



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

MICHAEL F. GLAVIN  
EXECUTIVE DIRECTOR

PLANNING DIVISION

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REBECCA LYN COOPER  
GERARD AMARAL, (ALT.)

**Case #: PB 2017-05-R1 (08/18)**  
**Site:** Assembly Row Block 5B – Grand Union Blvd  
**Date of Decision:** October 18, 2018  
**Decision:** *Petition Approved with Conditions*  
**Date Filed with City Clerk:** October 31, 2018

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**PLANNING BOARD DECISION**

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

Legal Notice: Applicant and Owner, Street Retail Inc., seek a Revision to a Special Permit with Site Plan Review–A under SZO Article §6.4.11 and §5.2 to increase the commercial floor area to approx. 292,890 sf office space (previously approved 267,600 sf) and make related changes to building design and parking. Assembly Square Mixed Use District (ASMD). PUD-A Overlay District. Ward 1.

**Zoning District/Ward:** 1  
**Zoning Approval Sought:** Article §6.411 and §5.2  
**Date of Application:** August 2, 2018  
**Date(s) of Public Hearing:** 10/4, 10/18  
**Date of Decision:** October 18, 2018  
**Vote:** 5-0

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Appeal PB 2017-05-R1 (08/18) was opened before the Planning Board at Somerville City Hall on October 4, 2018. 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. On October 18, 2018, the Planning Board took a vote.



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**I. DESCRIPTION:**

***A. Site***

The total land area of the Master Plan is 2.67 million square feet or 61.3 acres and the area of Block 5 is 115,382 square feet or approximately 2.65 acres. Block 5 is bounded by Assembly Row, Foley Street, Grand Union and Canal Street. The land for Block 5B is currently used as a construction laydown area for the mixed-use building at Block 5A. At the northwest corner of the lot there are four shipping containers comprising retail and restaurant space with hours of operation between 7am and 2pm. The containers will be removed or relocated and the construction lay down areas will be cleared to a vacant lot prior to construction of Block 5B building.

***B. Surrounding Area***

The area surrounding the proposed site contains Assembly Square Marketplace across Grand Union Boulevard, 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 are nearing full occupancy. Block 6 has recently received Temporary Certificates of Occupancy for the entire building. Blocks 7 and 9 will continue to be temporary parking lots, but are well suited for additional mixed-use development that can include additional substantial commercial tenants.

**II. DESCRIPTION OF PROPOSAL**

***A. Overall***

The plan for Block 5 is a phased proposal. The Planning Board approved the first phase (Block 5A) on February 5, 2015. The original approval for Block 5B comprises approximately two thirds of the depth of the block with a 540,757 net square foot of building. Uses include 29,731 square feet of retail and restaurants and 237,656 square feet of office. There are 489 structured parking spaces, with 10 handicap spaces, and 36 bicycle parking spaces.

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	71,952 sf (1.65 acres)
Frontage	-	-	270.59 ft
Front yard setback	No minimum	-	0.28 ft
Side yard setback (left)	No minimum	-	0.01 ft
Side yard setback (right)	No minimum	-	1.25 ft
Rear yard setback	No minimum	-	0.06 ft
Maximum Floor area ratio (FAR)	10.0	2.0	4.07 (net)
Maximum height, feet/stories	70 feet up to 250 feet	Varying up to 250 feet	201 ft 4 in / 12-story tower
Minimum lot area/per dwelling unit	No minimum	Approx. 1379	n/a
Total open space (% & sf)	25%	27.8% /	16.4 % / 11,805 sf

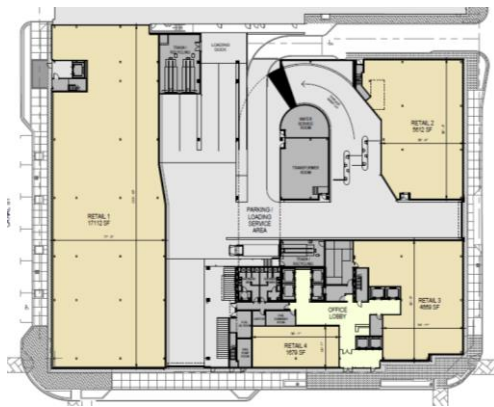


DIMENSIONAL REQUIREMENTS	PUD-A	Approved PUD	Proposed Project *
		743,568 sf	
Useable open space (% & sf)	12.5%	21.2% / 565,983 sf	9.8 % / 7,042 sf

