



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: PB 2014-34-R1-5/2015
Site: ASQ Block 5
Date of Decision: July 16, 2015
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: July 24, 2015

PLANNING BOARD DECISION

Applicant Name:	SRI Assembly Row B5, LLC
Applicant Address:	1626 East Jefferson Street, Rockville, MD 20852
Property Owner Name:	SRI Assembly Row B5, LLC
Property Owner Address:	1626 East Jefferson Street, Rockville, MD 20852
Agent Name:	Robert A. Fishman, Esq.
Agent Address:	155 Seaport Boulevard, Boston, MA 02108

Legal Notice: Applicant and Owner, SRI Assembly Row B5, LLC, seek a revision to Special Permit with Site Plan Review-A #PB2014-34 under SZO §5.3.8 in order to increase the number of residential units to 134, retail space to approx. 22,000 sf, parking spaces to approx. 216, increase height of tower and rear massing, and a Special Permit to modify parking space dimensions under SZO §9.13.b. The original permit was for final level approval of "Block 5" (identified as MBL 85-A-12) 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 and June 19, 2014. Applicant and owner received approval under SZO Article §16.8.3 and §5.2 to construct a mixed-use building with approx. 20,000 sf retail/restaurant space, 104 residential units, 155 hotel units and approx. 181 parking spaces. The uses include those approved in the PUD-PMP. The residential development is subject to inclusionary housing requirements.



The Applicant and Owner also received waivers (S.Z.O. §6.4.12 & 16.5.5) for fewer loading spaces than required under §9.16.3 and §9.7, submission of a landscape and screening plan under §5.3.2.10, and from regulations of forthcoming zoning amendments as permitted by §16.10.2 of the SZO.

Assembly Square Mixed Use District (ASMD); Planned Unit Development Overlay District - A (PUD-A) / Ward 1

<u>Zoning District/Ward:</u>	Assembly Square Mixed Use District (ASMD); Planned Unit Development Overlay District - A (PUD-A)/Ward 1
<u>Date of Application:</u>	May 21, 2015
<u>Date(s) of Public Hearing:</u>	July 16, 2015
<u>Date of Decision:</u>	July 16, 2015
<u>Vote:</u>	5-0

Appeal #PB 2014-34-R1-6/2015 was opened before the Planning Board at Somerville City Hall on July 16, 2015. 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 two hearings of deliberation, the Planning Board took a vote.

DESCRIPTION:

A. Overall

The plan for Block 5 is a phased proposal. The Planning Board approved the first phase on February 5, 2015 and future phases will require additional SPSR-A applications. Phase one of the original application comprised approximately a third of the depth of the lot with a 224,662 net square foot building. Uses included 22,000 square feet of retail and restaurants 134-residential units and 155 hotel rooms. There were 133 underground parking spaces and 86 surface spaces.

The current application is to revise the approval to add height to the 13-story building, add residential units, increase parking, and move the location of the hotel pool and fitness center. The residential units will increase from 104 to 134 and the parking spaces will increase from 181 to 219. The number of surface spaces is 86 and the number underground is 133. The retail space will remain the same at 22,000 square feet. The overall height of the building will increase from 157 feet 10 inches to 172 feet 2 inches. The net square footage of the building will increase from 218,700 224 to 662 square feet. The pool and fitness center was moved and a second floor was created in the rear to accommodate them. The space has large block windows facing the middle of the block. Once phase 2 is constructed this area will not be visible from the public right of way.

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	115,382 sf (2.5 acres)
Frontage	-	-	~300 ft
Front yard setback	No minimum	-	6.4 ft
Side yard setback (left)	No minimum	-	10.0 ft
Side yard setback (right)	No minimum	-	9.2 ft
Rear yard setback	No minimum	-	242.2 ft



DIMENSIONAL REQUIREMENTS	PUD-A	Approved PUD	Proposed Project *
Maximum Floor area ratio (FAR)	10.0	2.0	1.95 (net)
Maximum height, feet/stories	70 feet up to 250 feet	Varying up to 250 feet	172 ft 2 in / 13-story tower
Minimum lot area/per dwelling unit	No minimum	Approx 1379	861
Total open space (% & sf)	25%	27.8% / 743,568 sf	9.1 % / 10,499 sq
Useable open space (% & sf)	12.5%	21.2% / 565,983 sf	6.4 % / 7,384 sf

* 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 rectangular in shape. The address for the building will be the 400 block of Assembly Row. When the retail space is subdivided addresses for each occupant will be established. The entrance to the below grade parking is located on Canal Street. There are entrances to the at grade parking on Canal Street and Foley Street.

