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## D - Zoning Compliance Narrative



## Zoning Compliance Narrative

This section briefly describes how WP East Acquisitions, L.L.C., (the "Applicant") has fulfilled the various submission requirements as described in Article 5 - Special Permits, Special Permits with Site Plan Review (SPSR), Site Plan Approval and Variances, Article 6.4 – Assembly Square Mixed-Use District (ASMD), and Article 16 - Planned Unit Development of the Somerville Zoning Ordinance adopted March 23, 1990, as amended through September 20, 2017 (the "Ordinance"). It also summarizes various applicable Ordinance provisions from which the Project at XMBLY Development (the "Project") requires zoning relief. The numbering used throughout this chapter follows the section numbering of the applicable Ordinance.

### 4.1 ARTICLE 5: SPECIAL PERMITS, SPECIAL PERMITS WITH SITE PLAN REVIEW, SITE PLAN APPROVAL AND VARIANCES

#### 5.2.3.1 **Name, 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:**

The name, address and telephone numbers for the Applicant, Engineer, Architect and Attorney are provided in Section B Special Permit Application and on the cover sheet of the Preliminary Master Plan Planned Unit Development plan set (the "Plans"), found in Section H-I.

#### 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:**

Please refer to the Existing Conditions Plan of Land and the Layout and Materials Plan certified by Dale Horsman, P.E., found in Section H-I, which provides land areas, boundaries, angles and dimensions of the Site and a north arrow.

#### 5.2.3.3 **Scaled site plan(s) certified by a registered land surveyor, architect, landscape architect or engineer showing:**

##### **3.a) present and proposed use of the existing land and existing buildings, if any:**

The existing site is comprised mostly of paved surface parking lot. The proposed use of the Project includes a total of 329 apartments and amenity space that includes (324) units on the upper floors above a 2-level parking garage and (5) townhome units at the street level along Road K. The internal parking garage is wrapped at the base of the building by multiple retail and restaurant spaces as well as building

entrance lobbies to activate the street edges. The proposed Project 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, P.E. Building elevations are shown on Elevations prepared by The Architectural Team.

**3.b) dimensions of existing and proposed building(s) or other structures including height, setback(s) from property lines and total square footages of all floors:**

The Proposed Project footprint is shown on the Layout and Materials Plan. The total gross square footage is approximately 335,557 square feet (GSF) (425,758 SF including parking). The proposed Project building height is 84'-11" to top of the residential roof. A Zoning Summary chart for the Project listing the required and provided dimensional requirements is located on the Layout and Materials Plan. Table 4-1 below shows the ground coverage and total net floor area.

**Table 4-1 – Building Coverage and Area**

<b>Description</b>	<b>Ground Coverage (SF)</b>	<b>Net Floor Area (NSF)</b>
The Project	62,822±	285,795±

**3.c) locations and dimensions of any easements and public or private rights of way, or other burdens, existing and proposed:**

Existing easements are shown on the Existing Conditions Plan of Land, found in Section H-I. The Applicant is working towards appropriate easement agreements between the Owner, the City, and various utility companies which will be provided with the subdivision plan of land.

**3.d) at-grade parking and loading areas showing number, location, and dimensions of the parking and loading spaces, driveways, access and sidewalks:**

The proposed Project building includes the construction of 199 total structured garage parking spaces within the building designated for residential use. Included in this count are 5 accessible spaces and 2 van accessible spaces. Standard parking spaces will be 9-feet by 18-feet, standard accessible parking spaces will be 13-feet by 18-feet, and van accessible space will be 16-feet by 18-feet which includes an accessible aisle. Drive aisles within the garage will be 24-feet wide. Access to the proposed Project building is provided via Road L along the north side of the building. A waiver is being requested to reduce the minimum required residential parking requirement.

The garage will contain 111 bicycle parking spaces for bicycle parking which meets the required 111 residential bicycle parking spaces. The loading area for the Project is provided on Road K adjacent to the South Lobby and will be time-restricted to daytime hours. During non-loading hours, the spaces will be utilized for on-street parking.

**5.2.3.4 A 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:**

The Project consists of residential apartments over ground floor retail and townhomes. Construction types include wood construction over a concrete podium garage. The project is anticipated to begin construction in the summer of 2019 through late 2021. The apartments will be open 24/7.

