



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
**JOSEPH A. CURTATONE**  
**MAYOR**

MICHAEL F. GLAVIN  
EXECUTIVE DIRECTOR

PLANNING DIVISION

**PLANNING BOARD MEMBERS**

KEVIN PRIOR, *CHAIRMAN*  
JOSEPH FAVALORO, *CLERK*  
DOROTHY A. KELLY GAY  
MICHAEL A. CAPUANO, ESQ.  
REBECCA LYN COOPER  
GERARD AMARAL, (ALT.)

**Case #: PB 2017-06**  
**Site: Assembly Square, Block 8**  
**Date of Decision: May 18, 2017**  
**Decision: *Petition Approved with Conditions***  
**Date Filed with City Clerk: May 25, 2017**  
Corrected for Scribner's Errors: June 12, 2017  
**Refiled with City Clerk: June 20, 2017**

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**PLANNING BOARD DECISION**

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**Applicant Name:** SRI Assembly Row B8, LLC  
**Applicant Address:** 1626 East Jefferson Street, Rockville, MD 20852  
**Property Owner Name:** FR Assembly Sq, LLC- Assembly Square Mall, Federal Realty  
Investment Trust and others  
**Property Owner Address:** 1626 East Jefferson Street, Rockville, MD 20852  
**Agent Name:** Robert A. Fishman  
**Agent Address:** 155 Seaport Boulevard, Boston, MA 02210

Legal Notice: Applicant and Owner, SRI Assembly Row B8, LLC, seek a Special Permit with Site Plan Review-A, final level approval of "Block 8" (identified as MBL 99-A-14) 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 seek approval under SZO Article §16.8.3 and §5.2 to construct a mixed-use building with approx. 26,500 sf retail space, 500 residential units, and approx. 500 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 seek waivers (S.Z.O. §6.4.12, & 16.11) for the signage height limit of 35' along Great River Road under §6.4.14, the submission of a landscape and screening plan under §5.3.2.10, the Planning Board's right of first refusal or option to purchase the inclusionary units under §13.3.5, and from the inclusionary housing requirements under §13.3.4 as permitted by §16.10.2 of the SZO.

Parcels: 99-A-14

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



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Zoning Approval Sought: SZO §7.11.11.10  
Date of Application: February 22, 2017  
Date(s) of Public Hearing: April 6, 2017, April 20, 2017, and May 18, 2017  
Date of Decision: May 18, 2017  
Vote: 4-1

Appeal #PB 2017-16 was opened before the Planning Board at Somerville City Hall on April 6, 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 three hearings 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 8 is 98,999 square feet or approximately 2.27 acres. Block 8 is a bounded by Assembly Row and Assembly Line Park, Foley Street, Revolution Drive, and Great River Road. The land for Block 8 is currently used as a construction laydown area and material storage area for the mixed-use building at Block 6.

***B. Surrounding Area***

The area surrounding the proposed site contains the Assembly Line Park, Draw 7 Park on the opposite side of the MBTA Orange Line tracks, and the developments of the Assembly Row Blocks 1, 2, 3, 4 and 11 which at or close to full occupancy. Block 6 is nearing construction completion. Blocks 7 and 9 will continue to be temporary parking lots.

**PROPOSAL**

***A. Overall***

The plan for Block 8 is high-rise and mid-rise residential buildings over retail and a multi-story parking garage. This proposal comprises the entire block with approximately 709,300 square feet, including parking. Uses include 26,500 square feet of retail and restaurants. There are 500 structured parking spaces, and 171 bicycle parking spaces. The design guideline for Block 8 was approved in the 2017 Master Plan amendment - which was submitted at the same time as the SPSR-A application - and therefore, the building space and placement matches the design guideline.

Compliance with dimensional standards is shown in the table below.

<b>DIMENSIONAL REQUIREMENTS</b>	<b>PUD-A</b>	<b>Approved PUD</b>	<b>Proposed Project *</b>
Minimum lot size	20,000 sf	66.5 acres	98,999 sf (2.27 acres)
Frontage	-	-	373.19 ft
Front yard setback	No minimum	-	8.5 ft
Side yard setback (left)	No minimum	-	8.2 ft
Side yard setback (right)	No minimum	-	11.9 ft
Rear yard setback	No minimum	-	1.3 ft
Maximum Floor area ratio	10.0	2.0	7.51 (net)



<b>DIMENSIONAL REQUIREMENTS</b>	<b>PUD-A</b>	<b>Approved PUD</b>	<b>Proposed Project *</b>
(FAR)			
Maximum height, feet	70 feet up to 250 feet	Varying up to 250 feet	244 ft 0 in / 23 story tower
Minimum lot area/per dwelling unit	No minimum	Approx. 1379	197.9
Total open space (%)	25%	27.8% / 743,568 sf	28.4% / 12,001 sf
Useable open space (%)	12.5%	21.2% / 565,983 sf	22% / 7,609 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 addresses for the building will be the 300 block of Assembly Row. When the retail space is subdivided addresses for each occupant will be established. The total gross square footage is approximately 709,300 square feet (525,300 square feet not including parking).

Access to the proposed Block 8 building is provided via Revolution Drive along the south side of the building, Great River Road along the east side of the building, adjacent to the proposed driveway on the south side of the building, and Assembly Row on the West side of the building. Loading and servicing is located in the back of house via the parking garage entrances. Trash is in the middle of the first-floor parking behind the western retail space. There is a mechanical penthouse on the tower roof with equipment screening

Pedestrian access to the retail and residential units are provided along Revolution Drive, Foley Street, Great River Road, and Assembly Row. Access to the structured parking garage is off of Revolution Drive and Great River Road. Access to the residential space through the garage will be provided in a central core elevator/stairs. Details about ground floor uses will be provided in a future submission for city review. Hours of operation for the ground floor uses will be determined based on tenant selection which is unknown at the moment. The proposed building will create approximately 195 jobs.

The tower apartments can be accessed from the lobby on Foley Street, adjacent to the MBTA head house, and directly across the street from the secondary apartment entrance of Block 6. The low-rise apartments can be accessed from the lobby on Assembly Row close to Foley Street, one of the most active thoroughfares of the development.

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

The proposed Block 8 project consists of high-rise apartments, low-rise apartments over retail, and a multi-story parking garage. Massing of the tower is placed along Great River Road adjacent to the T, maintaining the pedestrian scale of Assembly Row. The scale of the tower is further broken down into smaller segments with different roof heights to create interest in the skyline.

The apartments have two pedestrian entrances. Both entrances will be highly visible, accentuated by building massing, transparent materials, entrance canopies and signage. The low-rise apartment building is divided into multiple massing blocks to create a variety of façade expressions. The architecture on the two Assembly Row street corners is emphasized with strong vertical rhythms, intricate brick details, and



large window openings. The street walls are further broken up into smaller segments using setbacks and changes in façade materials. Human scale elements, including Juliette balconies, setback terraces, and graphic banners are created an intimate but lively mixed-use environment.

All mechanical and service access locations are tucked away from major pedestrian ways, and these areas are masked with garage doors. Large roof top mechanical equipment is screened, and smaller equipment is placed far away from the edge of the building edges to avoid sightline from streets.

#### ***D. Uses***

The use of the Block 8 building is proposed to be approximately 26,500 square feet of restaurants and retail, and 500 residential dwelling units. 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 four retail areas ranging in size from 750 to 11,570 square feet. The garage occupies the interior of the building's footprint from the below grade level through the second floor and then only partially from floors 3 through 7. There is a rooftop terrace on the third floor with a pool amenity for the residents.

#### ***E. Linkage***

The City, the Somerville Redevelopment Authority, and Federal Realty Investment Trust have entered into a development covenant from 2006 that establishes the schedule for linkage payments. Linkage payments for all developments in Assembly Row, including this project, will be provided according to the schedule.

#### ***F. Inclusionary Housing***

The Applicant is required to provide inclusionary housing and intends to provide the housing on-site. Inclusionary housing is required to meet the applicable requirements of Article 13 of the SZO.

