



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 2016-14-R1 (11/2017)
Site: Assembly Line Park – Building B
Date of Decision: January 30, 2018
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: January 31, 2018

PLANNING BOARD DECISION

Applicant Name: Street Retail, Inc.
Applicant Address: 1626 East Jefferson Street, Rockville, MD 20852
Property Owner Name: Street Retail, Inc.
Property Owner Address: 1626 East Jefferson Street, Rockville, MD 20852
Agent Name: Nutter, McClennen & Fish, LLP
Agent Address: World Trade Center West, 155 Seaport Blvd, Boston, MA 02210

Legal Notice: Applicant & Owner, Street Retail, Inc., seek a revision to Special Permit with Site Plan Review–A, final level approval (Decision dated September 22, 2016) of the food service or retail buildings located within Assembly Line Park to add decorative screening to cover mechanical louvers on the east elevation of Building B.

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

Zoning Approval Sought: Revision to an SPSR-A

Date of Application: November 21, 2017

Date(s) of Public Hearing: January 30, 2018

Date of Decision: January 30, 2018

Vote: 5-0



Appeal #PB 2016-14-R1 (11/2017) was opened before the Planning Board at Somerville City Hall on January 30, 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. After one hearing of deliberation, the Planning Board took a vote.

DESCRIPTION:

A. Site

The area of the entire linear park is 16,684 square feet or 0.38 acres. The park is in the middle of the right of way (Assembly Row) between Blocks 7 and 8 and spans the length of these blocks. The civic space is in the middle and has two pavilion buildings that have ground floor and mezzanine levels on either end.

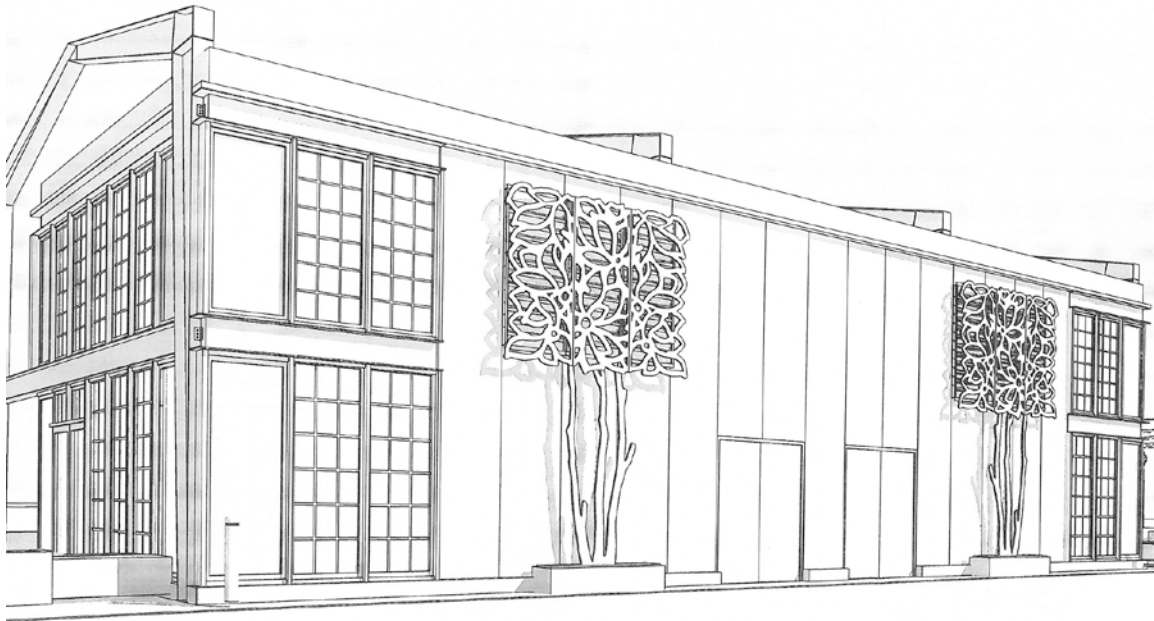
B. Surrounding Area

The area surrounding the proposed site contains Draw 7 Park on the opposite side of the MBTA Orange Line tracks and the developments of the Assembly Row Blocks 1, 2, 3, 4, 5A, 6, and 11 are at or near full occupancy. Block 5B and Block 8 have been approved for an office building and residential respectively. Blocks 7 and 9 will continue to be a temporary parking lots and used for construction staging.