Pedestrian access will be around the site on the sidewalks. There is an entrance to the residential units on Canal Street and an entrance to the hotel on Foley Street. The retail entrances will be directly off of the sidewalks.

The current application is only for phase 1 of the block; however, the design guideline for the block shows that the vehicular entrances proposed with this application would remain the same and one additional entrance as proposed along Grand Union Boulevard.

C. Building Shape and Placement

The design guideline for Block 5 was approved in the latest Master Plan amendment to be submitted with the SPSR-A application; therefore, the building space and placement matches the design guideline. The proposal is for a thirteen story building along Assembly Row that wraps the corner onto Canal Street. The building steps down to five-stories and then two-stories at the corner of Assembly Row and Foley Street.

D. Uses

The use of the building is proposed to be 134 residential units, 155 hotel rooms, and 22,000 square feet of restaurants and retail. A list of specific uses from the Somerville Zoning Ordinance use table was approved as part of the PUD-PMP and the building could contain a mix of those approved uses. The ground floor is currently broken up into six retail units ranging in size from 1920 to 4150 square feet. There is a hotel lobby on the ground floor and pool and fitness center on the second floor. The hotel rooms are on floors two through five along with two meeting rooms and an outdoor terrace on the second floor that overlooks Foley Street. The residential units are on floors six through thirteen. There is a rooftop terrace on the sixth floor for residents. Appendix G provides information on the square footage of each use that was permitted through the Master Plan approval and how many square feet of each use has been constructed to date.

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. This threshold has been reached as outlined in Appendix G and linkage will be required for the square footage of this building as in outlined in the attached conditions.



F. Inclusionary Housing

The number of residential units that will be affordable units as specified in the SZO will increase from 13 to 17. The Applicant will create an Affordable Housing Implementation Plan (AHIP) with the City.

G. Landscaping and Open Space

Block 5 will be built out as an urban block and will not contain landscaping beyond planter boxes on the sidewalk. Landscaping across the Assembly Row site is concentrated in publically accessible well programmed spaces.

The usable open space on the site is around the building adding to the width of the sidewalks. Larger areas of usable open space will be on other parcels where they are consolidated to make larger spaces that will connect the Assembly Row development to the waterfront. The overall calculation of useable open space in the PUD is 21.2 percent. The private terrace areas are not counted in the usable open space calculation, although they will function as usable open space for the tenants of the building. 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.

H. Parking, Loading and On-site Circulation

The minimum and maximum parking requirements are outlined in the table below. Assuming a use mix of 11,000 square feet of retail, 11,000 square feet of restaurant space, 134 residential units, and 155 hotel rooms the minimum requirement is and maximum. The number of spaces that will be provided, 219, is less than the minimum. The parking requirements do not need to be met for each individual SPSR as they contribute to the approved PUD that does comply with the parking requirements. For phase 1 the underground parking will be for the residents and the at grade parking will be for the hotel and retail as well as shared parking with uses on surrounding blocks.

PARKING REQUIREMENTS	Square Feet	Minimum Requirement	Minimum # Spaces	Maximum Requirement	Maximum # Spaces*
Retail	11000	1/1000sf	11	1/500sf	22
Restaurant	11000	1/500sf	22	1/250sf	44
Residential	134 units	1/unit	134	1.5/unit	201
Hotel	155	0.5/unit	77.5	1/unit	155
Total			244.5		422

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

The bicycle parking requirement is 1 for every 10 parking spaces for the commercial uses and a ratio of one bicycle parking space for every three additional residential units above seven. Eighty-six commercial parking spaces will be provided and therefore 9 bicycle parking spaces are required. Forty-two residential bicycle parking spaces are required. The total required bicycle parking spaces on the site is 51.

Based on the Applicant’s assumptions of the number and size of the retail and restaurant tenants anticipated 3 loading docks parking spaces are required. The requirements are: 2 for between 20,001 and 35,000 square feet of retail and 2 for between 6,001 - 16,000 square feet of restaurant. The users of the buildings will be able to share loading docks including the residential tenants when moving into or out of the building. A waiver was approved to provide 2 docks. Loading will occur mid block at the ground floor of the building. Trucks will enter and exit via Canal Street. Trucks are able to ingress and egress the site in the forward direction.