Pursuant to Section 16.10.2 of the SZO, a developer such as the Applicant subject to an approved Planned Unit Development “may seek waiver of any new zoning regulation through the special permit with site plan review process before the SPGA. In granting any 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 at or exceeding the level of compliance effective at the time of PUD preliminary master plan approval.”

The applicant is seeking a waiver from the May 2016 zoning amendments establishing new requirements for affordable housing. With this waiver, the applicant would be required to provide affordable housing under the regulation that has essentially been in place from 1990-2016. Without the waiver, the applicant will be required to provide 20% of units as affordable, as adjusted in the May ordinance. The nature of the PUD approval does not permit for the applicant to take advantage of the bonus provisions in the May 2016 ordinance.

#### ***G. Landscaping and Open Space***

Block 8 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 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 proposed Block 8 building project area is approximately 98,999 square feet. The area of Open Space on the full-build Block 8 building site is anticipated to be approximately 12,001 square feet. The area of Usable Open Space on the full-build Block 8 building site is anticipated to be approximately 7,610 square feet. Therefore, Open Space is 12.1% of the total proposed Block 8 building project area and Usable Open Space is 7.6% of the total proposed Site.

Across the entire PUD, Assembly Row exceeds the requirements for Useable Open Space.

Under §16.6.1 of the SZO, all 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 and On-site Circulation**

The minimum and maximum parking requirements do not need to be met for each individual SPSR and only need to contribute to the approved PUD (that does comply with the parking requirements). If Block 8 was freestanding, the parking for Block 8 would be as outlined in the table below. Assuming a use mix of 26,500 square feet of retail and restaurant space, and 500 units of residential, the minimum requirement is 527 and maximum is 803. The number of spaces that will be provided, 500, is less than the 536 required by the SZO. Despite the requirement for 1 parking space per unit on average over the PUD, most projects of this type with this proximity to transit do not see a demand for parking beyond 0.7 spaces per unit.

<b>PARKING REQUIREMENTS</b>	Square Feet	Minimum Requirement	Minimum # Spaces	Maximum Requirement	Maximum # Spaces*
Retail/Restaurant	26,500	1/1000sf	27	1/500sf	53
Residential	500 d.u.	1/d.u.	500	1.5/d.u.	750
<b>Total</b>			<b>527</b>		<b>803</b>

\* 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 Somerville Zoning Ordinance requires 171 bicycle parking spaces for the proposed Block 8 development. To satisfy this requirement, the project design includes 171 bicycle storage spaces within the inside of the building which will be easily accessible by residents and visitors to the Site.

Based on the Applicant’s assumptions of the number and size of the retail and restaurant tenants anticipate 3 loading docks spaces are required. The requirements are: 2 for between 20,001 and 35,000 square feet of retail, and “as needed” for the residential uses. The users of the buildings will be able to share loading docks and will be located mid-block at the rear of ground floor on Great River Road.

**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 8 were approved to be submitted with the SPSR application. The detailed guidelines were reviewed and approved by the Planning Board on April 6th, 2017.

The building on Block 8 is new construction consisting of approximately 500 residential units, approximately 26,500 SF ground floor retail, and approximately 500 parking spaces. The units are



estimated to house approximately 950 people. The retail spaces would employ approximately 190 people and could be open from 10AM to 2AM depending on the specific retailer or restaurant. The materials for Block 8 vary between the low-rise, tower, and garage. The low-rise component consists of brick masonry with metal cornices and decorative accents. The high-rise is clad in precast and metal panels. The garage is precast concrete with decorative and advertising banners. Retail facades are designed to be variable, pending tenant selection and will be comprised of curtain-wall glass systems, signage and canopies where needed.

### ***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 requests the following waivers:

- **Section 5.2.3** *Information Required for Special Permits with Site Plan Review*

The Applicant requested a waiver from the inclusion of the following items required under Section 5.2.3: 5.3.2.10 (pursuant to Section 10.6) – 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. The Applicant requests that the site landscaping and screening be reviewed and approved by staff based on subsequent detailed design submittals. The finished streetscape, sidewalk design and landscaping, including raised planters and tree pits, will be provided in a future submission for city review. This is a common request for these types of projects, and the high quality design on the Assembly Row site to-date has established that this collaborative design effort has produced effective results.

- **Section 6.4.14** *Signage in the Assembly Square District [pursuant to Section 6.4.12]*

The Applicant requested a waiver from the height limit above finished grade. As shown on the architectural elevations, the proposed height limit of the banner signs, parking garage screening signage and signage on upper levels along the Great River Road façade facing the MBTA Orange Line is above 35 feet from finished grade. In order to emphasize the entry features of the residential lobbies, signage at upper levels of the building are proposed.

- **Section 13.3.5** *Disposition and SPGA Right of First Refusal/Option to Purchase*

The Applicant requested a waiver of any right of first refusal or option to purchase the Planning Board might have under Section 13.3.5 of the Zoning Ordinance, or otherwise, in connection with the Project. The Applicant requested that the Planning Board's approval of the Project's Special Permit with Site Plan Review execute the Waiver of Right of First Refusal. This step was done on Block 6. It is essentially a technicality. The intent for these waivers was to purchase units to maintain affordable rentals in the event that individual residential units are sold as condominiums. On Block 6, the Board granted a waiver that would remain in place as long as the units are rented. At such time as

all or any portion of the residential units are converted to a secondary residential condominium or cooperative form of ownership, and any of the affordable units are to be marketed for individual sale, this waiver shall end.

- **Section 16.10.2** *Change in Zoning / Number of Affordable Units*

The Applicant requested a waiver under Section 16.10.2 for the proposed project to be reviewed and governed by the inclusionary housing provisions of the Zoning Ordinance in effect at the time the Planned Unit Development (PUD) Preliminary Master Plan, Assembly Square, Somerville, MA was approved by the Planning Board on December 14, 2006, as amended on August 5, 2010 and again on June 19, 2014 (the "Approved PMP"). The inclusionary housing requirement of Section 13.3.4 of the Zoning Ordinance in effect at the time of the Approved PMP, and upon which the Applicant has relied in planning and financing the overall project, required that 12.5% of the units in any residential development be affordable. In May 2016, this requirement was increased to 20% for residential developments over eighteen units.

Pursuant to Section 16.10.2 of the Zoning Ordinance, a developer such as the Applicant subject to an approved Planned Unit Development "may seek waiver of any new zoning regulation through the special permit with site plan review process before the SPGA. In granting any 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 at or exceeding the level of compliance effective at the time of PUD preliminary master plan approval."

The applicant first requested to have 12.5% of units to be affordable pursuant to Article 13 of the Zoning Ordinance. The Applicant subsequently proposed an alternative compliance system that will result in a minimum of 16% affordable units on- and off-site. This meets the requirement of the Zoning Ordinance in effect at the time of the Approved PMP. Accordingly, the applicant was authorized by the ordinance to request this waiver since the affordable housing in the proposed project shall be provided in a manner and at the level of compliance in effect at the time of the last amendment to the Approved PMP.

## **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. Affordable housing compliance requires findings per Sections 13.3.4, 13.4.1,



13.4.2, 13.4.2.6, and 13.7.2.b. 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.

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 items as a part of a Special Permit with Site Plan Review application.

This section will address the Board's position on each waiver requested by the Applicant.

#### ***Section 5.2.3 Information Required for Special Permits with Site Plan Review***

The Board finds that the information provided is adequate for the special permit, and this information waiver should be granted. The findings are in Appendix D. The Board voted 5-0 to approve this waiver.

#### ***Section 6.4.14 Signage in the Assembly Square District [pursuant to Section 6.4.12]***

The Board finds that the requested waiver from the signage height limits (§6.4.14) is acceptable. The findings are in Appendix D. The Board voted 5-0 to approve this waiver.

