysis of the environmental assets and liabilities of a site, both natural and man-made. A PUD should be a well-integrated development in terms of land uses, functional activities, and major design elements such as buildings, roads, utilities, drainage systems and open space. A PUD is allowed greater design flexibility so that larger-scale site and master planning for a development may protect natural features and consider most fully the surrounding land use and development contextDevelopment should be concentrated in the most suitable and least environmentally sensitive areas of the landscape. Preservation and enhancement of open space is strongly promoted.</p>	x			<p>The revised PMP-PUD has benefited from an additional 4 years of work by the applicant in collaboration with the City and community stakeholders since the original 2006 PMP. The result is a plan for a vibrant, mixed use, urban neighborhood and commercial center providing 9,000 new jobs, increased tax revenues, market rate and affordable housing, improved access to transportation, improvements to regional stormwater systems and enhanced open space amenities. The project mixes uses, provides urban densities, develops according to environmental constraints and opportunities on the site, while creating a group of urban blocks that concentrate development with the highest densities near the transit station, mid-rise buildings fronting on the Mystic River parks, and expanded open space. The project meets this finding.</p>

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
<u>B.2: Consistency Findings (SZO Section 6.4)</u>					
Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
6.4.1	Purpose. The Assembly Square Mixed-Use District (ASMD) has been enacted to encourage the best use of Assembly Square physically, economically, environmentally and socially while promoting the best interests of residents of the City. The ASMD is intended to fulfill the goals and objectives contained in the Assembly Square District Plan (the ASD Plan, as hereinafter defined). The ASMD zoning is designed to allow the district to reach these goals.	x			See comments under Section 6.4.4 below.
6.4.4	The ASD Plan describes the physical characteristics of the ASMD. The ASD plan establishes a comprehensive plan for development in the ASMD. The ASD plan includes the <u>Assembly Square Planning Study</u> dated October 2000	x			The Assembly Square Planning Study prepared by the Cecil Group in 2000 created a framework for development in the Assembly Square area over the next twenty years and beyond. This Planning Study encouraged mixed- use development, but also recognized that a certain amount of big box retail would be the most feasible use in Assembly Square in the immediate future. The Planning Study specifically supported the redevelopment of the Assembly Square Mall and the proposed new IKEA store to improve Assembly Square’s visibility and image, helping to pave the way for more intensive office development in the future. While the ASD Plan's site layout was based upon the ownership arrangement before the IKEA land swap, the general principles and concepts of the plan are supported by the proposed PMP amendment, and this PMP includes all of the physical characteristics, values and goals that were addressed in the Planning Study.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
6.4.4	The ASD Plan describes the physical characteristics of the ASMD. The ASD plan establishes a comprehensive plan for development in the ASMD. The ASD plan includes the <u>Assembly Square Revitalization Plan</u> dated 2002	x			The Assembly Square Revitalization Plan is an approved Urban Renewal Plan under MGL 121B. The 2002 plan is a Major Plan Change to the 1980 Assembly Square Revitalization Plan -- the City's urban renewal plan for Assembly Square. The Major Plan Change built on the foundation of the Cecil Group's Planning Study. The Major Plan Change envisioned a mixed use district with office, retail, residential, cinema, hotel, and restaurant uses -- a vibrant 24-hour district with a density somewhere between Boston's density and level of density in nearby suburbs. The Major Plan Change also envisioned the redevelopment of the Assembly Square Mall and a new IKEA store. The PMP revision is consistent with the overall vision of the Revitalization Plan. Upon approval of this revised Master Plan, the Redevelopment Authority intends to amend the Revitalization Plan to reflect the latest redevelopment plan as outlined in this PMP and the FEIR.
6.4.4	The ASD Plan describes the physical characteristics of the ASMD. The ASD plan establishes a comprehensive plan for development in the ASMD. The ASD plan includes the <u>Assembly Square Design Guidelines for the Public Realm</u> dated 2002	x			Overall, the revised PUD PMP is consistent with the Public Realm Guidelines. The PUD's four key principles closely align with the goals of the Public Realm Guidelines; both encourage design that supports the PUD's public spaces and achieves sense of place, multi-modal functionality, and 24-hour activity. Both documents give streetscapes and public spaces high priority, stressing the role these spaces play in the framework of the PUD. Both establish street hierarchies and district gateways for orientation. The PUD PMP is also consistent in its recognition of the Mystic River as a regional amenity, maximizing pedestrian accessibility to the waterfront. The Public Realm Guidelines generally include a greater level of streetscape and building detail, while the PUD PMP establishes complementary detailed design guidelines to drive decisions made at the SPSR-A phase and during streetscape design.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
					For example, the Public Realm Guidelines call for a unified signage system that considers elements like sign character, placement, materials, and typestyle. This issue is addressed through inclusion of a condition that a sign design guideline be established. The Public Realm Guidelines also place emphasis on creating physical and visual connections between the PUD and its surrounding neighborhoods. The Applicant is undertaking several significant transportation improvements to enhance multi-modal access to the site. These efforts are especially important along the PUD's outer edges.
6.4.4	The ASD Plan describes the physical characteristics of the ASMD. The ASD plan establishes a comprehensive plan for development in the ASMD. The ASD plan includes the <u>Assembly Square Transportation Plan</u> dated 2003	x			The Assembly Square Transportation Plan generally calls out for development of a street grid within the mixed-use area. That grid has changed with the relocation of IKEA, but the overall transportation strategy in the PMP meets the spirit of the original Transportation Plan.
<u>B.3: General Requirements of a PUD (SZO Section 16.4)</u>					
Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
16.4a	a designated tract of land meeting the minimum lot size requirements of Section 16.5.1.a for the PUD district	x			The parcel size is 2,896,740 s.f., or approximately 66.5 acres. This exceeds the 20,000 SF minimum lot size required for the PUD-A in the ASMD.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
16.4b	developed in a comprehensive, design-integrated manner, according to an overall master plan, with two (2) or more types of use	x			The Applicant has submitted a revised Master Plan with supporting plans showing buildings and roadways prepared by the architectural firm of Streetworks, Inc. and the engineering firm of Vanasse Hangen Brustlin, Inc. The PUD includes the following uses: retail (including restaurant and cinema), commercial (including office, R&D, and other commercial uses), residential, hotel, and parking. This revision to the Preliminary Master Plan is addressing the third phase of the development with the IKEA site and the Marketplace having received prior SPSR-A approval. The two prior phases have been approved based on the original Master Plan which has allowed the project to be developed in a comprehensive, design-integrated manner and this current application would improve the original plan and provide further clarity and regarding the Assembly Row development.
16.4c	consistent with the objectives of this Ordinance;	x			The Applicant has utilized the increased height and FAR allowed under the PUD Ordinance, proposing buildings ranging from 1 to 23 stories with a maximum height of 250 feet. By contrast, the maximum height permitted as of right is only 40 feet. The proposed PUD has been designed so that each phase, the Marketplace, IKEA and Assembly Row functions well on its own and also in relation to other phases. With Assembly Row, the applicant has the flexibility to design and construct residential, retail and/or commercial, or a mix of all, in response to the market and to other development taking place in Assembly Square.