Access to the structured garage is provided on Road L, along the northern side of the building.

The proposed building is projected to have approximately 424 occupants/employees.

Details for the ground floor uses and employee counts will be provided in a future submission for City review. Hours of operation for the ground floor retail uses will be determined based on tenant selection, which is unknown at the time of this application.

**5.2.3.5 The total floor area and ground coverage ratio of each proposed building and structure:**

Please refer to the Overall Site Plan and Layout and Materials Plan (Plan C-4) in Section H-I for the program floor area ratio and the size of the proposed uses.

**Table 4-1 – Building Coverage and Area**

<b>Description</b>	<b>Ground Coverage (SF)</b>	<b>Net Floor Area (NSF)</b>
The Project	62,822±	285,795±

**5.2.3.6 Front, side and rear elevations:**

Elevations of the front, side, and rear of the Project are shown on the Architectural Plans and Elevations found in Section H-IV.

**5.2.3.7 Existing and proposed contour elevations in two-foot increments:**

Existing contour elevations are shown in one-foot increments and with spot grade elevations on the Existing Conditions Plan of Land (Sv-1). Proposed contour elevations are shown in one-foot increments and with spot grade elevations on the Grading and Drainage Plan in Section H-I.

**5.2.3.8 Provisions for vehicular and pedestrian circulation:**

Pedestrian sidewalks, a minimum of 5-foot wide, are proposed along the perimeter of the Site connecting points along Revolution Drive, Grand Union Boulevard, Road K, and Road L. The dimensions, landscape, hardscape, and materials can be found in the Civil Site Plans, found in Section H-I.

**5.2.3.9 Color, materials, and exterior features of proposed structures:**

The material palette for The Project will consist of masonry, metal panel, cementitious panels, and storefront wall system at the podium floors. The upper floors will be primarily masonry, cementitious panels, metal panels, and windows. The colors of the building will be neutral in the fields with bold accent colors at key design elements. A photographic representation of the materials and colors are included Sections H-III and H-IV: Architectural Plans and Elevations.

**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 landscape surface materials:**

The existing site is currently a surface parking lot with a steep grass slope in poor condition along Grand Union Boulevard. The surface lot and grass slope will be removed during construction. The Project includes 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 through architectural design. Detailed landscape plans can be found in Section H-II.

**5.2.3.11 Measures taken to preserve and protect natural resources:**

No natural resources such as wetlands or other water features exist on the Project Site. The Project will minimize environmental impacts by locating the development on previously paved and/or otherwise disturbed land. It is also the intent of the proposed Project to revitalize the natural qualities and landscaping of the Site and increasing the amount of open space to be in excess of the required 25 percent total

open space minimum and 12.5 percent useable open space minimum. A comprehensive stormwater management system combined with the new open space features will significantly enhance water quality thereby protecting surrounding natural resources and restoring a natural water cycle.

**5.2.3.12 Outdoor lighting, including location and intensity of lighting facilities:**

Outdoor lighting will be provided to meet code requirements and every effort will be made to abide by Dark Sky Requirement. Exterior street fixtures will match the City of Somerville Assembly Row Roadway streetscape standards.

**5.2.3.13 Dimensions and locations of signs, proposed and existing:**

Please refer to the Layout and Materials Plan (Plan C-4) in Section H-I for sign dimensions and locations.

**5.2.3.14 Location and significance of historic structures:**

A review of the Massachusetts Historical Commission's ("MHC") Inventory of the Historic and Archaeological Assets of the Commonwealth, available through the Massachusetts Cultural Resource Information System ("MACRIS"), indicated one previously inventoried property located in the Project area. A 1927 service station (SMV.1003) was recorded in 1990 along Middlesex Avenue, but has since been demolished. The property was recorded as part of the Assembly Square Area (SMV.I); in 2002 the MHC opined that the area did not retain enough integrity to be eligible for the National Register, and the area has recently been redeveloped.

**5.2.3.15 Method of handling solid waste disposal, and screening of disposal facilities:**

Solid waste disposal will be handled by private contractors. The disposal facilities (dumpsters and compactors) will be internal 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:**

Mechanical equipment access where required by code is located along the exterior of the perimeter of the building. All mechanical spaces will be architecturally treated as an inherent part of the building design. Service access will be within the parking garage. Mechanical equipment located on the roof will be located as far back from the edges to avoid sightlines from the street.

