



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

MICHAEL F. GLAVIN  
EXECUTIVE DIRECTOR

PLANNING DIVISION

**PLANNING BOARD MEMBERS**

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GERARD AMARAL, (ALT.)

**Case #: PB 2014-34-R3-9/2017**  
**Site: Assembly Row Block 5 - signage**  
**Date of Decision: October 19, 2017**  
**Decision: *Petition Approved with Conditions***  
**Date Filed with City Clerk: October 25, 2017**

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**PLANNING BOARD DECISION**

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**Site:** Assembly Row Block 5 – 400-499 Assembly Row

**Applicant Name:** SRI Assembly Row B5, LLC

**Applicant Address:** 1626 East Jefferson Street, Rockville, MD 20852

**Property Owner Name:** Street Retail, Inc.

**Property Owner Address:** 1626 East Jefferson Street, Rockville, MD 20852

**Agent Name:** Robert A. Fishman, Esq.

**Legal Notice:** Applicant and Owner, SRI Assembly Row B5, LLC, seek a Special Permit with Site Plan Review–A, approval of signage for Special Permit with Site Plan Review–A (SPSR-A) for “Block 5” (identified as MBL 85-A-12) approved by the Planning Board on February 15, 2015 and as revised on June 25, 2015 and March 17, 2016. Applicant and owner seek approval under SZO Article §6.4.9 and §6.4.14 to install a banner sign on the Assembly Row façade that is over 35 feet from finished grade and taller than 30 feet, a flat-mounted building sign at approximately 60 feet above finished grade, and a double-sided 3’-6” wide by 5’-9” tall freestanding sign at the hotel entrance on Foley Street.

<b>Parcels:</b>	85-A-12
<b>Zoning District/Ward:</b>	Assembly Square Mixed Use District (ASMD); Planned Unit Development Overlay District - A (PUD-A)/Ward 1
<b>Zoning Approval Sought:</b>	SZO §6.4.14 <i>Signage in the Assembly Square District</i>
<b>Date of Application:</b>	September 14, 2017
<b>Date(s) of Public Hearing:</b>	October 19, 2017
<b>Date of Decision:</b>	October 19, 2017
<b>Vote:</b>	5-0



Appeal # PB 2014-34-R3-9/2017 was opened before the Planning Board at Somerville City Hall on October 19, 2017. 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. Site***

The total land area of the Master Plan is 2.67 million square feet or 61.3 acres and the area of Block 5 is 115,382 square feet or approximately 2.65 acres. Block 5 is a bounded by Assembly Row, Foley Street, Grand Union and Canal Street. The land is currently used as a parking lot with 206 parking spaces to serve the retail uses in Assembly Row. At the northwest corner of the lot there are four shipping containers comprising retail and restaurant space with hours of operation between 7am and 2pm.

***B. Surrounding Area***

The area surrounding the proposed site contains Draw 7 Park on the opposite side of the MBTA Orange Line tracks and the developments of the Assembly Row Blocks 1, 2, 3 and 4 which are nearing full occupancy. Block 11 is complete and occupied by Partner Healthcare, and Block 6 is nearing completion. Blocks 7 and 9 will continue to be a temporary parking lots and Block 8 is currently vacant.

**PROPOSAL**

***A. Overall***

The plan for Block 5 is a phased proposal. The last approval for the building on Block 5A includes 21,000 square feet of restaurants and retail, 132 residential units and 160 hotel rooms. The approval includes 189 spaces including 103 underground parking spaces, 28 of which are compact, and 86 surface spaces.

There are no changes in dimensional requirements. This proposal is for signage on the Assembly Row and Foley Street façades.

***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.

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 access points match the design guideline for Block 5 that was approved in a prior Master Plan amendment. The proposed signage includes a banner sign on Assembly Row, a wall sign facing Foley Street but also visible from Assembly Row, and a freestanding sign on Foley Street at the hotel pedestrian entrance.

***C. Building Shape and Placement***

This proposal does not affect either the building shape or massing.

***D. Uses***

As listed in the approved Special Permit, the use of the building is proposed to be 132 residential units, 160 hotel rooms, and approximately 21,000 square feet of restaurants and retail.



***E. Linkage***

This project is strictly signage approval and does not involve any linkage payments.

***F. Inclusionary Housing***

There are no changes to the residential program of this building under this revision so there will not be a change to the number of affordable housing units.