16.4d	consistent with the goals, objectives and plans of the City for the general subject area	x			The goals, objectives, and plans of the City for Assembly Square have been expressed in various public documents. Section B2 of these findings identifies in more detail how the proposed PUD is consistent with these documents. The previous PUD approval in 2006 met the goals and objectives of these documents and this revision is a refinement of the original PUD approval. Recently, the DRC reviewed the Design Guidelines for Assembly Row which provide greater clarity regarding the future development to take place on the site. The DRC's comments have been included in this report.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
16.4e	developed so as to locate or cluster development sites, especially buildings, in a manner that provides usable open space, preserves natural or historic features, and preserves views of such features to the maximum extent possible	x			The PUD is oriented around a series of open spaces connected by pedestrian friendly streets. Main Street has been oriented to preserve a view of the Mystic River. The Applicant will widen the existing DCR park as part of the PUD, and this new, expanded park will serve as an anchor to the north end of Main Street. The new park will be lined with a cluster of residential/retail buildings to give it an active edge and it is expected to serve as a place for public enjoyment of the river. Throughout the site, the Applicant proposes to construct a series of additional passive pocket parks for residents, shoppers, office workers, and visitors. Other than the riverfront, Assembly Square does not have any important natural or historic features to be preserved. During SPSR-A review for each component of the Master Plan, the provision of usable open space and the preservation of views will continue to be monitored by the Planning Board, and this Decision includes conditions regarding the Applicant's obligation to submit detailed information for each Special Permit application.
16.4f	an efficient use of land which properly considers topography and protects significant natural features including, but not limited to, waterways, wetlands, floodplains and wildlife	x			The existing site is relatively flat, except for the area near the water, where the land slopes to the river. Although there are some former tidelands in Assembly Square (which will subject the project to Chapter 91 review), there are no significant wetlands, floodplains, or wildlife. The most important natural feature is the Mystic River, and the PUD will enhance passive recreational elements of the DCR park, as expanded, with landscaping, public artwork, and associated improvements consistent with a first-class commercial standard for urban public space. Finally, the PUD has been designed to locate the tallest buildings furthest away from the Mystic River.
16.4g	an efficient use of land demonstrating full coordination of its own site development including, but not limited to, the land uses and functions contemplated, architecture, open space and pedestrian networks, vehicular access and circulation, and all other infrastructure	x			The Master Plan demonstrates that full consideration has been given to site development as a whole. The project has been phased such that the proposed uses and their associated roadways, parking, and infrastructure are developed in a coordinated manner. During the Special Permit process for developments within Assembly Row, the architecture, open space and pedestrian networks, vehicular access and circulation, roadways, and infrastructure will be reviewed in appropriate detail, and this Decision includes conditions to ensure that these issues are more fully addressed during the Special Permit process.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
16.4h	linked and coordinated with surrounding land uses, off-site public facilities, infrastructure and roadway access where appropriate, in a manner that is safe, efficient and non-injurious to the public, and an improvement or benefit to the public where possible	x			The Applicant has linked the residential buildings with the existing parkland that abuts the site and has designed a network of roadways and sidewalks which constitute an improvement to the existing conditions and a benefit to the public. During the special permit process links with surrounding land uses, off-site public facilities, infrastructure, and roadway access will be reviewed in appropriate detail. Conditions have been attached to this Decision to ensure that these issues will be fully addressed.
16.4i	designed with sizing of street and other infrastructure systems to accommodate the overall service demand of the PUD	x			A full Traffic Impact and Access Study was prepared for the project and was included in the original submission package. The applicant is claiming that neither the underlying traffic conditions near Assembly Square nor the Project itself have changed to the degree that a new Traffic Impact and Access Study is required. The City Traffic engineer concluded that all facets of intersections and roadways illustrated on the revised Master Plan are consistent with proper Traffic Engineering design practice. Recommendations for traffic mitigation and additional analysis are included in the Conditions section of this report.
16.4j	inclusive of provisions for the ownership and maintenance of usable open space as appropriate (see Sec. 16.6 of this Article)	x			The Applicant will be required to maintain the usable open space within the PUD subject to a maintenance agreement that must be developed as a condition of this approval.
16.4k	inclusive of appropriate deed restrictions or covenants requiring compliance of all development with the PUD master plan, and any architectural or other guidelines or standards			x	No deed restrictions or additional covenants beyond the maintenance and open space covenants are required for this site. The existing covenant from December 2006 remains in effect.
16.4l	when inclusive of a proposed use allowable under this Ordinance only within a PUD setting, that said use is integrated into the proposed development in terms of function and service to other users of the PUD site and/or to the immediately surrounding area	n/a			<u>Not applicable.</u> This finding is not applicable in the ASMD District because all uses in the PUD align with the underlying district.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
<u>B.4: PUD Design Guidelines (SZO Section 16.7)</u>					
Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
16.7a	PUD architecture should demonstrate the cohesive planning of the development and present a clearly identifiable design feature throughout. It is not intended that buildings be totally uniform in appearance or that designers and developers be restricted in their creativity. Rather, cohesion and identity can be demonstrated in similar building scale or mass; consistent use of facade materials; similar ground level detailing, color or signage; consistency in functional systems such as roadway or pedestrian way surfaces, signage, or landscaping; the framing of outdoor open space and linkages, or a clear conveyance in the importance of various buildings and features on the site			x	The building has a cohesive identity and is intended to relate to the plaza around it. The general massing of the building and design of the plaza conforms to the guidelines. A description can be found in the Form and Design section of the report. Conformance with the guidelines ensures that the site is built to be consistent with the PUD-PMP.
16.7b	Buildings adjacent to usable open space should generally be oriented to that space, with access to the building opening onto the open space			x	The usable open space will be the plaza surrounding the building. There will be doors on 3 or 4 sides to access the open space and the building will provide cover for portions of the plaza.
16.7c	When a building is proposed to exceed the base district height limit, it is intended that buildings be of slender proportions emphasizing the vertical dimension			x	The building is only one story and at the greatest height of 22.25 feet, it complies with the height limit.
16.7d	It is strongly encouraged that landscaped space, and particularly usable open space, be designed and located to connect as a network throughout the PUD. It is also generally intended that said space be designed and located to connect with existing off-site usable open space, and provide potential for connection with future open space by extending to the perimeter of the PUD, particularly when a plan exists for the location and networking of such future open space	x			see 6.4.7.A.4