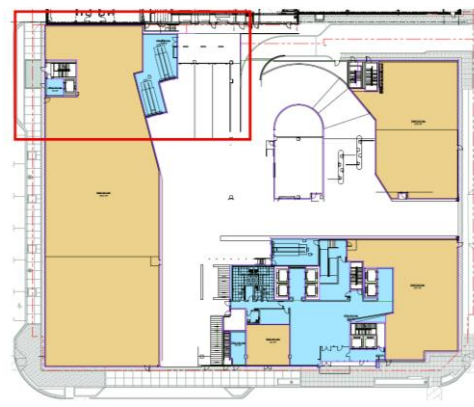
\* The dimensional requirements do not need to be met for each individual SPSR as they contribute to the approved PUD that does comply with the dimensional requirements.

**B. Site Design and Access**

The revisions to the ground floor plan are minimal and will not be noticed from any of the public right-of-way. The vehicular exits/entrances are in the same locations and only the loading docks have been modified.



As previously approved



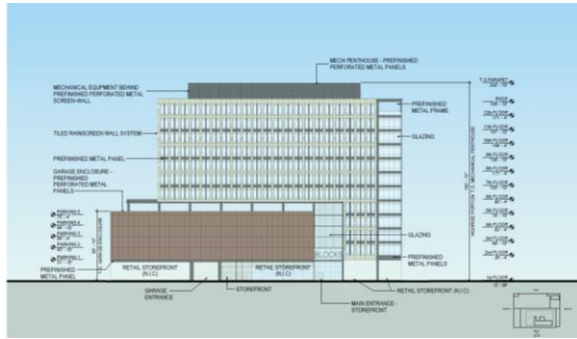
Revised ground floor plan

The necessity of this edit was to provide transformer access that was requested by the utility company. There is no change in number of loading docks from the previous approval.

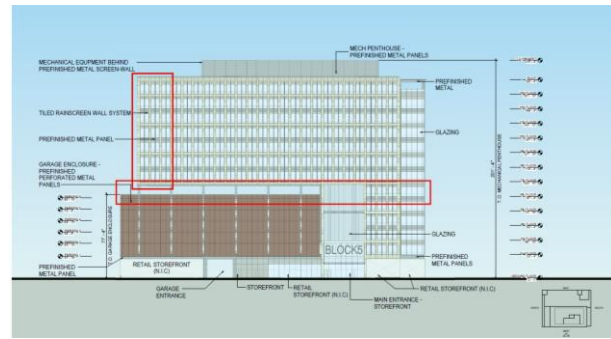
**C. Building Shape and Placement**

The increase in size occurs only on the upper floors of the building, and therefore, the building shape and placement still matches the design guideline for Block 5B. The revised proposal is for a thirteen story building along Grand Union Boulevard at the corner of Foley Street, which was previously approved at 12 stories. The building steps down to six-stories at the corner of Grand Union Boulevard and Canal Street, which was previously approved at 5 stories.

The floor plates on the upper floors are enlarged by just over 3,000 sf and the 6<sup>th</sup> floor is expanded to accommodate parking for the additional office space (as shown in the elevations below). The total increase in floor area of the building is approximately 25,500 gsf.



As previously approved



Revised west elevation

Enlarging the building to increase commercial floor plate for a more marketable building is a good revision. The footprint and urban design elements remain the same, so the streetscape and pedestrian interaction with the proposed building does not change from the previous approval.

**D. Uses**

The use of the building is proposed to be approximately 265,302 square feet of office space and approximately 27,588 square feet of restaurants and retail. This still meets the list of specific uses from the Somerville Zoning Ordinance use table that was approved as part of the PUD-PMP.

**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**

There are no residential units in this proposal so there are no inclusionary housing requirements.

**G. Landscaping and Open Space**

There will be no change to the landscaping and open space. Block 5 will be built out as an urban block and will not contain landscaping beyond planter boxes on the sidewalk. The private terrace areas are not counted in the usable open space calculation, although they will function as usable open space for the tenants of the building.