A Special Permit is sought for modification of parking space dimensions under SZO §9.13.b. for modification of parking design standards. The standard parking space dimension is 9 feet by 18 feet. The ordinance allows for 20% of the spaces to be compact at 8 by 16 feet. For 219 total parking spaces in this proposal, 20% would be 44. The proposal is for 81 spaces to be slightly narrower than the standard, some tandem and some at the typical compact parking space size. More specifically, the underground parking lot includes 81 – 8.5 by 18 foot spaces, 35– 8 by 16 foot spaces, 5 – accessible spaces, and 12 – tandem spaces. The 86 at grade spaces will be the standard size.



I. Form and Design of the Building

The 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 revised PMP approval. As part of the June 19, 2014 Preliminary Master Plan approval the specific guidelines for Block 5 were approved to be submitted with the SPSR application.

The design guidelines provide a logical strategy that fits into the plan for the rest of the neighborhood. The building massing responds to massing and open space on other blocks. The taller portion of the site will be back from Assembly Row and separated from the tower on Block 6. The scale of the building steps down to address the median park between Blocks 7 and 8 and will provide a view of this significant corner from the park and from the walk from the T-station to Assembly Row.

The significant and primary facades as defined in the Assembly Row Design Guidelines are strategically placed. The first floor around the building will be primary elevations or areas of architectural emphasis which are most impactful for how pedestrians perceive the building. The residential tower also has significant areas on floors twelve and thirteen to provide a base, middle and top to the building. The significant corners will be on the two-story portion of the building that wraps the corner from Assembly Row to Foley Street and the southwestern corner to give prominence to the commercial tenant.

J. Signage

The retail signage will be located along the first floor where the retail storefronts exist. Staff will review and approve retail signage based on the Assembly Row Storefront and Signage Design Standards. Plans that are inconsistent with the Standards will require review from the Design Review Committee and approval from the Planning Board. Signage proposed outside of the retail area is not shown on the plans and will require a Special Permit in the future if it does not comply with the signage standards in the ASMD.

K. Waivers & Other Relief Requests

The Applicant received waivers from the requirements of the Zoning Ordinance under §9.16.3 and §9.7 for fewer loading spaces than is required, under §5.3.2.10 for submission of a landscape and screening plan, and under §16.10.2 from regulations of forthcoming zoning amendments as permitted by of the SZO.

- The loading space requirement is dependent on the breakdown of retail versus restaurant space in the mixed use building. Since the breakdown has not yet been determined, the Applicant calculated that the maximum number of loading docks required is 3 and 2 will be provided. The rationale for providing less than the maximum number of loading spaces is that allocating less ground floor space to loading results in more square footage for retail and restaurant uses that enliven the district. Moreover, two loading spaces will be sufficient for the proposed uses. Several of the tenants will likely use vans for deliveries and two vans can fit in a loading area designated for a larger truck. The site will be managed to minimize conflicts.
- The landscaped plan is not needed as a part of this application because the only landscaping onsite at full build out will be planters. There is currently landscaping including a rain garden that will remain. The loading area will be screened by a wall and a condition of approval will be to review the design of it. The service and utility areas of the building will be internal as part of the phase 2.
- The final waiver is from applying the proposed zoning ordinance to the development that has been advertised for a public hearing. Section 16.10.2 states that in general it is intended that amendments to the Ordinance subsequent to approval of a PUD shall apply to the PUD; however, due to the long-term, comprehensive nature of a PUD, the owner may seek a waiver of any new zoning regulation through the SPSR process. In granting a waiver the SPGA shall be fully satisfied that the PUD is in full compliance with the intent of the Ordinance and being developed in a manner that meets or exceeds the level of compliance effective at the time of PUD preliminary master plan approval.

FINDINGS FOR SPECIAL PERMIT WITH SITE PLAN REVIEW-A & SPECIAL PERMIT:***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 5.1.4), Revisions (§5.3.8) & SP (§9.13)

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.

Revisions to Special Permits with Site Plan Review under SZO section 5.3.8 may be sought before the Certificate of Occupancy is issued for a project. The proposed revision is not deemed de minimis because the changes would be noticeable to persons generally familiar with the plans. Revisions that are not de minimis are subject to the full notice and hearing provisions of the Somerville Zoning Ordinance.

The SZO requires that the requirements in Section 5.1.4 are addressed when Special Permit requests are submitted. The Board finds that the special permit for parking spaces dimension modification meets the findings required as identified in Appendix C.