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
16.7e	It is intended that no non-residential structure cause a casting of any shadow on any residential lands between 10:00 AM and 2:00 PM, solar time, on the vernal equinox (March 21); and that any shadow cast by a PUD structure on public usable open space be of minimal impact on the desired functional use of said open space, particularly in the period from March 21 to September 21			x	Shadow studies were submitted for Block 2B that included Block 2A. The one-story structure has minimal shadow impacts. The two adjacent buildings will have a much greater impact. Therefore the Applicants should be granted a waiver from providing separate shadow analysis for 2B for 10am and 2pm on Mar 21, Sept 21, Dec 21.
16.7f	Vehicular access to and from public roads is intended to be consolidated. Vehicular access to PUD lands from a public roadway shall generally be limited to one (1) access point, particularly when PUD frontage along said roadway is three hundred (300) feet or less. When a PUD has more than six hundred (600) feet of frontage on a public road, separation between existing, approved, and proposed curb cuts, whether on or off-site, shall average a minimum of two hundred (200) feet. Consolidation to a minimal number of access points is strongly encouraged	x			Vehicular access to this area is primarily provided though Assembly Square Drive, but also through New Road/IKEA Way and Foley Street by way of Middlesex Avenue. The PUD guidelines encourage consolidation of access points to and from PUD lands and a minimum of 200 feet between access points. This proposal meets this guideline while still offering optimal transportation access to the site, and a robust street grid to handle traffic within the site.
16.7g	Internal PUD streets shall consist of local and collector roadways, designed in accordance with standard traffic engineering practice. Any street proposed for public dedication shall meet the standards of the City's Director of Traffic and Parking.	x			The internal street layout is proposed in a grid pattern with local and collector streets. The main retail street travels north/south through the center of the Assembly Row development between IKEA Way and the park land adjacent to the Mystic River, supporting a robust street grid that can handle traffic within the site. Other internal streets provide connections to Assembly Square Drive, the MBTA station and perimeter locations. As these streets will be dedicated to the public these streets will be conditioned to meet City standards or better pursuant to review by the Director of Traffic and Parking and City Engineer.
16.7h	PUD block sides should reflect average city block size of Somerville, to maximize a pedestrian-friendly scale in the street grid. Alight streets to give building energy-efficient orientations.	x			Block sizes are larger than typically found in Somerville to accommodate buildings much larger than are typical in the City. Though the blocks are larger, the ground floor retail uses proposed and pedestrian friendly architectural elements and designs that would be required during the Special Permit review process will offset the negative effects of the above average block sizes and provide a scale appropriate for pedestrians.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
16.7i	The PUD design should preserve and enhance natural features such as topography, waterways, vegetation, and drainage ways.	x			The natural features of the site have been substantially altered over the years as an industrial and commercial site. This proposal would expand and improve vegetation on the site as well as expand the open space existing along the Mystic River.
16.7j	The PUD design should minimize impervious surfaces and incorporate other design features to minimize storm water runoff.			x	Stormwater runoff from the rooftop will receive water quality treatment in conformance with the Best Management Standards and is described in the FEIR and Roadway Notice of Intent. Runoff from the roof and sidewalk surrounding the building will discharge directly to the roadway stormwater management system.
16.7k	PUDs should maximize pedestrian transit-oriented development. Specifically they should use "traffic-calming" techniques liberally; provide networks for pedestrians as good as the networks for motorists; provide pedestrians and bicycles with shortcuts and alternatives to travel along high-volume streets, and emphasize safe and direct pedestrian connections to transit stops and other commercial and/or employment nodes; provide long-term, covered, bicycle parking areas; provide well-lit, transit shelters; incorporate transit-oriented design features; and establish Travel Demand Management programs at employment centers.	x			Traffic calming measures have been included in the roadway designs that feature combination pedestrian/vehicle streets and open spaces, traffic circles, paver cross walks, intersection bumpouts and street trees. Pedestrians and bicyclists have alternative networks to access the project without travel on the high volume streets and can bypass the entire project on a dedicated bike/pedestrian path around the perimeter of the site. The highest intensity development will be proximate to the MBTA station which will promote rapid transit ridership and is in line with ideals of Transit Oriented Development.
16.7l	Make shopping centers and business parks into all-purpose activity centers.	x			The proposal calls for a wide array of uses that would create a vibrant and sustainable community with amenities and activities that will serve the residents of the development and the surrounding areas. This project is much more integrated than a typical shopping center or business park, allowing for a new community to be developed adjacent to the new T station.
<u>B.5: ASMD Development Standards (SZO Section 6.4.7.A)</u>					
Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
6.4.7.A.1	<i>Transportation Analysis.</i> All new Developments shall conform to the requirements set forth in any Transportation Study, subject to the approval of the SPGA.	x			A full Traffic Impact and Access Study was prepared for the project and was included in the original submission package. The applicant has provided data indicating that neither the underlying traffic conditions near Assembly Square nor the Project itself have changed to the degree that a new Traffic Impact and Access Study is required. The Traffic Engineer indicated that all facets of intersections and roadways illustrated on the revised Master Plan are consistent with proper Traffic Engineering design practice. Recommendations for traffic mitigation and additional analysis are included in the Conditions section of this report.
6.4.7.A.2	<i>Parking Requirements.</i> Developments shall meet the parking requirements set forth in Section 9.15.	x		x	<p>The minimum requirement is between 4 and 7 parking spaces depending the actual use. There will be no parking on Block 2A but the parking requirement will be met with shared parking in the garages in Blocks 3 and 4. Other parking spaces available for the building include on-street spaces and the shared temporary parking lots on Blocks 5 and 6.</p> <p>Bike parking is not required for this building but bike racks will be located on the sidewalk along building 2B.</p>