**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:**

Please refer to the Existing Conditions Plan of Land, the Grading, Drainage, and Erosion Control Plan, and Utilities Plan in the Section H-I for existing and proposed utilities, respectively. The design information of 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 the completion of the development:**

The Project does not involve any building demolition. The Applicant anticipates commencing site preparation and utility relocation work for the XMBLY roadways in the summer of 2019. 100 % Roadway Plans (Road K and Road L) will be submitted by the Master Developer to the City for approval and is anticipated to be constructed in conjunction with this Project. Work for this Project is anticipated to be complete by mid-to-late 2021.

**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 25,000 square feet or more, a traffic impact analysis which is prepared by a professional traffic engineer:**

This application contains a Section E: *Transportation*, which includes the Traffic Impact Study has been prepared as part of this SPSR-A application. The analysis conducted as part of that assessment does indicate that there will be increased trip generation during the weekday morning and evening peak hours because of the proposed development. The study documents how these changes are appropriately accommodated by the surrounding transportation infrastructure.



**5.2.3.20 General summary of existing and proposed easements or other burdens now existing or to be placed on the property:**

Existing easements as currently constituted are shown on the Existing Conditions Plan of Land, found in Section H-I. There will be appropriate easement agreements between the Applicant, the City, and various utility companies. To allow for flexibility in building and potential outdoor seating and dining, the Applicant anticipates coordinating proposed access easement and right-of-way dedication with the, private utility companies, the City and Master Developer through the 100% roadway design submission and subdivision plan of land process. Roadways within the Project are anticipated to be dedicated as public rights-of-way to the City. The Master Developer, the Applicant and the City anticipate executing an easement of use of public sidewalk agreements.

**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 there under, 310 C.M.R. 10.00:**

There are no wetlands on the Project Site that will be altered by the Project.

**5.2.3.22 Photographs of at least eight (8) by ten (10) inches, showing the development site and surrounding parcels:**

Site photographs showing current conditions are included in the Section C of this report showing the Site from the northerly, easterly, southerly, and westerly directions and the surrounding uses.

**5.2.3.23 Names and addresses of all property owners within three hundred (300) feet of the site boundaries:**

A check requesting a copy of the Certified Abutter's list from the City of Somerville is included with the application.

## 4.2 ARTICLE 6: ESTABLISHMENT OF ZONING DISTRICTS

### 6.4.6. Dimensional Requirements. ASMD Table of Dimensional Requirements

The Project Site is located within a PUD-A district and per Section 6.4.6 – Assembly Square Mixed Use District (“ASMD”) Table of Dimensional Requirements – the Project Site is located more than 350 feet from the Mystic River Bank. The 1,000-foot setback from an MBTA Orange Line entrance runs through the site, the maximum building height allowed for the Project is 250 feet.

**Table 4-2 Zoning Compliance Program Table**

Requirement	Allowed/Required within a PUD-A	Proposed	Status
Minimum Lot Area	20,000 SF	71,935 SF (1.65 ± acres)	Complies
Floor Area Ratio	10.0	5.2	Complies
Building Height	250'	84'-11"	Complies
Min Lot Area/Dwelling Unit: 10 or more units (SF)	No Minimum	219	Complies
Total Open Space (SF)	25%	34.1%	Complies
Useable Open Space (SF)	12.5%	15.1%	Complies
Min. Yard Setbacks	No Minimums	2.49'	Complies
Vehicle Parking	342	199	<i>Waiver Requested</i>
Loading Spaces	3	2	<i>Waiver Requested</i>

### 6.4.7. A Development Standards and Design Guidelines for Developments in the ASMD

**A.1) Transportation Analysis. All new developments shall conform to the requirements set forth in any Transportation Study, subject to the approval of the SPGA.**

A traffic narrative is included as part of this SPSR-A submission package entitled, *Transportation*. The updated analysis conducted as part of this submission indicates that the overall Project trip generation will increase on weekends, and on a weekday daily basis. However, the capacity analysis conducted as part of that assessment indicates that the additional traffic generated by the Project during the weekday morning and evening commuter peak hour can be accommodated by the surrounding transportation infrastructure. This transportation analysis is

consistent with the one submitted as part of the XMBLY PUD-PMP submission, approved on June 7, 2018.