#### ***Section 13.3.5 Disposition and SPGA Right of First Refusal/Option to Purchase***

The Board finds that this waiver is acceptable, subject to Condition #22 of this project approval. In particular the applicant will be expected to sign an agreement with the Board that will void this waiver in the event that individual units in the building are sold as condominiums. The findings are in Appendix D. The Board voted 5-0 to approve this waiver.

#### ***Section 16.10.2 Change in Zoning / Number of Affordable Units***

The Applicant requested a waiver under Section 16.10.2 for Block 8 to be reviewed and governed by the inclusionary housing provisions of the SZO in effect at the time the PUD-PMP was approved. To date, the Assembly Row project is building or has constructed over 1,107 residential units, including 127 affordable units.





The Applicant proposed combining the waiver with an agreement to provide 31 on-site units and a payment of \$10,322,000 for off-site units as permitted by Article 13 that was in place prior to May 2016. Pursuant to Section 16.10.2, the Planning Board grants the waiver from updated affordable housing requirements that were approved in May 2016, subject to Condition #21 herein attached. The Planning Board finds that the PUD is in compliance with the intent of the zoning and that this proposed condition will permit the project to be developed in a manner that exceeds the level of compliance effective at the time of the approval of the PUD preliminary master plan. Standards for waiver findings are in Appendix D and findings for the alternative compliance of affordable housing are in Appendix B. The Board voted 4-1 to approve the waiver.

**DECISION:**

Present and sitting were Members Kevin Prior, Joseph Favaloro, Michael Capuano, Dorothy Kelly Gay and Rebecca Lyn Cooper.

Kevin Prior made a motion to approve the waiver request under §5.3.2.10. Dorothy Kelly Gay seconded the motion. Wherefore the Planning Board voted **5-0** to **APPROVE** the request

Kevin Prior made a motion to approve the waiver request under §6.4.14. Joseph Favaloro seconded the motion. Wherefore the Planning Board voted **5-0** to **APPROVE** the request

Kevin Prior made a motion to approve the waiver request under §13.3.5. Rebecca Lyn Copper seconded the motion. Wherefore the Planning Board voted **5-0** to **APPROVE** the request

Kevin Prior made a motion to approve the waiver request under §16.10.2. Dorothy Kelly Gay seconded the motion. Wherefore the Planning Board voted **4-1** to **APPROVE** the request with Michael Capuano voting to oppose

Upon making the above findings, Kevin Prior made a motion to approve the Special Permit with Site Plan Review–A, final level approval of “Block 8” (identified as MBL 99-A-14) of the Planned Unit Development Preliminary Master Plan (PUD-PMP), and approval under Articles §16.8.3 and §5.2 incorporating the findings herein and the conditions in Appendix E. Rebecca Lyn Cooper seconded the motion. Wherefore the Planning Board voted **4-1** to **APPROVE** the request with Michael Capuano voting to oppose.



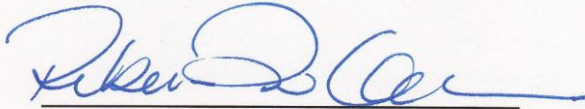
Attest, by the Planning Board:



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 \_\_\_\_\_



## Appendix A: Application Requirements

<b><u>A.1: Procedures for PUD Applications - Supportive Information (SZO 16.8)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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)	<b>X</b>		<b>X</b>	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	<b>X</b>		<b>X</b>	Included in application submission
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	<b>X</b>		<b>X</b>	See Overall Site Plan (C-3.1-3.2)
16.8.2.D	Names of all property owners within five hundred (500) feet of the PUD boundary	<b>X</b>		<b>X</b>	Included in application submission
16.8.2.E	Explanation of provisions for the landscaping and maintenance of all open space and drainage areas	<b>X</b>		<b>X</b>	See Stormwater Management Supplemental Memo. A detailed Stormwater O&M program has been prepared for the Project.
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 . . .	<b>X</b>		<b>X</b>	A traffic analysis of the full build-out of Assembly Row has been conducted and the latest version for Block 11A included the proposed build-out of Block 8. With the analysis complete, roadway improvements complete and MBTA station open, Block 8 will not significantly impact traffic conditions in the area.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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	<b>X</b>		<b>X</b>	See Utility Analysis
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	<b>X</b>			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	<b>X</b>			Additional information provided includes architectural plans and elevations, architectural renderings, and a shadow studies.
<b>A.2: General Information Required for SPSR Applications (SZO 5.2)</b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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	<b>X</b>		<b>X</b>	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	<b>X</b>		<b>X</b>	See Existing Conditions Plan SV1-17. The Layout and Materials Plan, certified by Dale Horsman, PE, depicts boundaries, angles and dimensions for the proposed Block 8 project area.
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.	<b>X</b>		<b>X</b>	The proposed Block 8 building and its associated site improvements, are shown on the Overall Site Plan, Layout and Materials Plan, Grading and Drainage Plan, and the Utility Plan, all certified by Dale Horsman, PE. The existing easements and rights of way are shown on the Existing Conditions Plan of Land.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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	<b>X</b>		<b>X</b>	Project description, general use mix, and development strategy is provided in Section D of the application.
5.2.3.5	the total floor area and ground coverage ratio of each proposed building and structure	<b>X</b>		<b>X</b>	Scaled Overall Site Plan with max proposed FAR is provided.
5.2.3.6	front, side, and rear elevations	<b>X</b>		<b>X</b>	See Design Guidelines for general development strategy and the Architectural Elevations in Section F of the application.
5.2.3.7	existing and proposed contour elevations in two foot increments	<b>X</b>		<b>X</b>	See Grading, Drainage, and Erosion Control Plan. Existing contour elevations are shown in one foot increments and with spot grade elevations.
5.2.3.8	provisions for vehicular and pedestrian circulation	<b>X</b>		<b>X</b>	See Overall Site Plan and Design Guidelines for basic information and the Transportation Evaluation for detailed information on pedestrian and vehicle circulation for review by the City Engineer and Traffic Engineer.
5.2.3.9	color, materials, and exterior features of proposed structures	<b>X</b>		<b>X</b>	See Design Guidelines, Architectural Elevations, and Renderings.
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	<b>X</b>		<b>X</b>	The proposed lot area is currently a construction staging and material storage area. In the fullbuild condition, the Block 8 building will be laid out along the lot line. The Project will include landscaping in the form of street trees and raised planting beds. Parking and service areas will be entirely within the proposed building, screening of such elements from the public way will be achieved.
5.2.3.11	measures taken to preserve and protect natural resources	<b>X</b>		<b>X</b>	There are no unspoiled natural resources located within the Site. Remediation of several current Brownfield areas by virtue of this Project is a clear environmental benefit of the Project.
5.2.3.12	outdoor lighting, including location and intensity of lighting facilities	<b>X</b>		<b>X</b>	Outdoor lighting associated with the Project is proposed as street lighting along the four perimeter streets and lighting the exterior of the building facade. Details of street lighting were approved in a previous submission to the city staff. Lighting along the exterior of the building façade will include wall wash lighting elements strategically placed for a variety of functions such as to accent key monument features, cornices, entries, walkways and loading and service areas.