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
6.4.7.A.3	<i>Landscaping Requirements.</i> Developments shall conform to the applicable landscaping requirements set forth in Article 10. Open spaces shall be contiguous to the extent practical, in the opinion of the SPGA.			x	A landscape plan and planting schedule was submitted and meets the requirements of Article 10. The plaza design will continue across Great River Road to visually connect the plaza to the riverfront park.
6.4.7.A.4	<i>Pedestrian Connections.</i> Continuous pedestrian connections shall be supported between all major points of pedestrian activity on the Development Site, including, but not limited to, connections to the Mystic River waterfront, connections to all public and private ways abutting the Development Site, and any transit stops. Developments shall support improved access between the ASMD and the Ten Hills and East Broadway neighborhoods by means of sidewalk connections, crosswalks, landscaping, traffic signalization and traffic calming methods as appropriate.	x			The project incorporates sidewalks throughout, connecting all parts of the development including to and from the proposed MBTA T stop, the Mystic River and the Assembly Square Marketplace. In addition, a shared use path is planned along the Orange Line right of way that will connect pedestrians along the length of the project to the riverfront. The enhanced riverfront park also provides enhanced and new pedestrian connections to Draw 7 Park and to points within the site. The Proponent has previously provided \$100,000 to the City for the design of a new Mystic River pedestrian/bicycle walkway underneath Route 28 connecting Assembly Square and the Ten Hills neighborhood. The Proponent has also committed to fund construction of the new Mystic River pedestrian/bicycle walkway underneath Route 28 as part of an up to \$2 million commitment to fund pedestrian/bicycle/riverfront park enhancements on DCR land, in addition to other mitigation being constructed by the Proponent in conjunction with the Project.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
<u>B.6: ASMD Design Guidelines (SZO Section 6.4.7.B)</u>					
Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
Note: The applicant has provided, of its own volition, additional Design Review Guidelines to address the design and massing of the proposed blocks and buildings. The document's of quality in material and design that will achieve the goal of creating a diverse and vibrant mixed-use neighborhood they in no way represent the only viable or acceptable solution.					
6.4.7.B.1	<i>Street and Sidewalk Design.</i> Street and sidewalk design shall be based on the Assembly Square Public Realm Design Guidelines and applicable engineering standards, provided that any street shown in such Guidelines as running through an existing Building is not required to be constructed until such Building is demolished.			x	The Applicant state that the design of streets and sidewalks have been approved by the City as a part of the 'Assembly Row at Assembly Square Phase 1B Roadway and Streetscape Improvements' plan.
6.4.7.B.2	<i>Building Design.</i> Buildings shall be designed to the highest architectural standards and shall be sited appropriately on the Lot.			x	The design has been reviewed by the Design Review Committee and it complies with the design guidelines as detailed in the decision. The building is oriented along Assembly Row and is the centerpiece of the plaza. The building is setback 10 feet in order to accommodate the landscaping, sidewalk, plaza and outdoor seating. Despite the setback the site is pedestrian oriented with landscaping, connections to retail, recreation on the Mystic River and sidewalks to the rest of the mixed use development.
6.4.7.B.2a	Buildings should be located to create a presence on existing street edges or along major internal circulation routes and have maximum building setbacks of five feet except in special circumstances, where greater setbacks would enhance the pedestrian friendly experience of the ASMD, such as dedicated open space; and buildings should be located to reinforce both existing and future circulation patterns that may serve more than one Site.			x	As described in 6.4.7.B.2, the 10 foot setback provides space for landscaping, outdoor seating and gathering space in the plaza. The building will be highly visible in this location at the terminus of Assembly Square Dr.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
6.4.7.B.2b	Buildings should have interesting entrance areas that are visible and directly accessible from major public access points, streets and circulation patterns. Extensive areas of glass and window, providing visual access to interior uses, should be part of all street facades and accompany building entrances. Multiple and frequent entrances oriented to streets are encouraged. Building entrances should be clearly defined, through the use of elements such as canopies, porticos, overhangs, peaked roof forms, arches. Entries set back from the street should have outdoor patios, tile work, moldings, integral planters or wing walls with landscaped areas, or places for sitting.			x	The building is dedicated to retail and three walls of the building will be glass that provide visual access to the interior use. There will be entrances around the building; however, the main entrance will be marked by an arcade.
6.4.7.B.2c	There should be a clearly defined pattern of bays, rhythms, and dimensions that create continuous visual interest and variety in the design of all facades.			x	There is a clearly defined pattern in the storefront systems along the building and column placement along the arcade. The eastern side of the building provides some variety with a rough stone surface and barn door.
6.4.7.B.2d	The overall scale of development should be broken down to respond to the pedestrian scale use of open space.			x	The 1 story building has a pedestrian scale and there will be an active ground floor with retail or restaurant uses. Canopies that project from the building will help to connect the building to the open space.
6.4.7.B.2e	Materials and colors shall be consistent with traditional buildings in the area with historic merit.			x	Two buildings in the Assembly Square area were inventoried by the Massachusetts Historical Commission and were not deemed to have historic merit. One of the buildings was demolished for the IKEA store and the other will be demolished. Glass, steel and stone are traditional materials that will be.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
6.4.7.B.2f	Building equipment and service areas should be located away from public streets or major interior circulation routes and provide screening. All storage of items for sale or related inventory should be enclosed unless completely screened from public view with architectural elements meeting the §6.4.7 guidelines.			x	The building equipment is either inside of the building, on the roof, or subsurface.
6.4.7.B.2g	Preference should be shown for vertical integration of uses. Developments should ensure that development patterns provide active uses on the ground floor that take advantage of the waterfront views and open spaces, and that add presence to public ways and sidewalks.			x	In order to take advantage of the views of the waterfront and the plaza, the building has three side of expensive glass facades.
6.4.7.B.2h	The façade of a building should not have any uninterrupted or unfenestrated length exceeding thirty-five (35) horizontal feet. Facades greater than one hundred (100) feet in length, measured horizontally, should incorporate wall plane projections or recesses having a depth of at least three percent (3%) of the length of the facade and extending at least twenty percent (20%) of the length of the façade.			x	No part of the proposed building has uninterrupted or unfenestrated length of façade exceeding 35 horizontal feet. The middle portion of the building projects out into the plaza, adding some depth to the building.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
6.4.7.B.2i	All Ground Floor facades that face public ways or the Mystic River should have windows providing visual access to the interior of a space, arcades, display windows, entry areas, awnings, or other such features along no less than seventy percent (70%) of their horizontal length. Forty percent (40%) of this activated facade area+ on the ground floor of building walls along primary and secondary streets shall consist of windows or doors meant for public entry and exit.			x	Three sides of the building will be glass curtain walls and a condition of approval is the no less than 65% of the glazing be clear glass. There will be arcades on the building and several doors meant for public access.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
6.4.7.B.3	<i>Parking Lot Design.</i> Refer to Section 9.15 for parking requirements. Parking Lots shall avoid large expanses that are unbroken by Buildings or substantial landscaped Open Spaces, as set forth in Section 10.4 of this Ordinance.			x	No parking will be located on Block 2.
6.4.7.B.4	<i>Open Space.</i> Landscape strips required in parking areas shall not apply to UOS calculations. Developments are encouraged to make significant contributions to Open Space along the Mystic River adjacent to the ASMD.			x	There will be no parking areas on Block 2. The plaza on this site and the one planned for Block 8 are important elements of the site planning for Assembly Row. The Block 2 plaza provides an outdoor area in which to gather and it will hopefully be a node of activity in the neighborhood.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
6.4.7.B.5	<p><i>Efficiency of Design.</i> Every effort shall be made to design Buildings and use materials and construction techniques to optimize daylight in building interiors, natural ventilation, energy efficiency, and to minimize exposure to and consumption of toxics and non-renewable resources and incorporate appropriate "green" design techniques. In accordance with this principle all Developments within the ASMD in excess of ten thousand (10,000) square feet shall be required to complete an Leadership in Energy & Environmental Design (LEED) worksheet and submit the worksheet to the SPGA with permit application materials. This worksheet shall be considered in evaluating whether a proposed Development meets the applicable standards set forth elsewhere in this Ordinance. However, consistency with the LEED standards shall not be a factor in whether or not to permit a Development.</p>			x	The development is less than 10,000 sf and therefore a LEED worksheet is not required.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
6.4.7.B.6	<i>Contributions.</i> Contributions for Infrastructure and Open Space related to a Development made by an Applicant to the City or its constituent agencies in other agreements or permits shall be credited by the SPGA toward any applicable requirements hereunder for a Special Permit.	x		x	The Applicant has committed to contributions and mitigation under contracts with the City and the SPGA shall take that into consideration. The applicant will enter into maintenance agreements for useable open space and a portion of the public infrastructure as well.
6.4.7.B.7	<i>Loading Spaces.</i> To the extent possible, Loading spaces shall be located away from major Public Ways, the Mystic River and other highly visible locations. Every effort shall be made to incorporate creative design to reduce the negative visual impacts of the Loading space.			x	Per section 9.7, restaurant uses less than 4,000 sf do not require a loading dock. Loading for the building will occur along the 20-foot roadway easement on the easterly portion of the site. Delivery trucks will enter this area by way of Artisan Way and travel northbound along this one-way roadway segment.