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

The revised minimum and maximum parking requirements are outlined in the table below. The total number of spaces to be provided is 617 which includes 86 spaces for shared use by the retail, restaurants, and Block 5A hotel uses. Marketing of the office space is currently showing that potential tenants are requiring at least 2 spaces per 1000 sf, so 531 of the spaces are expected to be for that use.

<b>PARKING REQUIREMENTS</b>	Square Feet	Minimum Requirement	Minimum # Spaces	Maximum Requirement	Maximum # Spaces*
Retail	18,392	1/1000sf	19	1/500sf	37
Restaurant	9,196	1/500sf	19	1/250sf	37

Office	265,302	1/1000sf	266	1/500sf	531
Total			304		605

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

The bicycle parking requirement where over 200 vehicle spaces are required is 20 spaces plus 1 for every additional 20 parking spaces over 200 for the commercial uses. 617 total parking spaces will be provided and therefore 41 bicycle parking spaces are required. (20 plus  $617-200=417/20=20.85$  for 40.85 spaces)

There are no changes to the number of loading dock spaces.

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

The increase in size occurs only on the upper floors of the building, and therefore, the form and design of the building still substantially matches the original approval. The addition of a thirteenth story and the infill of the 6<sup>th</sup> floor with parking extend the previously approved architectural language. As included with the original approval, further material review for texture and colors is required at later stages of product development.

***J. Signage***

As consistent with the original approval, 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***

There are no waivers or other relief requested as part of this application

**III. BOARD FINDINGS FOR REVISION TO A SPECIAL PERMIT WITH SITE PLAN REVIEW-A**

***A. General Application Requirements***

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

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

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



***C. Requirements for SPSR (SZO §5.2.5 and 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.

Revisions to Special Permits with Site Plan Review under SZO section 5.3.8 may be sought before the Certificate of Occupancy is issued for a project. The proposed revision is not deemed de minimis because the changes would be noticeable to persons generally familiar with the plans. Revisions that are not de minimis are subject to the full notice and hearing provisions of the Somerville Zoning Ordinance. The Board finds that projects submitted for SPSR-A under this PMP meets the findings required as identified in Appendix C.

***D. Waiver Standards***

There are no waivers requested with this revision.

**III. DECISION:**

Based on the materials submitted by the Applicant and the attached findings, the Planning Board finds that the application for the revision to the Special Permit with Site Plan Review-A for final level approval of a Planned Unit Development under the Preliminary Master Plan approved by the Planning Board on December 14, 2006 and as amended on August 5, 2010, June 19, 2014 and February 18, 2016 meets the goals of the City for this site, the purposes of the district, and the provisions and purposes of the Ordinance. Therefore, the Board recommends **CONDITIONAL APPROVAL** of the requested revision to the Special Permit with Site Plan Review-A.

Approval is for the revision to increase the program to 265,302 square feet of office space and approximately 27,588 square feet of restaurants and retail, and 617 parking spaces.

All additional findings and conditions attached to the original approval are still applicable to this revision.

Approval does not include the design of the storefronts or first floor retail signs, which are subject to the Assembly Row Signage and Storefront Standards that are currently before the Planning Board for approval. The storefront design and signage are subject to Board review to ensure that the design is consistent with the standards. Wayfinding signs will be subject to design standards that the Owner submits.

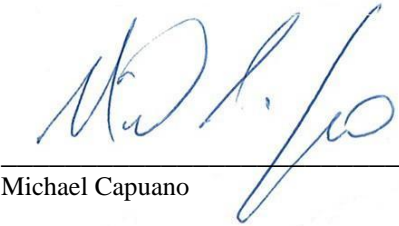
The recommendation is also based upon a technical analysis by the Planning Board of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations,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



Attest, by the Planning Board:



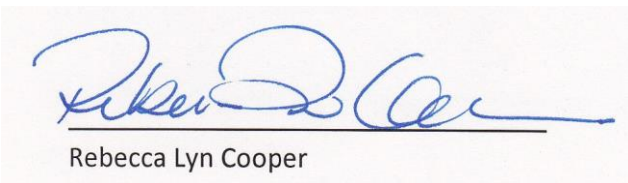
Joseph Favaloro



Michael Capuano



Dorothy A. Kelly Gay



Rebecca Lyn Cooper



Gerard Amaral

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

**CLERK'S CERTIFICATE**

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

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

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

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

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

FOR 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 \_\_\_\_\_