<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>
5.2.3.13	dimensions and locations of signs, proposed and existing			<b>X</b>	There is no existing signage at the site. Retail signage will be dictated by the tenants and be in conformance with the Assembly Row Signage Standards. The directional parking signage and garage screening signage are being reviewed at this time. The roof and signs at the top of the tower are not because the materials and technology for these large signs are not yet defined.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
5.2.3.14	location and significance of historic structures	<b>X</b>			Based on a Historical Survey conducted by Vanasse Hangen Brustlin in 2005, no properties included in the State or National Registers of Historic Places are located within the Project limits.
5.2.3.15	method for handling solid waste disposal, and for screening of disposal facilities			<b>X</b>	Solid waste disposal will be handled by licensed private contractors, presenting no additional burden to the City. Disposal facilities (dumpsters and compactors) will be located within the proposed building and screened 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			<b>X</b>	The electrical transformer will be located in an enclosed vault within the 1st floor loading area - service areas are interior to the building. Most of the mechanical equipment such as air handlers, energy recovery units, generators, exhaust fans and cooling towers, will be located on rooftops and mostly screened.
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	<b>X</b>		<b>X</b>	The existing utilities are shown on the Existing Conditions Plan of Land. The proposed utilities and drainage systems for the Project are shown on the Grading, Drainage and Erosion Control Plan and on the Utility Plan. The utility infrastructure improvements (water, sewer, drainage) within Revolution Drive, Assembly Row, Great River Road, and Foley Street have been designed to accommodate the full build out of the Master Plan and have been constructed under previous local and state approvals. The constructed utility infrastructure is sufficient to service the proposed Block 8 building. The design information for utilities is contained in the "Utility Design & Management" section of this application.
5.2.3.18	demolition and construction procedures including impact mitigation measures; an estimate of the time period required for completion of the development			<b>X</b>	The Project does not involve any building demolition. The estimated completion date for the project is Fall 2018.
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	<b>X</b>		<b>X</b>	This application contains a section titled "Transportation". Multiple traffic studies previously prepared by VHB for the Assembly Square Mixed-Use Redevelopment project all were conducted assuming development scenarios for Block 8 that are entirely consistent with that currently proposed. This includes the recently prepared 2014 Traffic Impact and Access Study for the nearby Block 11A development. That evaluation contained analysis of the full build-out of the Assembly Square Mixed-Use Redevelopment, including the current Block 8 proposal, which considered changes planned at key locations on Grand Union Boulevard.
5.2.3.20	general summary of existing and proposed easements or other burdens now existing or to be placed on the property	<b>X</b>		<b>X</b>	The existing easements and rights of way are shown on the Existing Conditions Plan of Land and the Layout and Materials plan.



<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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	<b>X</b>		<b>X</b>	Existing resource areas are shown on the Existing Conditions Plan of Land. There are no wetlands or lands 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	<b>X</b>		<b>X</b>	Included in application submission
5.2.3.23	names and addresses of all property owners within three hundred (300) feet of site boundaries	<b>X</b>		<b>X</b>	Included in application submission

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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
<b><u>A.3: Denial Letter Requirement (SZO 16.12)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.12	All applications for a preliminary Master Plan Approval shall be required to include a so-called 'denial letter' from the Inspectional Services Department indicating which aspects of the proposed PUD require approvals from the SPGA	X			After submission of the initial Preliminary Master Plan application, no further denial letter shall be required for modifications to, or phases of, the Master plan, or for any permit application (including an SPSR-A) related to the PUD.

## Appendix B: Required Findings of Fact

<b><u>B.1: General Findings under Section 16 (SZO 16.9 and 16.1)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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	<b>X</b>			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	<b>X</b>			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 and the City's Comprehensive Plan, SomerVision to transform and bring jobs and housing to this area. The Master Plan is based upon a long-term set of principles established by the City for redevelopment of the Assembly Square area in the ASD Plan.
16.1	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 context . . . Development should be concentrated in the most suitable and least environmentally sensitive areas of the landscape. Preservation and enhancement of open space is strongly promoted.	<b>X</b>			The proposed project has benefited from an additional 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 more than 4,500 new jobs, increased tax revenues, 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.
<b><u>B.2: Consistency Findings (SZO Section 6.4)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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.	<b>X</b>			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	<b>X</b>			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 removal of the IKEA store allows for a larger mixed use district and the revised PMP 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 Revitalization Plan</u> dated 2002	<b>X</b>			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 removal of the IKEA store allows for a larger mixed use district and the revised PMP is consistent with the overall vision of the Revitalization Plan.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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	<b>X</b>			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 6.4.4 phase and during streetscape design.  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	<b>X</b>			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 and removal of IKEA, but the overall transportation strategy in the PMP meets the spirit of the original Transportation Plan.
<b><u>B.3: General Requirements of a PUD (SZO Section 16.4)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.4a	a designated tract of land meeting the minimum lot size requirements of Section 16.5.1.a for the PUD district	<b>X</b>			The parcel size is 2.67 million square feet or approximately 61.3 acres. This exceeds the 20,000 SF minimum lot size required for the PUD-A in the ASMD.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.4b	developed in a comprehensive, design-integrated manner, according to an overall master plan, with two (2) or more types of use	<b>X</b>			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.
16.4c	consistent with the objectives of this Ordinance;	<b>X</b>			The Applicant has utilized the increased height and FAR allowed under the PUD Ordinance, proposing buildings ranging from 8 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 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	<b>X</b>			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 the these documents. The previous PUD approval in 2006 met the goals and objectives of these documents and continued through revisions approved by through on April 6, 2017. 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.
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	<b>X</b>			The PUD is oriented around a series of open spaces connected by pedestrian friendly streets. Assembly Row 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 expanded park will serve as an anchor to the north end of Assembly Row. 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.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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	<b>X</b>			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	<b>X</b>			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.
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	<b>X</b>			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.
16.4i	designed with sizing of street and other infrastructure systems to accommodate the overall service demand of the PUD	<b>X</b>			A full Traffic Impact and Access Study was prepared for the project and was included in the original submission package and amended for this revision. 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)	<b>X</b>			The Applicant will be required to maintain the usable open space within the PUD subject to a maintenance agreement(s).

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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	<b>X</b>			There is an Easement Agreement with the City that is conditioned to be amended to reflect this PMP amendment. Deed restrictions for specific parcels not yet developed will be addressed in subsequent submission for special permits with site plan review. In addition, the PUD has urban renewal district and some of the key parcels were acquired from the Somerville Redevelopment Authority via land disposition agreements containing covenants and restrictions ensuring that the goals and objectives of the City as expressed in the Major Plan Change will be adhered to. The existing covenant from December 2006 remains in effect.



<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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.
<b>B.4: PUD Design Guidelines (SZO Section 16.7)</b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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 while providing variety in the façade to break up the massing of the building. The building conforms to the design guidelines, which ensures that it is built to be consistent with the PUD-PMP. Details of how the building conforms to the guidelines can be found in the form and design section of the staff report.
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 on Block 8 is located around the building and on the sidewalks. The entrances to the retail spaces will be on the northern, western, and southern sides of the building along the usable open space. The larger usable open space area is between the Block 8 and 7 at Assembly Line Park. There is also a large usable open space on Block 11 at the Partners Healthcare building.
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 Design Guidelines submitted in the application adhere to the height requirements outlined in the ASMD dimensional requirements with specific height limits based on the distance from the Mystic River bank and the MBTA station. There is a tower portion of the building that has slender proportions. The tower is 23 stories and 244 feet tall.
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

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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			<b>X</b>	Shadow studies were submitted for the block for 10am and 2pm on Mar 21, Jun 21, Sept 21, Dec 21. In March, September and December in the morning and afternoon there will be some shadowing of different sections of Block 6, which has residential on the upper floors. Shadows do not impact residential structures at these times in June. From the extent of the shadow studies it appears no open spaces will be shadowed by Block 8 but Block 8 will be impacted by Block 11 in the winter months. The tall buildings envisioned for Assembly Square will have some shadows and this block appears to be minimally impactful.
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	<b>X</b>			This was achieved in the master plan approval.
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.	<b>X</b>			The internal street layout is a grid pattern with local and collector streets. The main retail street travels north/south through the center of the Assembly Row development between Block 11 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 Grand Union Boulevard, 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.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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.	<b>X</b>			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 offset the negative effects of the above average block sizes and provide a scale appropriate for pedestrians. The reason for the proposed building footprint and portal design to achieve this findings can be found the Building Shape and Placement and Site Design and Access sections of the staff report.
16.7i	The PUD design should preserve and enhance natural features such as topography, waterways, vegetation, and drainage ways.	<b>X</b>			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.			<b>X</b>	The development must comply with the City's Stormwater Management policy.
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.	<b>X</b>			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, Median Park 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.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.7I	Make shopping centers and business parks into all-purpose activity centers.	<b>X</b>			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.
<b><u>B.5: ASMD Development Standards (SZO Section 6.4.7.A)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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.	<b>X</b>			A full Traffic Impact and Access Study was prepared for the project and was included in the original submission package and amended for this revision. 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.
6.4.7.A.2	<i>Parking Requirements.</i> Developments shall meet the parking requirements set forth in Section 9.15.	<b>X</b>		<b>X</b>	The number of parking spaces is between the minimum and maximum allowed.
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.			<b>X</b>	This Block does not contain substantial landscaping because it is going to be an urban block. Other portions of the site will have lush landscaping that will meet the landscaping requirement for the PUD.
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.	<b>X</b>			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.
<b><u>B.6: ASMD Design Guidelines (SZO Section 6.4.7.B)</u></b>					