<i>Section</i>	<i>Required Finding</i>	<i>Met in PUD</i>	<i>Not Met</i>	<i>Met in SPSR-A</i>	<i>Comment</i>
<u>B.7: ASMD Large Project Development Standards (SZO Section 6.4.8.D)</u>					
<i>Section</i>	<i>Required Finding</i>	<i>Met in PUD</i>	<i>Not Met</i>	<i>Met in SPSR-A</i>	<i>Comment</i>
6.4.8.D.1	Transportation Analysis. Large Developments shall provide a Transportation Access and Impact Study. The Director of Traffic and Parking shall approve the geographic scope and content of the study in consultation with the Executive Director of the Planning Department and the Traffic Commission. In addition, the Applicant shall submit a Transportation Demand Management (TDM) plan tailored to the specific uses and the geographic location of the Development Site. If the Transportation Access and Impact Study indicates a significant impact to the transportation network in the specified study area, the Applicant shall include in the study proposed mitigation measures to address those impacts.	x		x	A full Traffic Impact and Access Study was prepared for the project and was included in the original submission package. The applicant has provided data indicating that neither the underlying traffic conditions near Assembly Square nor the Project impact itself, have changed to the degree that a new Traffic Impact and Access Study is required. The Traffic Engineer indicated that all facets of intersections and roadways illustrated on the revised Master Plan are consistent with proper Traffic Engineering design practice. Therefore, additional transportation analysis data is not necessary. The Assembly Square roadway improvements will be readily available to accommodate traffic generated by Block 2 and future development. The new Orange Line Station is under construction and the station is expected to be operational in 2014. The station will reduce the burden on the roadways by providing an alternative to vehicular transportation.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
6.4.8.D.2	<p><i>Large Retail Projects.</i> Any Large Development in which any single Retail Use is more than fifty thousand (50,000) square feet of gross floor area shall also be deemed a Large Retail Project. A). Nonretail Component --“No Large Retail Project ... shall be permitted in the ASMD unless permitted as part of a PUD-A which includes 1.5 net square feet of non-retail uses for every square foot over 50,000 net square feet of Retail Use in the Large Retail Project.” B). Ground Level Retail Size Cap-- “In a Large Retail Project, not more than 50,000 square feet of Gross Floor area of any single Retail Use shall be located on the Ground Floor of any Building included in the PUD-A.”</p>			x	<p>Section A) The proposed PUD meets this requirement as indicated in the Overall Site Plan breakdown of the proposed uses. Section B) The Applicant received a waiver from this requirement with the 2006 approval of the PMP for the TJ Maxx Store and the Christmas Tree Shop. Otherwise, the proposed PUD meets this requirement and no additional waivers from this provision are requested at this time. Block 2 will contain 3605 sf of retail and therefore it does not considered a large retail project.</p>

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
6.4.8.D.3	<i>Landscaping.</i> A minimum of fifty (50) percent of the Landscaped Area in a new Large Development shall be Usable Open Space. The SPGA shall have final discretion in deciding if land constitutes Open Space for the purposes of determining whether this requirement has been met. The Open Space requirement may be met with land that is part of the Large Development, or with land that is outside of the Large Development area but is located within the ASMD that was not already Useable Open Space, provided that the conditions of paragraph 2 of Section 16.6.1 of the Ordinance relating to public dedication of such Usable Open Space are met.			x	As required, the proposed PMP includes greater than 15% usable open space. This project contributes to the usable open space for the development; however, as a whole the development will exceed the requirement and locate usable open space in strategic locations.
<u>B.8: ASMD Large Project Design Guidelines (SZO Section 6.4.8.E)</u>					
Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
6.4.8.E.1	<i>Structured Parking.</i> Due to the size and scope of Large Developments, every effort shall be made to provide as much parking as possible underground and/or in structures	x		x	There will be no parking on Block2.