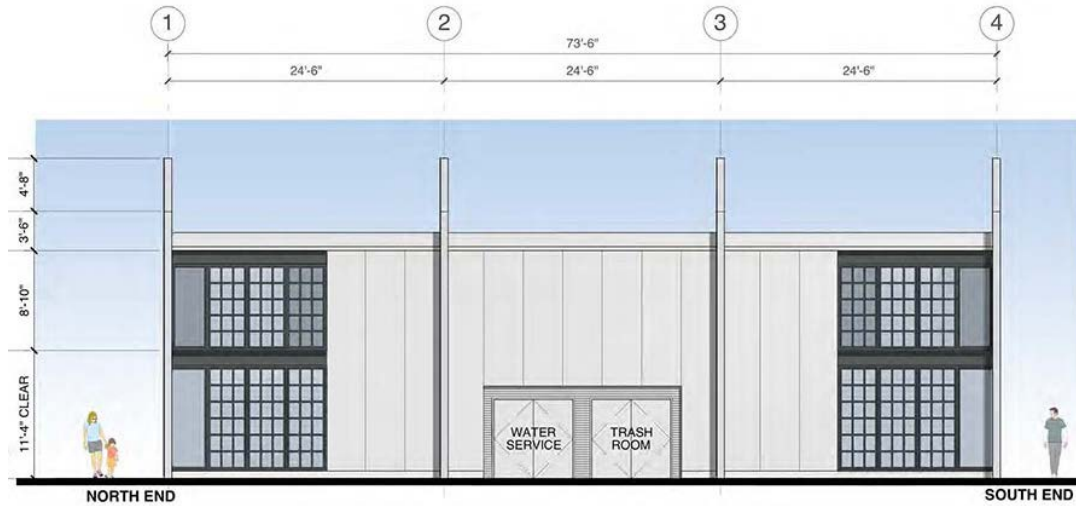
Description of Proposal

A. Overall

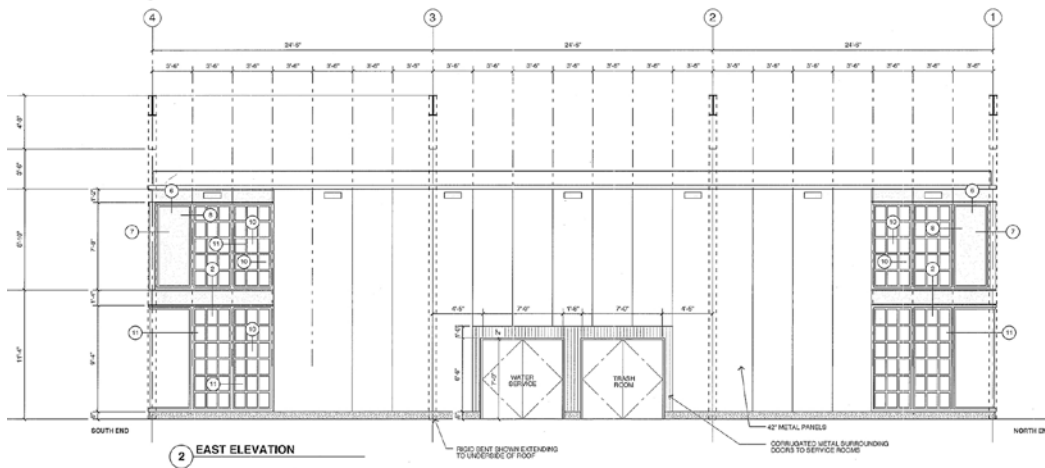
This request is to gain approval for decorative screen to cover mechanical louvers that were added during construction and changes the building from the approved elevation.



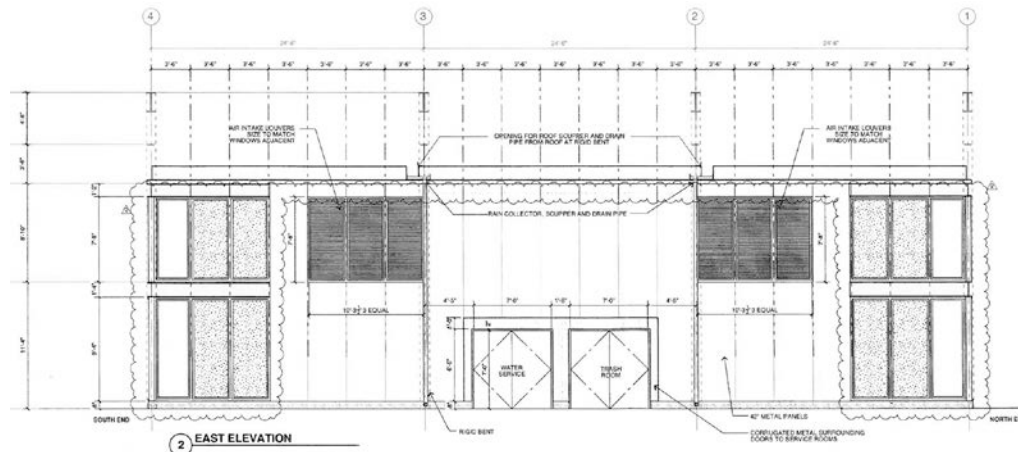
The original approved elevation is shown below. This elevation shows no louvers and four bays of fenestration at each end of the building.



