



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

PLANNING BOARD MEMBERS

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MICHAEL A. CAPUANO, ESQ.
REBECCA LYN COOPER
GERARD AMARAL, (ALT.)

Case #: PB 2014-34-R4 (9/2017)
Site: Assembly Row Block 5 – numerical adjustment
Date of Decision: December 14, 2017
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: December 21, 2017

PLANNING BOARD DECISION

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

Legal Notice: Applicant and Owner, SRI Assembly Row B5, LLC, seek a revision to Special Permit with Site Plan Review–A #PB2014-34 under SZO §5.3.8 in order to reduce the number of residential units to 122 and the number of hotel rooms to 158 from the previously approved and amended SPSR-A (PB 2014-34-R2-0216 on March 24, 2016) of 132 residential units within an approx. 226,637 sf building (including 160 hotel rooms, approx. 21,000 sf retail space, 103 underground parking spaces, & 86 surface spaces). The original permit was for final level approval of “Block 5” (identified as MBL 85-A-12) of the Planned Unit Development Preliminary Master Plan (PUD-PMP) approved by the Planning Board on December 14, 2006 and as revised on August 5, 2010 and June 19, 2014.

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

Zoning Approval Sought: Revision to Special Permit with Site Plan Review–A under SZO §5.3.8

Date of Application: August 30, 2017

Date(s) of Public Hearing: December 14, 2017

Date of Decision: December 14, 2017

Vote: 5-0



Appeal #PB 2014-34-R4 (9/2017) was opened before the Planning Board at Albert F. Argenziano School Cafeteria (290 Washington Street) on December 14, 2017. Notice of the Public Hearing was given to persons affected and was published and posted, all as required by M.G.L. c. 40A, sec. 11 and the Somerville Zoning Ordinance. After one hearing of deliberation, the Planning Board took a vote.

DESCRIPTION:

A. Overall

This application is a numerical change only. The last approval for the building included 21,000 square feet of restaurants and retail, 132 residential units and 160 hotel rooms. The approval also included 103 underground parking spaces, 28 of which are compact, and 86 surface spaces.

The final numbers are 122 residential units, 158 hotel rooms, and 20,500 square feet of restaurants and retail. The change is requested to respond to market pressures for units to be combined to form larger units and the requirements of a hotel operator.

B. Site Design and Access

The building is substantially complete and this application does not include any changes to the massing, siting, or access. The entrance to the below grade parking is located on Canal Street. There are entrances to the at grade parking on Canal Street and Foley Street. Pedestrian access will be around the site on the sidewalks. There is an entrance to the residential units on Canal Street and an entrance to the hotel on Foley Street.

C. Building Shape and Placement

The design guideline for Block 5 was approved in the 2014 Master Plan amendment which was submitted at the same time as the first SPSR-A application, and therefore, the building space and placement matches the design guideline. The proposal is for a thirteen story building along Assembly Row that wraps the corner onto Canal Street. The building steps down to five-stories and then two-stories at the corner of Assembly Row and Foley Street.

D. Uses

The use of the building does not change from the original application and revisions. The uses approved include retail, hotel, residential. Appendix G of the original and amended approval provides information on the square footage of each use that was permitted through the Master Plan approval and how many square feet of each use has been constructed to date.

E. Linkage

Per the original and amended approval, the threshold from the 2006 development covenant has been reached and linkage will be required for the square footage of this building as outlined in the conditions attached to those approvals.

F. Inclusionary Housing

The Affordable Housing Implementation Plan (AHIP) was signed on November 17, 2017 and does not change. There will be 6 1-bedroom units (3 at 80% AMI and 3 at 110% AMI), 2 1-bedroom plus den units (1 at 80% and 1 at 110% AMI), 4 2-bedroom units (2 at 80% and 2 at 110% AMI), and 3 2-bedroom plus den units (2 at 80% and 1 at 110% AMI).

G. Landscaping and Open Space

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



H. Parking, Loading and On-site Circulation

The parking and loading from previous approvals and amendments/revisions remain unchanged.

I. Form and Design of the Building

The form and the design from previous approvals and amendments/revisions remain unchanged.

J. Signage

The signage for the building was approved under PB2014-34-R3 (9/2017) and storefront signage for each retail space will be reviewed under future applications.

K. Waivers & Other Relief Requests

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

FINDINGS FOR SPECIAL PERMIT WITH SITE PLAN REVIEW–A & SPECIAL PERMIT (SZO §5.2.5):

A. General Application Requirements

Application requirements are identified in Section 16.8 of the SZO. The Board finds the SPSR-A meets the application submittal requirements in the above listed sections. Detailed findings in Appendix A of the original and amended approval do not change with this application.

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 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 in Appendix B of the original and amended approval do not change with this application.

C. Requirements for SPSR (SZO §5.2.5 and 5.1.4), & Revisions (§5.3.8)

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 Staff find that Appendix C of the original and amended approval does not change with this application.

D. Waiver Standards

There are no waivers or other relief requested as part of this application. Waivers shown in Appendix D of the original and amended approval do not change with this application.

DECISION:

Present and sitting were Members Kevin Prior, Joseph Favaloro, Michael Capuano, Dorothy Kelly Gay, and Rebecca Lyn Cooper. Upon making the above findings, Kevin Prior made a motion to approve the request for a Special Permit. Michael Capuano seconded the motion. Wherefore the Planning Board voted **5-0** to **APPROVE** the request.



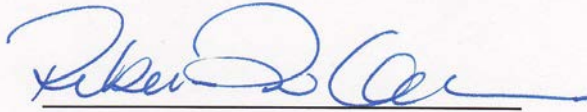
Attest, by the Planning Board:



Kevin Prior, Chairman



Joseph Favaloro


Dorothy A. Kelly Gay

Rebecca Lyn Cooper



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 _____