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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. While the plans and images					
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 Project does not include construction of any new street. Streets were previously designed, approved and constructed. The sidewalks proposed as part of the Project match previously designed, approved and constructed sidewalks at Assembly Square. Details regarding the new sidewalks surrounding Block 8 are included in the application.
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 Planning Board and it complies with the design guidelines as detailed in the decision.
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	The proposed Block 8 project consists of a high-rise apartment building along Great River Road, as well as low-rise apartment buildings and retail storefront along Foley Street, Assembly Row and Revolution Drive. Maximum setback of 5 feet is provided along all major pedestrian walks to hold existing street edges. Retail storefronts are located in close proximity to other retails and open spaces in the development to support the overall activities of the streetscape.
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	Retail storefronts that must meet the Assembly Row Storefront Standards will line the sidewalks. The main entrance to the residential portion of the building will be clearly defined with glazing and a canopy.
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	The facades of the building are broken up into sections with different treatment to create an interesting building.
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 base of the building is seven stories, which is an appropriate pedestrian scale for the width of the Assembly Row right of way. The tower is setback so that it is not imposing to pedestrians.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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. Two buildings were previously demolished.
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	All mechanical and service access locations are tucked away from major pedestrian ways, and these areas are masked with garage doors. Large roof top mechanical equipment is screened, and smaller equipment is placed far away from the edge of the building edges to avoid sightline from streets.
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	Ground Floor street frontage is almost entirely devoted to Retail uses. The low rise apartments can be access from lobby on Assembly Row close to Foley Street, one of the most active thoroughfares of the development. Massing of the tower is placed along Great River Rd to maintain the pedestrian scale of Assembly Row.
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	The low-rise apartment building is divided into multiple massing blocks to create a variety of façade expressions. The architecture on the two Assembly Row street corners is emphasized with strong vertical rhythms, intricate brick details, and large window openings. The street walls are further broken up into smaller segments using setbacks and changes in façade materials. The scale of the tower is further broken down into smaller segments with different roof heights to create interest in the skyline.
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	This guideline is met. Storefronts will line the building along Assembly Row, Foley Street, and Revolution Drive and have windows and displays that will accomplish this goal.
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	The Project does not propose any surface parking lots. All parking spaces located on the Site are located within an enclosed parking garage.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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.	<b>X</b>			The Project does not propose any surface parking, therefore there are no landscaping strips.
6.4.7.B.5	<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.	<b>X</b>			The Applicant completed a LEED worksheet and included the worksheet in the application booklet. The LEED worksheet reflects current design assumptions and may be revised slightly as design progresses.
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.	<b>X</b>			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.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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.	<b>X</b>			Loading spaces proposed for the Block 8 building are located within the building and not visible from major Public ways. As such, negative visual impacts from the loading are not anticipated.
<b><u>B.7: ASMD Large Project Development Standards (SZO Section 6.4.8.D)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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.		<b>X</b>		As noted in the Transportation narrative provided as part of this application, the trip generation for Block 8 is expected to be comparable to that which was estimated during the original PUD approval process. Other prior traffic studies, including the recent 2014 evaluation for the nearby Block 11A development, all were conducted assuming similar trip generation levels for Block 8. With no notable changes, and recent roadway improvements, the Block 8 development should not significantly impact traffic conditions. The new MBTA Assembly Square Orange Line Station, opened in September 2014, should help to further reduce the burden on the roadway network. A TDM Plan has not yet been provided but is conditioned in Appendix E to be required prior to Building Permit.
6.4.8.D.2	<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."			<b>X</b>	The proposed Block 8 building does not contain a Large Retail Project. Details regarding design of ground floor retail uses will be included in a future submission for city review.



<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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	The Preliminary Master Plan approved by the Planning Board provides that the Open Space and Usable Open Space requirements (25% and 12.5%) may be met in the aggregate over the entire PUD area. The amount of Open Space and Usable Open Space within the Master Plan has increased from the previously reviewed PUD to 28.4%, and the Usable Open Space at 22.1%. The area of Open Space on the full-build Block 8 building site is anticipated to be approximately 12,001 square feet. The area of Usable Open Space on the full-build Block 8 building site is anticipated to be approximately 7,609 square feet.
<b><i>B.8: ASMD Large Project Design Guidelines (SZO Section 6.4.8.E)</i></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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	All vehicular parking at Block 8 is located within the 7 story parking garage. Storage for a the 171 bicycles are located within the garage. Additional bicycle racks may be distributed on site around the perimeter of the retail areas. The Applicant will coordinate with the City the locations of these perimeter located bicycle racks at a later date.
<b><i>B.9: Alternative Compliance for Affordable Housing. (SZO Section 13.3)</i></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
13.3.4	The SPGA may authorize or require that affordable housing units be provided off-site, or that an alternative method of compliance be used, consistent with Section 13.4 of this Article.			X	The Board authorizes an alternative method of compliance for a portion of the affordable units, per Section 13.4, as the proposal meets the findings below.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
13.4.1	Provisions of on-site units is not in the best interest of the City and low/moderate-income households in particular; OR, off-site units or some other method of compliance is desirable and in keeping with the intent of the Article and with the plans, goals and objectives of the City			X	<p>The proposal meets this finding. The proposed solution will maintain one-half of the post-waiver units on-site. This provision, with the rest of units replaced by an off-site payment, is desirable and keeps with the intent of Article 13. It provides housing on-site to ensure that a large building of this type provides some opportunity for a mix of incomes within the building. Beyond the building, the payment creates more units and more family-sized opportunity for affordable housing in the City.</p> <p>The provision meets the purpose of the article:</p> <ul style="list-style-type: none"> <li>- They will provide more housing for people of mixed-incomes</li> <li>- They will likely provide more three-bedroom units through the 100 Homes program, thereby offering more opportunity for households with children</li> <li>- They will permit the ability to stabilize these units over the long-term</li> <li>- They prevent displacement, often by permitting tenants to remain in their units. In other cases, they will provide units in neighborhoods across Somerville, often in areas zoned RA or RB where production of new affordable units is difficult to impossible through other means</li> <li>- The location of these units, in neighborhoods that are often otherwise market-rate will help maintain an integrated community</li> </ul> <p>The provision meets goals of SomerVision:</p> <ul style="list-style-type: none"> <li>- While not automatically reaching 20%, it will exceed SomerVision's 15% inclusionary goal. (E.I.A.6 on page 116)</li> <li>-Project provides a strategy to preserve affordable housing around forthcoming transit through the green line corridor. (E.III.A on page 120)</li> </ul>