The elevation from the building permit application (shown below) shows reduced fenestration at the north and south ends of the building - three bays instead of four but still showing windows.



The as-built condition provided with this application (below) shows the extent of the changes that were made during construction without prior Staff or Planning Board approval. Note the mechanical louvers and the blank panels instead of windows.



The design change became evident upon final review by Planning Staff and Inspectional Services when the Applicant applied for a Certificate of Occupancy. The three bays of panels are acceptable, but the exposed mechanical louvers create a “rear” appearance to the building that was intended to be a four-sided pavilion. The decorative louvers proposed are an acceptable approach to visually screening the necessary but unsightly louvers.

B. Site Design and Access

The park is rectangular and located in Assembly Row between Blocks 7 and 8. Building B is setback from the eastern edge along Assembly Row with the main entrances internal to the block. There are no proposed changes to the site design or access.

C. Building Shape and Placement

Building B is a 2,000 square foot rectangular building with a 315 square foot mezzanine and is the subject of this revision. There is no change to the building placement or shape. Building A is still under construction.

D. Uses

The use of the building was proposed to be restaurant and/or retail (§7.11.10.1.1.B or 7.11.10.2.2.b or 7.11.9). It is currently occupied by Caffe Nero – a coffee shop and café.

E. Linkage

Linkage requirements were specified with the original approval.

F. Inclusionary Housing

The provisions of SZO section 13.2 did not apply to this project as there is no residential.

G. Landscaping and Open Space

There are no changes to the landscaping or open space percentage.

H. Parking, Loading and On-site Circulation

There is vehicular access on either side of the linear park with one lane and one lane of parallel parking. There are no proposed changes to the parking, loading, or circulation.

I. Form and Design of the Building

The overall design goal was to pull attention and activity to the middle of the park, which extends under a trellis next to Building B. The northern and southern facades of the buildings have elevations with significant transparency to be the most visible. The sides of the building were intended to be secondary; however, as the east side of Building B abuts an extension of the open space with a trellis over it so was also designed as a primary elevation. The west elevation, the subject of this revision, became the sole secondary elevation on which service activity and mechanical elements could be located.

***J. Signage***

Staff reviewed the retail signage based on the Assembly Row Storefront and Signage Design Standards as required by the original approval and found the proposal acceptable.

K. Waivers & Other Relief Requests

There are no waivers requested with this revision. However, for information, waivers were sought with the original application including relief from providing a 3D model, shadow analysis, loading bay size requirements, required façade recesses and percentage glazing.

FINDINGS FOR REVISION TO SPSR-A:***A. General Application Requirements***

As identified in Section 16.8 of the SZO, Staff finds the revision to the SPSR-A meets the application submittal requirements. No change to Appendix A of original approval.

B. Required Findings of Fact for PUD

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 Staff has reviewed these required findings as they relate to the revision to the SPSR-A application and find that they have been met. No change to Appendix B of original approval.

C. Requirements for SPSR (SZO §5.2.5)

The Staff finds that projects submitted for SPSR-A under this PMP meets the findings required. No change to Appendix C of original approval.

D. Waiver Standards

There are no waivers requested with this revision. No change to Appendix D of original approval.

DECISION:

Present and sitting were Members Kevin Prior, Joseph Favaloro, Michael Capuano, Dorothy Kelly Gay, Rebecca Lyn Cooper and Gerard Amaral. Upon making the above findings, Kevin Prior made a motion to

approve the request for the revision to the SPSR-A originally approved September 22, 2016. Michael Capuano seconded the motion. Wherefore the Planning Board voted **5-0** to **APPROVE** the request. In addition the following conditions were attached:

This approval is based on the application stamped in at the City Clerk's office on November 21, 2017, including schematic 3-dimensional rendering and revised building elevations.

All conditions in Appendices E and F of the original approval remain unchanged. The Board adds an additional condition be applied to the approval of this revision:

The Applicant will submit final detailed drawings along with material and color samples for the decorative screens/art installations, covering the mechanical louvers on the west elevation of Assembly Line Park Building B, prior to fabrication of those screens to Planning Staff for review and approval.



Attest, by the Planning Board:



Kevin Prior, Chairman



Joseph Favaloro


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 _____

