



City of Somerville

## PLANNING BOARD

City Hall 3<sup>rd</sup> Floor, 93 Highland Avenue, Somerville MA 02143

### DECISION

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**PROPERTY ADDRESS:** 455 Grand Union Boulevard (Block 5B)  
**CASE NUMBER:** PB2017-05-R2-09/20  
**OWNER:** Assembly Row 5B, LLC c/o Altus Group  
**OWNER ADDRESS:** P.O. Box 92129, Southlake, TX 96092  
**DECISION:** Approved with Conditions  
**DECISION DATE:** October 15, 2020

This decision summarizes the findings made by the Planning Board regarding the revision to the Special Permit with Site Plan Review in a Planned Unit Development (SPSR-A) application submitted for 455 Grand Union Boulevard (Block 5B). The application was deemed complete on August 27, 2020. On October 15, 2020 the Planning Board approved the rooftop signage. This decision was filed with the City Clerk on October 28, 2020.

#### SUMMARY OF PROPOSAL

The project proposes to add corporate signage at the rooftop of a 13-story (201 feet) building currently under construction at the ASQ Block 5B in the Assembly Square Mixed-Use District. The building under construction is a new mixed-use office tower, which was approved by the city on April 20, 2017 in Case # PB 2017-05 and subsequently revised on October 18, 2018 in Case # PB 2017-05-R1. The proposed corporate signage on ASQ Block 5B is for branding, marketing and social programing for the new North American Headquarters of PUMA, North America, Inc.

#### RECORD OF PROCEEDINGS

On October 15, 2020 the Planning Board reviewed the application. In attendance was Chair Michael Capuano, Vice Chair Amelia Aboff, Clerk Sam Dinning and Member Jahan Hadid, along with Alternate Member Rob Buchanan.

#### REQUIRED FINDINGS

Signage of the size proposed in this application requires a Special Permit from the Planning Board.

*“6.4.14 Signage in the Assembly Square District.* Notwithstanding any provision of this Ordinance to the contrary, the following provisions shall apply to signage in the ASMD: . . .

B. With respect to any Structure in the ASMD for which a waiver or other approval has been issued to allow such a Structure to exceed the maximum height otherwise set forth in this Ordinance, approval for signage on such Structure in excess of the maximum height requirements applicable under this Ordinance may be granted solely through a Special Permit from the SPGA.”

A roof sign generally generates concerns of shadows and lighting. Block 5B is internal to the Assembly Square neighborhood and the building does not directly abut any residential

buildings, and the current neighborhood plan documents indicate that the adjacent properties are anticipated to be a mix of commercial uses. The sign will be located on the western side of the building facing Intersect 93 so the size and the lighting will not adversely impact the neighborhoods of Ten Hills and is located far from the homes in East Somerville.

This proposal meets *6.4.7 Development Standards and Design Guidelines for Developments in the ASMD* and *6.4.9 Special Permit with Site Plan Review-A (SPSR-A)*. As this application is limited in scope the submittal requirements are appropriate to explain the proposal and the other agencies necessary will review this proposal in detail during the Building Permit application process. The only item under *C. Criteria for Review* that is applicable to this proposal is “g) The size, location, design, color texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall reflect the scale and character of the proposed Buildings.”

The design of the proposed signage is the branding for the corporate headquarters in the colors required by the Puma brand. It is difficult to tie the branding to the architecture character of the building. However, the scale of the sign is appropriate to the high-rise building and the LED technology of the creative art installation at the garage screening will support the visibility of this location.

The Board is required to make findings considering the following review criteria:

1. The comprehensive plan and existing policy plans and standards established by the City.
2. The intent of the zoning district where the property is located.  
The intent of the ASMD zoning district is, in part: “to encourage the best use of Assembly Square physically, economically, environmentally and socially while promoting the best interests of residents of the City.”
3. Capacity of the local thoroughfare network providing access to the site and impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.
4. Location, visibility, and design of the principal entrance.

As a Transform Area identified by the comprehensive plan, SomerVision, Assembly Square is still a redeveloping and changing district of which a new corporate headquarters is a major component. This project meets the goals of the district and the city by generating a large employment base in a transit-oriented location – an easy walk to the orange line MBTA station. The bicycle facilities and wide sidewalks along Grand Union Boulevard, and throughout Assembly Square, provide for good non-motorized mobility to and from the main entrance to the building.

## **DECISION**

Following consideration of the statutory requirements, Chair Michael Capuano moved to accept the revisions to the of the previously issued special permit (PB2017-05), and Clerk Sam Dinning seconded the motion.

The Board voted **5-0** to approve the request subject to the following conditions:

Perpetual

1. Approval is for the design of the rooftop signage as represented in plans dated June 24, 2020, by Poyant Signs. Construction documents must be substantially equivalent to the approved plans.
2. All conditions of the original SPSR-A and subsequent revisions remain relevant.

Prior to Certificate of Occupancy

3. The Applicant shall contact ISD's Zoning Review Planner 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.

Attest, by the Director of Planning & Zoning:



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 Planning Board's proceedings are filed with the Planning & Zoning Division.

**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. 15.5.3.

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 \_\_\_\_\_