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
<b>13.4.1</b>	When using an alternative compliance method, the quality of future units should be addressed “considering location, accessibility to schools and services, appropriate family-housing, including availability of parking, proximity to transit and availability of useable open space.”			<b>X</b>	The proposed off-site unit payment meets these findings, as follows: Compared to the on-site units in Block 8, the ‘100 Homes’ units provide the following benefits: o Location: While Assembly Row is an excellent site, for a family displaced from previous housing in Somerville, the 100 Homes program provides better access to the neighborhoods from which they came. In some cases, the program permits people in risk of displacement to remain in their home. - Accessibility to schools: All 100 Homes locations are more accessible to local schools than units in Assembly Row. - Accessibility to services: Assembly Row provides access to services, but 100 Homes units purchased in the core of East Somerville, Union Square or West Somerville have better access to daily services such as supermarket and pharmacy. - Appropriate family housing: Units in Block 8 are limited in size, while purchasing existing housing stock in neighborhoods will likely generate some three- or four- bedroom units. - Availability of parking / proximity to transit: 100 Homes units often come with driveways. While they may be further from transit than Block 8, most will walk ½ mile or less to a rail station. - Availability of useable open space: Most neighborhood housing in Somerville is within reasonable proximity of a city park.
<b>13.4.2</b>	SPGA must find that “any proposed alternative method of compliance is advantageous to the City in creating or preserving affordable housing and does not result in undue geographic concentration of affordable units.”			<b>X</b>	The proposed alternative compliance method will result in more units than the 12.5% on-site with the waiver, and will spread the affordable units throughout the city.
<b>13.4.2.B</b>	SPGA may approve of another method after consideration of comments from Planning Board, and Planning Division and the Office of Housing and Community Development (now OSPCD).			<b>X</b>	Planning and OSPCD endorse this alternative payment calculation for the purpose of generating a minimum of 49 off-site units. The Board approves a total payment of \$10,322,000.
<b>13.7.2.b</b>	No certificate of occupancy shall be issued for any market-rate units in a development subject to the requirements of this Article until . . . any required cash payment has been made to the SPGA or its designee or, in the alternative, the SPGA has approved a definitive schedule for payment(s).			<b>X</b>	The Board recommends that the payments be paid on the schedule as established in the attached proposed condition.

## Appendix C: Requirements for SPSR-A

<b>C1: Requirements for SPSR-A</b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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			<b>X</b>	Traffic analysis of the full build-out of Assembly Row has been conducted and the latest version for Block 11A included the proposed build-out of Block 8. With the analysis complete, roadway improvements complete and MBTA station open, Block 8 will not significantly impact traffic conditions in the area.
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			<b>X</b>	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.
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).			<b>X</b>	The retail, restaurant and upper floor apartments will provide a mix of uses. Pedestrian and bicycle access will be provided via sidewalks. Project mitigation payment will be required that will go the Affordable Housing Trust fund and onsite affordable units will be provided. The creation of usable open space on the Block will not be substantial but will contribute to the active open spaces in the PUD. The building will provide active uses immediately adjacent to the MBTA station.
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			<b>X</b>	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.
5.2.5.a	<i>Information supplied.</i> Complies with the information requirements of Section 5.2.3			<b>X</b>	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			<b>X</b>	Applicants meet individual SPSR-A findings as identified in this Appendix C.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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 high density commercial, residential and retail and does not preclude the other mix of uses planned for the area to locate near the site. The project will also greatly increase the number of residences located in the area.
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 adjacency of the MTBA station, solar orientation, and existing street grid and 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.
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. Projects will be addressed in the SPSR-A process to ensure that their utility impact remains consistent with 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.
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.
5.2.5.v	<i>Housing Impact:</i> Will not create adverse impacts on the stock of existing affordable housing			X	The project will comply with Article 15 requirements for project mitigation payments to the Affordable Housing Trust Fund. The funds will help to establish and support affordable units in the City. The project will also include permanently affordable units and an Affordable Housing Implementation Plan.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
5.2.5.w	<i>SomerVision Plan:</i> Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville's neighborhoods, Transform key opportunity areas, Preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs.			X	The proposal complies with the applicable goals, policies and actions of SomerVision. The Plan calls for all of Assembly Square to share 29% of the City's growth, increase the number of jobs by 8,500, and develop 3 million square feet of commercial space. The Assembly Row Master Plan area makes up approximately half of the Assembly Square area. Phase 1 of this Block will achieve more than half of the number of jobs planned for this area. The Block will also contribute 6.7 acres of open space towards the goal of creating 125 acres of new open space across the transformational areas in the City.
<b><u>C2: Requirements for SP for Signage</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
5.1.4.a	<i>Information supplied.</i>			X	Complies with the information requirements of Section 5.1.2 x Applicants submitted all required information for SP for signage
5.1.4.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			X	Section 6.4.14 allows for the SPGA to waive signage requirements based on the findings in 16.5.4 & 16.5.5. See Appendix D for findings.
5.1.4.c	<i>Consistency with purposes.</i> Is consistent with: (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles			X	The signage plan is consistent with the purpose of the Ordinance in encouraging the most appropriate use of the land. This is a large building that meets the mixed use and redevelopment goals of the district. The large signs that are taller than 35' are strategically placed to provide direction to parking areas and to screen parking garages.
5.1.4.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 built and unbuilt surrounding area, including land uses.			X	The signage was designed to be integral with the design of the building. The signs will have unique designs and are strategically located to be visible to provide direction to the parking garages. The garage screening signs will be a mesh material that, as conditioned, would only contain retail signage tenants in the building or for Assembly Row.

## Appendix D: Standards for Waivers

<b><i>D.1 Information Required for Special Permits with Site Plan Review</i></b>				
<b><i>Section</i></b>	<b><i>Required Finding</i></b>	<b><i>Met</i></b>	<b><i>Not Met</i></b>	<b><i>Comment</i></b>
16.5.4 & 16.5.5	<i>Waiver of dimensional standards.</i> In order to maximize flexibility in the application of design standards to PUD projects, the SPGA may waive strict compliance with the standards of Section 16.5 upon making a determination that: (a) such a waiver would result in a better site plan than strict compliance with the stated standards; (b) the proposed PUD design furthers the Purpose and PUD Design Guidelines of this section; and (c) the granting of such a waiver will not cause detriment to the surrounding neighborhood.	<b>X</b>		The Applicant is seeking a waiver from the inclusion of the following items required under Section 5.2.3: 5.3.2.10 (pursuant to Section 10.6) – 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. The Applicant requests that the site landscaping and screening be reviewed and approved by staff based on subsequent detailed design submittals. The finished streetscape, sidewalk design and landscaping, including raised planters and tree pits, will be provided in a future submission for city review.
6.4.12.a.1	Strict enforcement of such standards or requirements would run counter to achieving the objectives of the ASD Plan;	<b>X</b>		This is a common request for these types of projects, and the high quality design on the Assembly Row site to-date has established that this collaborative design effort has produced effective results. The Applicant requests that the site landscaping and screening be reviewed and approved by staff based on subsequent detailed design submittals. The finished streetscape, sidewalk design and landscaping, including raised planters and tree pits, will be provided in a future submission for city review.
6.4.12.a.2	The application is substantially consistent with the objectives of the ASD Plan and advances the objectives of the ASD Plan;	<b>X</b>		This finding does not apply in this case.
6.4.12.a.3	In the case of any Alteration of a Nonconforming Structure, a Change of Nonconforming Use, or a Major Amendment to an Approved PUD, such alteration, change or amendment shall conform, to the extent feasible, to the objectives of the ASD Plan	<b>n/a</b>		This finding does not apply in this case.
<b><i>D.2 Signage in the Assembly Square District</i></b>				
<b><i>Section</i></b>	<b><i>Required Finding</i></b>	<b><i>Met</i></b>	<b><i>Not Met</i></b>	<b><i>Comment</i></b>