**A.2) *Parking Requirements.* Developments shall meet the parking requirements set forth in Section 9.16.**

The Project as presented in the PUD-PMP will meet the minimum and maximum parking requirements set forth in Section 9.16. The Ordinance requires XMBLY to provide a minimum of 1,487 total parking spaces. The XMBLY development currently proposes 1,659 total structured parking spaces, 34 surface parking spaces resulting in up to 1,693 total Project parking spaces. The proposed parking, as part of the XMBLY master plan development, will be shared between the multiple development blocks and parcels.

Section 9.16 requires the Project to provide 349 total parking spaces within The Project building, and the Project is proposing 199 residential parking spaces. The remainder of the required spaces will be provided by on-street parking, and the structured parking garages at the other proposed XMBLY buildings. As a result, a parking waiver is being requested during the SPSR-A process for The Project. Designated residential parking spaces will not share parking with other XMBLY Blocks.

**A.3) *Landscaping Requirements.* 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.**

The Project building was laid out along the lot line. The Project will include landscaping in the form of street trees and raised planting beds conforming to the requirements set forth in Article 10 and is consistent with the approved XMBLY PUD PMP. In addition to the public streetscape, the Project includes landscape space provided on the third-floor roof deck. Landscape amenities include trees in raised planters, planting on deck, a flexible-use artificial turf area, seating and gathering areas, and a pool deck. The landscaping and sidewalk design are shown on the Site Plans found in Section H-I of this application.

**A.4) *Pedestrian Connections.* 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.**

The open space, pedestrian pathways, and sidewalk connections to be provided as part of the Project, will be designed to complete and improve connections with the existing network of parks and pathways.

This will include improving the connection between Assembly Row, the Mystic River area, and development to the west of the Kensington Underpass and I-93.

The proposed design will allow pedestrian access to the ground floor retail or restaurant spaces on the Grand Union Boulevard, Revolution Drive, Road L, and Road K sides of the building. All four sides of the building will have continuous pedestrian sidewalks to the Assembly Row Development to the East. The sidewalk and landscape design creates an inviting and open pedestrian environment for tenants and visitors which is consistent with the approved XMBLY PUD PMP.

**B) *Design Guidelines.* In reviewing a Development of more than 10,000 square feet, the SPGA/DRC shall consider the following design guidelines. These guidelines are intended to serve as a general basis for the SPGA and Applicant alike to discuss the design merits of a Development, but are not intended to inhibit design creativity when the application otherwise conforms to all other substantive review criteria. These guidelines are not intended to discourage innovative architectural design solutions. Rather, they provide general standards for the massing, siting and articulation of Buildings for developers and architects to work from. They also provide parameters for dialogue between the Applicant and SPGA on design issues for Developments. These Guidelines are intended to supersede the guidelines set forth in Section 5.2.4. It is understood that existing Buildings and Structures will not be able to comply with all of the following Guidelines:**

**B.1) *Street and Sidewalk Design.* 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.**

The Project does not include construction of any new streets. It will include sidewalk construction. Details regarding new sidewalks surrounding the proposed Project building can be found in the Civil Site Plans, found in Section H-I. The streetscape design is based on the XMBLY PUD PMP, which was developed in response to the ASQ Public Realm Design Guidelines. The recently completed conditions at the nearby Assembly Row and the Assembly Row Design Guidelines have been incorporated into the Project design.

**B.2) Building Design. Buildings shall be designed to the highest architectural standards and shall be sited appropriately on the Lot. Specifically, all construction shall:**

**B.2.a) Be located to create a presence on existing street edges or along major internal circulation routes. Maximum building setbacks of five feet shall be encouraged, except in special circumstances, where greater setbacks would enhance the pedestrian-friendly experience of the ASMD, such as dedicated open space. Buildings shall be located to reinforce both existing and future circulation patterns that may serve more than one Site:**