Appendix C: Requirements for SPSR-A

<u>C1: Requirements for SPSR-A</u>					
Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
6.4.9.C.1	Traffic impact and proposed mitigation, if any, (should be) consistent with any applicable Transportation Study, Traffic Access and Impact Study and/or Transportation Demand Management Plan, and the goals and objectives of the ASD Plan			x	There will be no additional traffic impacts created, above and beyond what was anticipated in the original traffic study.
6.4.9.C.2	The application (should) reflect an overall consistency with the intent and purpose of any applicable Design Guidelines set forth in this Section 6.4			x	The applicant has provided proposed Design Guidelines as part of the PUD-PMP. See Appendix B for assessment of the guidelines for consistency with the Design Guidelines set out in 6.4.7B and 6.4.8E of the SZO. Projects developed in accordance with the submitted Design Guidelines should be able to meet the general provisions of these sections and this project complies with the design guidelines for the master plan.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
6.4.9.C.3	The application (should) promote the following objectives: mix of residential, office, research and development, retail, hotels, places of assembly and institutional uses' economic benefits and employment opportunities' structured parking; pedestrian and bicycle access; affordable housing units and project mitigation contribution; view corridors to the Mystic River; enhanced and activated Open Space' creation of new Open Space or enhancement of existing Open Space; and, . . . support transit service at (the MBTA Station).			x	The building will be comprised of retail or restaurant uses. Pedestrian and bicycle access will be provided via sidewalks surrounding the site. Project mitigation contributions will be required for the commercial space. The building and plaza as designed in the design guidelines will allow for views of the Mystic from Assembly Row and the building. The building will interact with the open space on the block by providing canopies for outdoor seating.
6.4.9.C.4	Additional Findings and Determinations: Prior to granting a Special Permit with Site Plan Review-A, the SPGA shall make findings and determinations as noted in 6.4.9.C.4			x	These additional findings address submittal requirements, criteria for review, impact on public services, site surface drainage, access to buildings, utilities, signage, transformers, screening, and shadow impacts. These materials were submitted as part of the application for the Block except for the shadow analysis for which is waiver is requested.
5.2.5.a	<i>Information supplied.</i> Complies with the information requirements of Section 5.2.3			x	Applicants submitted all required information for SPSR-A applications.
5.2.5.b	<i>Compliance with standards.</i> Complies with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit with site plan review			x	Applicants meet individual SPSR-A findings as identified in this Appendix C.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
5.2.5.c	<i>Purpose of district.</i> Is consistent with the intent of the specific zoning district as specified in Article 6			x	The overall plan is consistent with the intent of the specific zoning district and this project is consistent with the PMP. The project advances the district's goals of development a mix of uses including restaurants and retail and does not preclude the other mix of uses planned for the area to locate near the site. The project will also increase the fund to supply of affordable housing units within the City and creates new jobs.
5.2.5.d	<i>Site and area compatibility.</i> Is designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area, and that the scale, massing and detailing of buildings are compatible with those prevalent in the surrounding area			x	The overall plan is compatible with natural features and character of the surrounding area. The project is consistent with the PMP and therefore meets this finding. The surrounding proposed open spaces, street layout and proposed development sites were considered when designing the site.
5.2.5.e	<i>Functional design.</i> Meets accepted standards and criteria for the functional design of facilities, structures, and site construction			x	The building and site meets functional standards of the SZO.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
5.2.5.f	<i>Impact on Public Systems.</i> Will not create adverse impacts on the public services and facilities serving the development, such as the sanitary sewer system, the storm drainage system, the public water supply, the recreational system, the street system for vehicular traffic, and the sidewalks and footpaths for pedestrian traffic			x	The applicant has adequately addressed that the overall project, with agreed-upon public service upgrades, will have adequate public services. The proposed project is consistent with the uses anticipated in the public services and facilities impact assessment that was created for the PMP and does not have any adverse impacts within the development site.
5.2.5.g	<i>Environmental impacts.</i> Will not create adverse environmental impacts, including those that may occur off the site, or such potential adverse impacts will be mitigated in connection with the proposed development, so that the development will be compatible with the surrounding area			x	The applicant has adequately addressed that the overall project mitigates adverse environmental impacts, cleans an existing brownfield and redevelops a waterfront site with future transit access. Furthermore, upgrades to DCR parkland will provide off-site open space for the project as well as the surrounding neighborhood. No unanticipated environmental impacts have arisen since the PMP approval that would cause concern for the development of the Block.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
5.2.5.h	<i>Consistency with purposes.</i> Is consistent with: 1) the purposes of this Ordinance, particularly those set forth in Article 1 and Article 5; and 2) the purposes, provisions, and specific objectives applicable to the requested special permit with site plan review which may be set forth elsewhere in this Ordinance, such as, but not limited to, those at the beginning of the various sections			x	The project meets the purpose of the Ordinance in encouraging the most appropriate use of the land and increasing the amenities of the municipality. The project also meets the purpose of Article 5 for the Board to evaluate the findings and determinations and provisions of the Ordinance and attach conditions to mitigate concerns.

Appendix D: Standards and Guidelines for Waterfront Overlay District

<i>D: Specific District Standards and Guidelines under Section 6.1.15.B</i>				
<i>Section</i>	<i>Required Finding</i>	<i>Met</i>	<i>Not Met</i>	<i>Comment</i>
6.1.15.B.1	All development should be designed to complement and harmonize with adjacent land uses (existing and proposed) with respect to architecture, landscaping and screening. Building materials of masonry brickwork, stone, wood, and glass are encouraged, to reflect the natural setting of the Mystic River. Pre-cast concrete panels and large expanses of glass facade are generally discouraged.	X		The development is consistent in form with the PMP which was designed to create a cohesive neighborhood where each building and use complements each other. The buildings materials will include encouraged materials of stone and glass. There will be large expanses of glass on three sides of the building, which is generally discouraged. The transparent facade will allow for continuous views of the waterfront from multiple locations along Assembly Row and creates a building that appears integrated into the plaza surrounding it.

Section	Required Finding	Met	Not Met	Comment
6.1.15.B.2	New structures and additions to existing structures within the Waterfront Overlay District shall be reviewed by the SPGA for effects of wind shadows, and other conditions at ground level insofar as they affect the users of the Mystic River and adjoining parkland. In this review, the SPGA shall determine if the public benefits provided by enhancements and activation of the Open Space in the Waterfront Overlay District outweigh the public detriments associated with ground level effects due to the proposed Development.	X		Shadow studies were submitted for Block 2B that included Block 2A. The one-story structure has minimal shadow impacts. The two adjacent buildings will have a much greater impact. Therefore the Applicants should be granted a waiver from providing separate shadow analysis for 2B for 10am and 2pm on Mar 21, Sept 21, Dec 21. The building will help to frame the riverfront park and bring more activity and people to it.
6.1.15.B.3	No structures, with the exception of park buildings in the waterfront parkland which provide direct support of public access and use of that parkland, shall be located within one hundred fifty (150) feet of the bank of the Mystic River as defined in 310 CMR 10.54.2.(c). Construction of new surface parking facilities within two hundred (200) feet of the bank of the Mystic River shall not be allowed.	X		Building 2A will be 250 feet from the bank of the Mystic River and there will be no surface parking facilities within 200 feet of the riverbank. The only parking within this setback is 9 on-street parallel spaces.