***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 publicly accessible well programmed spaces.

The freestanding sign at the hotel entrance on Foley Street will be located at the edge of the sidewalk, allowing clear pedestrian circulation space of 10 ft.

***H. Parking and On-site Circulation***

There are no changes to parking counts, loading bays, or on-site circulation.

***I. Form and Design of the Building***

There are no changes to the form or design of the building.

***J. Signage***

Signage proposed outside of the retail area was not shown on the building plans and require a Special Permit to comply with the signage standards in the ASMD. See Staff Findings below.

***K. Waivers & Other Relief Requests***

There are no additional waivers or relief requested.

**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. Staff finds the SPSR-A meets the application submittal requirements in the above listed sections.

***B. Required Findings of Fact for PUD***

Section 16.10.1 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 SZO. The SZO further 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 Staff finds that this project submitted for SPSR-A under this PMP meets the findings required.

**C. Requirements for SPSR-A (SZO §6.4.9), AND SIGNAGE IN ASMD (§6.4.14)**

The applicable portion of §6.4.9 *Special Permit with Site Plan Review-A (SPSR-A)* for this signage proposal is “g) The size, location, design, color texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall reflect the scale and character of the proposed Buildings”.

Also, as set forth in §6.4.14 *Signage in the Assembly Square District* of the Somerville Zoning Ordinance (SZO), the following provisions shall apply:

- “A. The top of a wall Sign attached parallel to a Building shall be no higher than thirty-five (35) feet above finished Grade.
- B. With respect to any Structure in the ASMD for which a waiver or other approval has been issued to allow such a Structure to exceed the maximum height otherwise set forth in this Ordinance, approval for signage on such Structure in excess of the maximum height requirements applicable under this Ordinance may be granted solely through a Special Permit from the SPGA.
- C. The size of signs in the ASMD shall not exceed the requirements outlined in Section 12.4. (“Signs in Nonresidential Districts”) unless such requirements are superseded in 6.4.14.A or 6.4.14.B., above. However, approval for freestanding, directional and/or wall signage in the ASMD that does not comply with the applicable provisions of this Ordinance may be granted solely through a Special Permit from the Planning Board.”

The flat-mounted building wall sign consists of individual letters mounted (2’-6” by 20’ in area) at approximately 60 feet above finished grade on the Foley Street façade. It provides more of a complementary gesture to be read from a further distance and slightly different angle; it will be the first signage visible to those walking from the T station. The large letters directly on the brick building wall are intended to be reminiscent of industrial signage and reflective of the site’s history.

The banner sign (perpendicular to the building face) is oriented to pedestrians and vehicles on the Assembly Row façade is 25’ from finished grade but is 2’ taller than the maximum 30 feet listed in the Assembly Row Storefront & Signage Design Standards. The top will be at approximately 72’ above finished sidewalk allowing the viewing distance to be increased along Assembly Row for pedestrian and vehicular orientation to the hotel location. The banner (4’ by 32’) is sized and located appropriately to the architecture of the building – centered vertically and horizontally within a white brick panel.

The hotel is a unique use at the center of the development and will serve as focal point/meeting place. This is the reason the Applicant is proposing a unique signage type - a double-sided 3’-6” wide by 5’-9” tall freestanding sign at the hotel entrance on Foley Street. The monument sign indicates the front door and lobby to pedestrians and the vehicular drop-off area to pedestrians and vehicles approaching from Assembly Row and Grand Union Boulevard.

**D. Waiver Standards**

This proposal is for signage on and around an existing SPSR-A approval. Any necessary waivers were reviewed during that approval process.

**DECISION:**

Present and voting were Members Kevin Prior, Joseph Favaloro, Michael Capuano, Dorothy Kelly Gay and Gerald Amaral.



Upon making the above findings, Kevin Prior made a motion to approve the Special Permit with Site Plan Review–A for approval of signage under the Block 5 SPSR-A approval by the Planning Board on February 5, 2015 and amended on July 16, 2015, and March 24, 2016, meets the goals of the City for this site, the purposes of the district, and the provisions and purposes of the Ordinance. Joseph Favaloro seconded the motion. Wherefore the Planning Board voted **5-0** to **APPROVE** the request.



Attest, by the Planning Board:



Kevin Prior, Chairman



Joseph Favaloro

  
Dorothy A. Kelly Gay

Rebecca Lyn Cooper



Michael 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 \_\_\_\_\_