<b>Section</b>	<b>Required Finding</b>	<b>Met</b>	<b>Not Met</b>	<b>Comment</b>
16.5.4 & 16.5.5	<i>Waiver of dimensional standards.</i> In order to maximize flexibility in the application of design standards to PUD projects, the SPGA may waive strict compliance with the standards of Section 16.5 upon making a determination that: (a) such a waiver would result in a better site plan than strict compliance with the stated standards; (b) the proposed PUD design furthers the Purpose and PUD Design Guidelines of this section; and (c) the granting of such a waiver will not cause detriment to the surrounding neighborhood.	<b>X</b>		The Applicant is seeking a waiver from the height limit above finished grade. As shown on the architectural elevations, the proposed height limit of the banner signs, parking garage screening signage and signage on upper levels along the Great River Road façade facing the MBTA Orange Line is above 35 feet from finished grade. In order to emphasize the entry features of the residential lobbies, signage at upper levels of the proposed building are proposed.
6.4.12.a.1	Strict enforcement of such standards or requirements would run counter to achieving the objectives of the ASD Plan;	<b>X</b>		The ASD Plan encourages a variety of block and building scales oriented to pedestrians, with a mid rise building environment and high quality open spaces. Limiting strategically place and well designed signage on large scale, mixed use building would impede upon the success of the uses within the building and would be counter to the objectives of the ASD Plan.
6.4.12.a.2	The application is substantially consistent with the objectives of the ASD Plan and advances the objectives of the ASD Plan;	<b>X</b>		This finding does not apply in this case.
6.4.12.a.3	In the case of any Alteration of a Nonconforming Structure, a Change of Nonconforming Use, or a Major Amendment to an Approved PUD, such alteration, change or amendment shall conform, to the extent feasible, to the objectives of the ASD Plan	<b>n/a</b>		This finding does not apply in this case.
<b><i>D.3 Disposition and SPGA Right of First Refusal/Option to Purchase</i></b>				
<b>Section</b>	<b>Required Finding</b>	<b>Met</b>	<b>Not Met</b>	<b>Comment</b>
16.5.4 & 16.5.5	<i>Waiver of dimensional standards.</i> In order to maximize flexibility in the application of design standards to PUD projects, the SPGA may waive strict compliance with the standards of Section 16.5 upon making a determination that: (a) such a waiver would result in a better site plan than strict compliance with the stated standards; (b) the proposed PUD design furthers the Purpose and PUD Design Guidelines of this section; and (c) the granting of such a waiver will not cause detriment to the surrounding neighborhood.	<b>X</b>		The Applicant is seeking a waiver of any right of first refusal or option to purchase the Planning Board might have under Section 13.3.5 of the Zoning Ordinance, or otherwise, in connection with the Project. The Applicant requests that the Planning Board's approval of the Project's Special Permit with Site Plan Review execute the Waiver of Right of First Refusal. This step was done on Block 6. It is essentially a technicality. The intent for these waivers was to purchase units to maintain affordable rentals in the event that individual residential units are sold as condominiums.



<b>Section</b>	<b>Required Finding</b>	<b>Met</b>	<b>Not Met</b>	<b>Comment</b>
6.4.12.a.1	Strict enforcement of such standards or requirements would run counter to achieving the objectives of the ASD Plan;	<b>x</b>		On Block 6, the Board granted a waiver that would remain in place as long as the units are rented. At such time as all or any portion of the residential units are converted to a secondary residential condominium or cooperative form of ownership, and any of the affordable units are to be marketed for individual sale, this waiver per Section 13.3.5 shall end.
6.4.12.a.2	The application is substantially consistent with the objectives of the ASD Plan and advances the objectives of the ASD Plan;	<b>x</b>		This finding does not apply in this case.
6.4.12.a.3	In the case of any Alteration of a Nonconforming Structure, a Change of Nonconforming Use, or a Major Amendment to an Approved PUD, such alteration, change or amendment shall conform, to the extent feasible, to the objectives of the ASD Plan	<b>n/a</b>		This finding does not apply in this case.
<b><u>D.4 Change in Zoning / Number of Affordable Units</u></b>				
<b>Section</b>	<b>Required Finding</b>	<b>Met</b>	<b>Not Met</b>	<b>Comment</b>

Section	Required Finding	Met	Not Met	Comment
16.5.4 & 16.5.5	<p><i>Waiver of dimensional standards.</i> In order to maximize flexibility in the application of design standards to PUD projects, the SPGA may waive strict compliance with the standards of Section 16.5 upon making a determination that: (a) such a waiver would result in a better site plan than strict compliance with the stated standards; (b) the proposed PUD design furthers the Purpose and PUD Design Guidelines of this section; and (c) the granting of such a waiver will not cause detriment to the surrounding neighborhood.</p>	X		<ul style="list-style-type: none"> <li>• Most multi-phase projects in the region are designed so that zoning amendments do not impact them. The provisions that the applicant is seeking in this waiver are, fundamentally, granted automatically in projects such as Cambridge’s NorthPoint, because special permits are granted at the start of the project, when community benefits are addressed. This permits the project to proceed towards completion under a single set of rules. The nature of our PUD rules do not allow this. Instead, the project requires the waiver.</li> <li>• FRIT has indicated that with the funds invested in this project to date, including land costs and public benefits, plus the cost of construction, the development will not work with 20% affordable housing. If Block 8 is delayed or cancelled, the City will lose the net tax revenue generated by the project, and the region will lose 500 units of housing at a time when the pace of new housing construction in the region is at less than half of what is needed to meet current demand. Somerville remains focused on doing our part to meet regional housing needs and to mix residential with commercial development as we create new neighborhoods. It would not be any benefit for the City if an action causes this project to be unable to go forward.</li> <li>• The 2016 amendments permitted more affordable units but also anticipated housing bonuses. The bonus allows developers to provide additional market-rate units as a part of the project, thereby adjusting the overall project finances to help the cross-subsidy. But, those bonuses are designed for individual projects that are regulated for density based upon the ‘lot area per dwelling unit’ metric. The analysis of the 2016 amendments was based upon assuming these bonuses as a part of the total unit calculation. The nature of the PUD (with an overall unit cap across multiple buildings) does not permit bonus units to be incorporated in the project and therefore limits the ability for the applicant to afford the cross-subsidy.</li> </ul>

Section	Required Finding	Met	Not Met	Comment
6.4.12.a.1	Strict enforcement of such standards or requirements would run counter to achieving the objectives of the ASD Plan;	<b>X</b>		<ul style="list-style-type: none"> <li>• Most multi-phase projects in the region are designed so that zoning amendments do not impact them. The provisions that the applicant is seeking in this waiver are, fundamentally, granted automatically in projects such as Cambridge’s NorthPoint, because special permits are granted at the start of the project, when community benefits are addressed. This permits the project to proceed towards completion under a single set of rules. The nature of our PUD rules do not allow this. Instead, the project requires the waiver.</li> <li>• FRIT has indicated that with the funds invested in this project to date, including land costs and public benefits, plus the cost of construction, the development will not work with 20% affordable housing. If Block 8 is delayed or cancelled, the City will lose the net tax revenue generated by the project, and the region will lose 500 units of housing at a time when the pace of new housing construction in the region is at less than half of what is needed to meet current demand. Somerville remains focused on doing our part to meet regional housing needs and to mix residential with commercial development as we create new neighborhoods. It would not be any benefit for the City if an action causes this project to be unable to go forward.</li> <li>• The 2016 amendments permitted more affordable units but also anticipated housing bonuses. The bonus allows developers to provide additional market-rate units as a part of the project, thereby adjusting the overall project finances to help the cross-subsidy. But, those bonuses are designed for individual projects that are regulated for density based upon the ‘lot area per dwelling unit’ metric. The analysis of the 2016 amendments was based upon assuming these bonuses as a part of the total unit calculation. The nature of the PUD (with an overall unit cap across multiple buildings) does not permit bonus units to be incorporated in the project and therefore limits the ability for the applicant to afford the cross-subsidy.</li> </ul>
6.4.12.a.2	The application is substantially consistent with the objectives of the ASD Plan and advances the objectives of the ASD Plan;	<b>X</b>		This finding does not apply in this case.
6.4.12.a.3	In the case of any Alteration of a Nonconforming Structure, a Change of Nonconforming Use, or a Major Amendment to an Approved PUD, such alteration, change or amendment shall conform, to the extent feasible, to the objectives of the ASD Plan	<b>n/a</b>		This finding does not apply in this case.