Section	Required Finding	Met	Not Met	Comment
6.1.15.B.4	Street and roadways will be allowed but must include sidewalks and landscaping to provide an attractive connection for pedestrian use, and to complement adjacent parkland.	X		Sidewalks will be constructed so that pedestrians will have access around the site. The pavement material of the plaza will continue across Great River Road to visually connect the plaza with the riverfront park.
6.1.15.B.5	A detailed landscape plan shall be submitted as a part of site plan approval for development in the Waterfront Overlay District, at the same scale as the submitted site plan. Special emphasis shall be given to designing and implementing landscape improvements and Usable Open Space along the Mystic River side of the property. It is intended that landscaping soften the impact of buildings and paved areas as seen from the river, adjacent public open space, and adjacent vehicular thoroughfares. Landscaping utilizing indigenous or naturalized plant materials is encouraged.	X		A detailed landscape plan was submitted which softens the edge of the plaza. The plant schedule will be reviewed to ensure that there are no indigenous or naturalized materials.

Section	Required Finding	Met	Not Met	Comment
6.1.15.B.6	There shall be at least one (1) pedestrian sidewalk connection between any parcel in the ASMD and the adjacent Mystic River Reservation and public open space. The sidewalk shall be a minimum eight (8) feet in width, be of concrete or other all-weather paved surface, and have minimal slope, changes in grade level, or stairs, so as to be accessible and usable to the greatest number of people. Other pedestrian ways, small plazas and gazebos, sitting areas and like improvements are strongly encouraged.	X		Sidewalks will be provided around the project area and will connect with the Mystic river Reservation. The sidewalks will be varying widths between 8 feet and 12 feet. The plaza on Block 2 will extend across Great River Road to provide a strong visual connection between the spaces and slow traffic driving over it, making it easier for pedestrians to move from the plaza to the riverfront park.
6.1.15.B.7	It is intended to encourage buildings with an orientation to the Mystic River, with ingress/egress to the structure opening onto the site's landscaped area and Mystic River Reservation. In addition, it is intended that new buildings have a visual and functional orientation to other like buildings. Developers are strongly encouraged to place major points of entry to their buildings in a manner facing and visible to the points of entry of nearby buildings, affording opportunity for the space between such buildings to be developed as useable open space and/or pedestrian connections.	X		The entire Block 2A building was designed with the plaza and connection to the Mystic River in mind. Details of the site and building design can be found in the sections of the decision labeled "Form and Design of Building" and "Site Design and Access".

Section	Required Finding	Met	Not Met	Comment
6.1.15.B.8	Where practical, grade levels of parking structures should be used for purposes other than vehicle storage. Retail, restaurant and other uses generating pedestrian traffic are encouraged. This is expected to be most applicable to those portions of a garage immediately adjacent to and facing usable open space — particularly when facing the Mystic River reservation or landscaped corridors leading to the reservation — or when facing a public street with retail uses located on parcels fronting and oriented to said street and adjacent to the Development in question. Views into parking structures should be screened if possible, and in all cases at least softened through use of landscaping and/or an architectural/ornamental treatment approved by the SPGA. Lighting within a parking garage shall not be directed towards the exterior of the structure, and shall not cause glare or excessive reflection beyond the structure itself.	X		The building will house retail or restaurant uses, which are an encouraged use. There will be no parking on this block.

Section	Required Finding	Met	Not Met	Comment
6.1.15.B.9	Structures should be oriented so that a visual wall is not created along the Mystic River, and designed so that views to the river from other nearby properties are maintained. As an aid to satisfying this intent, landscaped area and/or usable open space corridors of a minimum fifty (50) feet in width shall be provided on all lots within the Waterfront Overlay District, and shall extend through the full three hundred (300) foot width of the District. A developer or applicant may deviate from these strict standards if he/she can demonstrate to the SPGA full compliance with the intent herein to preserve river views and open space, and that an alternative plan will fulfill this intent in a manner at or exceeding these standards.	X		The building was designed with 3 glass curtain walls so that the building did not create a visual wall, blocking the view of the river.

Appendix E: Block 2A Conditions

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
A. General						
1	<p>Approval is based upon the application stamped in at the City Clerk's office on Jan 22, 2013, including updated plans:</p> <ul style="list-style-type: none"> • A1.1 Ground Level Plan dated Sept 10, 2012 • A3.1 West and East Elevations dated Feb 21, 2013 • A3.2 North and South Elevations dated Feb 21, 2013 • C-2, C-3 Neighborhood Context Map 1 and 2; C-4 Overall Site Plan 1; C-5 Overall Site Plan 2; C-6 Layout and Materials Plan; C-7 Grading, Drainage Plan; C-8 Utility Plan; all dated Jan 22, 2013 • Open space Summary for the PUD dated January 22, 2013 • Somerville Assembly Row – Main Street Plaza Materials Plan OSPCD date stamped Feb 14, 2013. <p>Any changes to the approved plans that are not de minimis must receive SPGA approval.</p>	-	Planning Director	Continuous		
B. Urban Design and Design Guidelines						
2	All storefronts and retail signage shall be consistent with the Assembly Row Storefront and Signage Standards. Storefronts or retail signage that is inconsistent with the guidelines shall be provided to DRC and Planning Board for review and approval.	-	Planning Director	Building Permit for retail unit and retail signage		
3	At least 65% of the glazing shown on the elevations shall be clear glass.	-	Planning Director	CO		

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
4	Applicant shall provide material samples of the final material and colors for siding, trim, windows, entry door, barn door, canopies and rooftop mechanical screening for DRC review and Planning Staff review and approval prior to construction.	-	Planning Director	Vertical Construction		
C. Trash and Recycling						
5	Trash and recycling storage shall be contained in the designated areas that are internal to the building. The Applicant shall provide recycling for tenants.	-	Planning Director / DPW	Continuous		
D. Maintenance of Facilities						
6	To the extent possible, all exterior lighting must not intrude, interfere or spill onto neighboring properties.	-	Planning Director	Continuous		
E. Demolition/Construction						
7	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	-	Traffic & Parking	During Construction		
8	The Applicant shall provide notice of intent to strictly comply with applicable State and Federal regulations regarding air quality including without limitation continuous dust control during demolition and construction.	-	Plng/OSE	CO		
F. Fire Prevention						
9	An approved fire alarm system and a radio master box shall be installed. There may be additional requirements attached to the permits pending review of more specific information before Fire Prevention's approval.	-	Fire Prevention	Certificate of Occupancy		
10	The hanging lights above the right of way must be at least 14 feet above grade to provide sufficient space for a fire truck to pass.	-	Fire Prevention	Certificate of Occupancy		