D. Waiver Standards

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, 6.4.12 & 16.5.5. The Board finds that the requested waiver from the loading bay requirements (§9.16 & 9.7) and providing a landscape and screening plan §5.3.2.10 are acceptable.

The Board finds that the request to waive the proposed regulations of forthcoming zoning amendments are reasonable. The proposed zoning ordinance has been advertised but the standards of the code will likely change as a result of the public hearing and future meetings with the Planning Board and Board of Aldermen. The Applicants have done their due diligence under the existing zoning ordinance and are ready to move forward with development of the block.

The Board finds that projects submitted for SPSR-A under this PMP meets the findings required as identified in Appendix D.



DECISION:

The Planning Board determined that the application for a revision to the 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 and June 19, 2014 meets the required findings, as addressed in Appendixes A, B, C and D of this decision. Kevin Prior made a motion to approve the revision to the Special Permit with Site Plan Review – A and Special Permit to modify parking requirement and approve the requested waivers. Rebecca Lyn Cooper seconded the motion. The Planning Board voted 5-0, with Dorothy Kelly Gay absent, to APPROVE the SPSR-A and to approve the waivers. The Planning Board incorporated the conditions in Appendix E and in order to complete this project, the attached PMP-PUD conditions in Appendix F need to be satisfied within the designated timeframe for compliance. The Board also attached Appendix G that addresses the PUD-PMP thresholds that will adjust as the Assembly Row project is built out.

The Planning Board previously approved the waivers for the number of loading docks, submission of a landscape and screening plan and compliance with the proposed zoning ordinance.

Approval constitutes an approval of Phase 1 of the site including 224,662 net square foot building with 22,000 square feet of retail and restaurants, 134 residential units, 155 hotel rooms, 133 underground parking spaces and 86 surface spaces.

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.



Attest, by the Planning Board:



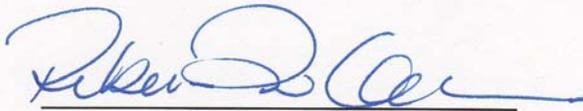
Kevin Prior, Chairman



Joseph Favaloro



Michael A. Capuano, Esq.



Rebecca Lyn Cooper



Gerard Amaral



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 E: Block 5 Conditions

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
<p><i>This list of conditions includes the conditions that were part of the PUD PMP that relate to this SPSR phase.</i></p>						
A. General						
1	Approval is based upon the application stamped in at the City Clerk's office on Nov 21, 2014 and revision application stamped in on May 21, 2015, and plans: Renderings: Hotel Lobby Entrance: Foley St, Corner Retail: Foley St & Assembly Row all stamp dated 1/29/15, AS AMENDED BY Perspective of Assembly Row & Foley corner, N, S, E, W Elevations, Grade level site plan, Grade level plan full build, Floor plans all dated July 13, 2015. Also, C-1, C-2, C-3 Neighborhood Context Map; C-4 Overall Site Plan 1; C-5 Overall Site Plan 2; C-6 Layout and Materials Plan; C-7 Grading, Drainage, and Erosion Control Plan; C-8 Utility Plan; C-9 Turning Template all dated 11/21/14; Open space Summary for the PUD.	-	Planning Director	Continuous		
B. <u>Transportation / Traffic Circulation</u>						
2	Applicant shall participate in the review of parking supply to be completed annually by the developer of Assembly Row, providing parking utilization data to the Traffic and Parking Division and Planning Division staff on an annual basis. Based on the data, the Applicant shall work with the Planning Division staff in circumstances where parking is not being used, to encourage shared parking in Assembly Square	-	Planning Director / Traffic and Parking Director	1 year after CO and annually thereafter		
3	Applicant shall construction/install an operable traffic signal with traffic controller(s) capable of providing four way flashing red signals at the intersection of Grand Union Boulevard and Foley Street.	-	Traffic & Parking Director	CO		