## Appendix E: Assembly Square Block 8 2017: Conditions

#	Condition	Complete	Timeframe	To Be	Verified	Notes
			for	Evaluated	(initial)	
		Compliance		By:		
<i>This list of conditions includes the conditions that were part of the PUD PMP that relate to this SPSR phase.</i>						
<b>A. General</b>						
1	Approval is based upon the Block 8 application submitted by Vanasse Hangen Brustlin, Inc. stamped in at the City Clerk's office on February 22, 2017, including C-1 Legend and General Notes, C-2.1 & C-2.2 Neighborhood Context Map 1 & 2, C-3.1 & C-3.2 Overall Site & Key Plan 1 & 2, C-4 Layout and Materials Plan, C-5 Grading, Drainage, and Erosion Control Plan, C-6 Utility Plan, C-7.1 – 7.3 Site Detail dated February 22, 2017, Sv-1 through Sv-17 dated November 6, 2014, Open Space Plan dated February 22, 2017, and Architectural Block 8 Plans & Elevations – Ground Floor Plan, Mezzanine Floor Plan, 2nd Floor Plan through 7th Floor Plan, 8th-22nd Floor Plan, 23rd Floor Plan, North Elevation (Foley Street), East Elevation (Great River Road), West Elevation (Assembly Row), and South Elevation (Revolution Drive). Any changes to the submitted application material that are not de minimis must receive Planning Board approval, unless such changes are designed only to establish compliance with one of the conditions of this PMP approval.	-	Continuous	Planning Director		
<b>B. Transportation / Traffic Circulation</b>						
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	-	1 year after CO and annually thereafter	Planning Director / Traffic and Parking Director		
3	Applicant will supply a minimum of <b>168 bicycle parking</b> spaces that should be within the building and on the sidewalk. Less than 50% of the racks supplied may be for hanging bikes. The applicant shall provide a plan of bike parking locations on the sidewalk to Planning Staff for review and approval.	-	Plans - prior to BP for vertical construction /installation of parking -CO	Planning Director		
4	Prior to building permit for the project, the Applicant shall have selected the manager for the TDM plan that is identified in previous case approvals at Assembly Row, and begin implementation of the TDB plan requirements. An executed TDM Plan agreement in accordance with MEPA requirements must be presented to the Planning Director for approval at the time of Building Permit application - ISD will not grant the Building Permit without a letter from the Planning Director confirming receipt and execution of the agreement. Any waiver of this condition requires separate Planning Board approval.	-	Addressed with each SPSR-A application	Planning Director & T&P	SL	
<b>C. Design</b>						
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.	-	Building Permit for retail unit and retail signage	Planning Director		

#	Condition	Complete	Timeframe	To Be	Verified	Notes
			for	Evaluated	(initial)	
			Compliance	By:		
6	This approval does not constitute approval for any signage on the building above the retail level except for the garage directional and garage screening signage in the size and location as shown on the signage elevation plans (N, S, E, W). The design of these signs shall be submitted to Planning Staff for review and approval. This approval does not constitute approval for any of the roof signs or signs at the top of the residential tower that are on the plans.	-	Building Permit for Signage	Planning Director		
7	Off premises advertising is not permitted on this site and is subject to all applicable state and local permit requirements.	-	Continuous	Planning Director		
8	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.	-	Building Permit	Planning Director		
9	Applicant shall make design revisions based on the initial DRC meeting and review the changes with the Planning Staff. A second DRC meeting to review the revised design will be required prior to Building Permit application. The third, and final, DRC meeting will be required to review the materials and colors prior to construction.		Prior to BP/construction for Block 8	Planning Director /DRC		
10	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.	-	Completion of Steel Erection	Planning Director		
11	The further refinement of the design of the façade of the building at the tower on Foley Street shall be reviewed by the DRC and reviewed and approved by Planning Staff.	-	Completion of Steel Erection	Planning Director		
12	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.	-	CO for retail	Planning Director		
<b><u>D. Trash and Recycling</u></b>						
13	Trash and recycling storage shall be contained in the designated areas that are internal to the block. The Applicant shall provide convenient recycling to commercial and residential tenants.	-	Continuous	Planning Director /DPW		
<b><u>E. Maintenance of Facilities</u></b>						
14	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.	-	Continuous	Planning Director		
15	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 8.	-	CO	Planning Director		
16	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.	-	Continuous	Planning Director		
<b><u>F. Linkage and Inclusionary Zoning</u></b>						
17	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 onsite.	-	CO	Planning Director / Housing Director		

#	Condition	Complete	Timeframe	To Be	Verified	Notes
			for	Evaluated	(initial)	
			Compliance	By:		
18	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.	-	CO	Planning Director / Housing Director		
19	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).	-	CO	Planning Director / Housing Director		
20	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.	-	Building Permit / CO	Planning Director / Housing Director		
21	A. Obligations of the applicant: The applicant shall have the following inclusionary housing obligations: a. The applicant shall provide 31 units on-site (16 units at 50% AMI and 15 units at 80% AMI). b. In lieu of additional on-site units, the applicant shall make payments totaling \$10,322,000 for the city to create off-site affordable units as further described in item (B) below: i. 11.3% (\$1,166,386) will be due upon issuance of the building permit for Block 8. ii. 13.7% (\$1,414,114) will be due upon the first delivery to the site of steel structural members for the tower. iii. 33.9% (\$3,499,158) will be due upon issuance of a temporary or permanent certificate of occupancy for the first market-rate residential unit in the property. iv. The balance (41.1% / \$4,242,342) will be due upon issuance of a temporary or permanent certificate of occupancy for the 230th market-rate residential unit on the property. c. The SPGA hereby determines that the applicant shall make the payment directly to a housing finance organization, and that this organization shall be selected by the OSPCD Housing Division staff.	-	Building Permit / CO	Planning Director / Housing Director		

#	Condition	Complete	Timeframe	To Be	Verified	Notes
			for	Evaluated	(initial)	
			Compliance	By:		
	<p>B. Obligations of the City: Per the provisions of Article 13, the Planning Board instructs the City to dedicate the off-site unit funds as follows:</p> <p>a. Funds shall be dedicated to the purchase and/or rehab of a minimum of 49 affordable housing units (with a minimum of 16 at 50% and 16 at 80% of AMI) through the "100 Homes" program or, should such a program be discontinued, an equivalent program. Funds may be used for any eligible step towards securing affordable units, including but not limited to purchase, rehab, finance payments, maintenance costs and a reasonable developer fee.</p> <p>b. The funds may be leveraged through financing strategies that permit the program to increase the total number of units that may be acquired and stabilized. The funds may be matched with other funding sources, if such a strategy results in additional units being acquired and stabilized.</p> <p>c. Expenditure of the funds shall require approval of the City of Somerville, and the funds shall be subject to audit by the City of Somerville or its designee.</p> <p>d. Units purchased with the funds shall be subject to the City's lottery and preference system, unless existing tenants are remaining in the building.</p> <p>e. Funds shall be expended by the City of Somerville or a Community Housing Development Organization operating within the City of Somerville.</p>					
<b>G. Demolition/Construction</b>						
22	At such time as all or any portion of the residential units are converted to a secondary residential condominium or cooperative form of ownership, and any of the affordable units are to be marketed for individual sale, the waiver per Section 13.3.5 shall end.	-	Continuous	Planning Director / Housing Director		
23	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	-	CO	Planning Director / Housing Director		
24	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.	-	During construction	Traffic & Parking		
25	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.	-	CO	Planning /OSE		
<b>H. Site Plan/Utilities</b>						
26	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.	-	BP	City Engineer		
27	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.	-	CO	City Engineer		

#	Condition	Complete	Timeframe	To Be	Verified	Notes
			for	Evaluated	(initial)	
			Compliance	By:		
28	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.	-	CO	City Engineer		
29	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.	-	BP	City Engineer		
<b>I. Fire Prevention</b>						
30	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.	-	Building Permit for vertical construction	City Engineer		
<b>J. Final Signoff</b>						
31	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.	-	Sign-off	Planning Director		