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
11	Applicant shall submit detailed information on how Assembly Row will be closed during special events for Fire Prevention review and approval.	-	Fire Prevention	Prior to construction of plaza		
<u>G. Linkage</u>						
12	The applicant shall meet the obligations required by Article 13 and Article 15 of the SZO, as modified by a certain Amended and Restated Assembly Square Development Covenant dated December 14, 2006 by and between Federal Realty Investment Trust, IKEA Property, Inc., the City of Somerville, and the Somerville Redevelopment Authority, as amended by First, Second and Third Amendments, and as further amended from time to time.	-	Planning Director	Certificate of Occupancy		
<u>H. Final Planning Signoff</u>						
13	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	-	Planning Director	Sign-off		

Appendix F: Use/Linkage/Usable Open Space/Parking Space Tracker

<i>Date</i>	<i>Project Description</i>	<i>Land Area</i>	<i>Square Footage</i>	<i>Commercial Space</i>	<i>Retail Space</i>	<i>Residential Units</i>	<i>Hotel</i>	<i>Linkage SF Exemption Tracker - to be paid after first 300,000 constructed for FRIT's buildings*</i>	<i>Square Footage to which Linkage Applies</i>	<i>SF of Open Space</i>	<i>SF of Usable Open Space</i>	<i># parking spaces</i>
Oct-07	IKEA (Phase IAA) - kept as placeholder	513,159	TBD - 340000	-	TBD - 340000	-	-		TBD - 340000	TBD - 221272	TBD - 163239	1,287
Dec-09	Marketplace (Phase 1AAA)	1,122,202	328,806	-	328,806	-	-	-	-	105,255	55,073	1,123
Jun-11	Block 10	32,059	4,500	-	4,500	-	-	4,500	-	15,646	11,325	28
Oct-11	Block 1	107,219	437,840	-	67,530	195	-	0	67,530	18,520	2,839	367
Oct-11	Block 4	122,219	439,660	-	43,975	253	-	0	43,975	22,040	13,096	469
Oct-11	Block 3	113,138	417,204	-	182,967	-	-	295,500	121,704	7,602	1,964	571
Feb-13	Block 2A	20,922	3,605	-	3,605	-	-	0	3,605	13,437	13,437	0
Feb-13	Block 2B	47,642	132,708	93,174	39,500	-	-	0	132,674	6,029	1,875	0
Total		2,078,560	1,764,323	93,174	342,077	448	-	300,000		188,529	99,609	3,845
Total Approved		2,671,884	5,000,000	1,750,000	512,000	2,100	200-rooms			675,531	481,674	10,066

Appendix G: Applicable PUD-PMP Conditions

Some of the timeframes for compliance of the conditions of the PUD-PMP have been changed from those approved in the August 2010 decision by minor amendment approval. When the timeline of the development became further defined, the timeframe for compliance for some of the conditions of the PMP needed to be altered to reflect the appropriate sequence of events. The Assembly Square Drive roadwork began and the trench permit, which was the trigger for satisfying conditions, was required before it was originally anticipated. The Owner is also working with the City on conditions such as the maintenance of elements of the public rights of way, the design of these elements, and other related conditions. Therefore, the timeline of events will require that some of the conditions have a different timeframe for compliance.

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
<i>This list of conditions includes the conditions that were part of the PUD PMP that relate to this SPSR phase.</i>						

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
A. Transportation / Traffic Circulation						
1	Applicant shall work with the MBTA and the City of Somerville to identify a bus route through the site and to provide appropriate bus stops that provide safe and convenient access to the MBTA Station, Main Street, IKEA, and the Marketplace. Any change to the roadway plans to provide bus stops, including the removal of on-street parking spaces, shall require the approval of the City Engineer and Planning Director.	-	Planning Director / City Engineer	Prior to opening of any new public street in the project (other than Assembly Square Dr)		
2	Applicant shall be required to submit proposed names for all streets for the review pursuant to Section 12.1 and 2-309.5 of the Code of Ordinances. The applicant should note that street names that are the same or similar to names already used in Somerville shall not be permitted.	Yes	Planning Director	Prior to opening of any new street		Streets have been named. Ensure that they have been officially.
B. Water Systems						
3	Applicant shall ensure that all materials shall be in accordance with the City of Somerville Water and Sewer Division's Specifications and/or Rules and Regulations, latest issue.	Yes	City Engineer	Prior to trench permit for roadway construction		This is complete within Assembly Square Drive, but review will be required for streets in the mixed-use area.

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
C. Stormwater Management System						
4	Design and construction phasing of the stormwater management system shall be subject to review and approval by the City Engineer to ensure compliance with City standards and best practices for design and ongoing maintenance.	Yes	City Engineer	Prior to trench permit for roadway construction		
5	Applicant shall provide the Planning Board with a status report on the receipt of necessary permits from MWRA.	-	Planning Director	Continuous		
6	Applicant shall furnish health and safety requirements for utility workers for all roadways to be constructed on private property and subsequently dedicated as public ways.	-	Planning Director	Prior to dedication of public ways		
7	The Applicants supplied minimum measures for soil erosion control that will be used on the project site. The contractor and owner shall prepare and implement a Stormwater Pollution Prevention Plan in compliance with EPA NPDES regulations.	Yes	City Engineer / Con. Comm. where applicable	Prior to trench permit for roadway construction and CO		
D. Urban Design and Design Guidelines						
8	The Applicant shall provide funds for design and up to \$1 million in funds for construction of the pedestrian crossing from Assembly Square to the Ten Hills neighborhood.	-	Planning Director	Prior to CO for first SPSR-A in mixed-use area		25% design is complete. The Applicant remains committed to providing funds for design and construction of the pedestrian crossing.

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
9	Applicant shall include a landscape buffer between the tracks and the proposed development along the G Street multi-use path that leads to the T-Station.	Yes	Planning Director	Prior to CO for Block 2, 4 or 6, whichever is first		There will be landscaping in the Mystic park between Block 2 and the tracts
10	As part of each site plan review submittal, the Applicant shall calculations showing that the percentage of open space and usable open space meets the zoning requirement for a PUD-A within the ASMD.	Yes	Planning Director	Addressed with each SPSR-A application		Complete
11	The applicant shall submit information regarding reasonable efforts that were used to secure LEED-ND approval for the project.	-	Planning Director	Prior to CO for first development in Mixed-Use area		