Block 5

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
4	Applicant will supply a minimum of 51 bicycle parking spaces that should be within the building and on the sidewalk. The applicant shall provide a plan of bike parking locations on the sidewalk to Planning Staff for review and approval.	-	Planning Director	Plans - prior to BP for vertical construction / installation of parking -CO		
C. Design						
5	All storefronts and retail signage shall be consistent with the Assembly Row Storefronts and Signage Design 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		
6	Off premises advertising is not permitted on this site and is subject to all applicable state and local permit requirements.	-	Planning Director	Continuous		
7	The rooftop screening design shall be submitted to Planning Staff for review and approval. Screening shall be made as least visible and possible and it should tie into the design and color scheme of the building.	-	Planning Director	Building Permit		
8	Applicant shall provide information regarding the final material and colors for siding, trim, windows and doors and an onsite mockup of each building segment for DRC review and Planning Staff review and approval prior to construction.	-	Planning Director	Completion of Steel Erection		
9	Applicant shall provide the design of the wall to screen the loading area to Planning Staff for review and approval.	-	Planning Director	Completion of Steel Erection		
10	Per section 6.4.8.D.2.b of the SZO, not more than 50,000 square feet of Gross Floor area of any single Retail Use shall be located on the Ground Floor of the building.	-	Planning Director	CO for retail		

D. Trash and Recycling

Block 5

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
11	Trash and recycling storage location for phase 1 shall be submitted to Planning Staff for review and approval. The disposal facilities shall be screened from public view. The Applicant shall provide convenient recycling to commercial and residential tenants.	-	Planning Director / DPW	Continuous		
E. Maintenance of Facilities						
12	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, publicly assessable open space, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	-	Planning Director	Continuous		
13	Applicant shall submit a new or amended Usable Open Space Agreement to be reviewed and approved by Planning Staff for the open space on Block 5.	-	Planning Director	CO		
14	To the extent possible, all exterior lighting must be confined to the subject property, cast light downward (except for uplit trees) and must not intrude, interfere or spill onto neighboring properties.	-	Planning Director	Continuous		
F. Linkage and Inclusionary Zoning						
15	Affordable Housing Implementation Plan (AHIP) should be approved by the OSPCD Housing Division and executed prior to issuance of Building Permit. Affordable units shall be provided on-site.		Planning Director / Housing Director	BP		
16	Written certification of the creation of affordable housing units, any fractional payment required, or alternative methods of compliance, must be obtained from the OSPCD Housing Division before the issuance of a Certificate of Occupancy (C.O.). No C.O. shall be issued until the OSPCD Housing Division has confirmed that the Affordable Housing Restriction has been approved and recorded and the developer has provided the promised affordable units on-site.		Planning Director / Housing Director	CO		

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
17	No Certificate of Occupancy shall be issued until the OSPCD Housing Division has confirmed that: (for Condominium Projects) the Condominium Documents have been approved and the Developer has agreed to a form of Deed Rider for the Affordable Unit(s), or (for Rental Projects) the Developer has agreed to and executed a Memorandum of Understanding for Monitoring of the Affordable Unit(s).		Planning Director / Housing Director	CO		
18	The applicant shall meet the obligations required by Article 15 of the SZO. All covenants, contractual agreements and other documents necessary to ensure compliance with this Article shall be executed prior to the issuance of a building permit beyond the foundation permit. The first payment shall be made prior to the issuance of a certificate of occupancy. The total linkage payment shall be as determined by Article 15. The actual payment shall be determined by final square footage at the time of issuance of a building permit.	-	Planning Director / Housing Director	Building Permit / CO		
G. Demolition/Construction						
19	The Applicant shall at his expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard.	-	Planning Director	Certificate of Occupancy		
20	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		

Block 5

PB 2014-34-R1(5/2015)

July 16, 2015

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
21	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		
H. Site Plan/Utilities						
22	Applicant shall submit the Site Plan Review Checklist and submit it along with the applicable documents to Engineering Staff for review and approval. The plans must comply with the City's Stormwater Management Policy.	-	City Engineer	BP		
23	A full set of as built plans shall be submitted to Engineering Office prepared and stamped by a Registered Licensed Surveyor in the State of MA prior to final sign off. This office shall review submitted as built and at its discretion require additional information if needed.	-	City Engineer	CO		
24	All sidewalks and handicapped ramps shall be ADA compliant and a letter of compliance prepared by a professional engineer registered in the State of MA shall be submitted to this office prior to final sign off.	-	City Engineer	CO		
25	If alterations are to be made to existing site utilities, a full review and approval by the City Engineer must be made prior to construction.	-	City Engineer	BP		
I. Fire Prevention						
26	Outside fire strobes shall be placed in front of each retail space. The Applicant shall meet with the Fire Prevention regarding radio master boxes, fire alarm panels and sprinkler plans. Plans for these systems shall be provided to Fire Prevention for review and approval prior to the issuance of any construction permits.	-	Fire Prevention	Building Permit for vertical construction		
J. Final Planning Signoff						

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
27	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		