The Project proposed is an 8-story building totaling 335,557 GSF. The Project fronts Grand Union Boulevard and Revolution Drive to the southeast, the proposed "Road L" to the north, and the proposed "Road K" to the west. The Project consists of a three-story podium (two stories of garage/mixed use and one story of residential units) with five stories of residential units above. The ground floor is a mixed-use of active use/retail, lobby, leasing, residential townhomes, bike storage, and parking. Approximately 8,013 sf of retail space will be provided at key locations at the ground floor including at the corner of "Road K" and Revolution Drive, at the corner of Grand Union and "Road L", and parallel to the future park along "Road K". Further activation along "Road K" facing the future park includes five (5) residential townhomes which will have direct access from the sidewalk. Garage entry and loading area will be accessible along "Road L" and will support approximately 199 vehicles. Bike storage/workshop is located along Grand Union Boulevard with access from both the sidewalk as well the garage and will hold 111 bicycles. Revolution Drive will provide access to MEP infrastructure that will support the Project. Two lobbies support the activation of the ground level; the main lobby is located to serve as a "gateway" opportunity at the corner of Grand Union Boulevard and Revolution Drive, while the secondary lobby faces internal to the Site activating the corner of "Roads K and L". The upper six stories consist of 324 residential units, 6,322 +/- sf of amenity space, and 10,671 +/- sf of internal courtyard. The upper floors will consist of a mix of units ranging from studios up to three-bedroom units. Sixty-Six (66) units (20%) will be provided as affordable units within the project. See Section H.VI figures A.1 through A.7 for additional information.

**B.2.b) Create 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, shall be part of all street facades and will accompany building entrances. Multiple and frequent entrances oriented to streets are encouraged. Building entrances shall be clearly defined, through the use of elements such as canopies, porticos; overhangs, peaked roof forms, arches. Entries set back from the street shall have outdoor patios, tile work, moldings, integral planters or wing walls with landscaped areas, or places for sitting:**

The exterior façade is composed of an array of material that aims to provide visual interest and will highlight major public access points for residents and pedestrians. The three-story podium has a mix of storefront glazing, masonry accents, spandrel and cementitious cladding. The storefront glazing at the podium level provides visual access to the interior uses along the perimeter of the building. Active use/retail entries are framed with a masonry accent to give the podium a distinctive base with exterior canopies and signage located above entries. Two lobbies provide access to the residential units above the podium. The main lobby is located at the corner of Grand Union Boulevard and Revolution Drive with the secondary lobby activating the corner of "Roads K and L". The canopies at both lobbies are designed to tie in with the above facade and give hierarchy to the main entry points for residents. The townhome entries along "Road K" are recessed back from the main building façade to differentiate them from the active use/retail. Cornices frame the base and top of the townhome entries with the assistance of landscaping in compliance with the City of Somerville Zoning Ordinances.

**B.2.c) Clearly define the pattern of bays, rhythms, and dimensions to create continuous visual interest and variety in the design of all faces:**

The façade is broken down into three key components: base, middle, and top to create visual interest and variety. The base or podium of the building is emphasized with rhythms of masonry and cementitious cladding with glazing to allow for visual access into the active use/retail and lobbies. The townhome entries along "Road K" are recessed back from the main building façade to allow them to feel independent from retail. Cornices frame the base and top of the townhome entries with the assistance of landscaping. The middle or field of the building is anchored by the four primary corners. The framed corners of the building create strong horizontal rhythms that wrap around the building. An array of Juliet balconies and terraces fill the façade to provide continuous visual interest. The field of the façades are composed of vertical rhythms. To create further visual interest in the field moments of the façade are

setback to give the building further dimension. The top of the building is located above the framed corners with a contrasting material that creates horizontal rhythms. See Section H-VI figures A.1 through A.7 for additional information.

**B.2.d) Break down the overall scale of development to respond to the pedestrian-scale use of Open Space:**

The façade is broken down into three key components: base, middle, and top to create visual interest and variety. The base or podium of the building is emphasized with rhythms of masonry and cementitious cladding with glazing to allow for visual access into the active use/retail and lobbies. These design decisions are used to introduce a distinctive base help break down the overall height and enrich the pedestrian experience by creating a horizontal and vertical datums that relates to the pedestrians. See Section H-VI figures A.1 through A.7 for additional information.

**B.2.e) Use materials and colors consistent with traditional Buildings in the area with historic merit:**

The material palette for The Project will consist of masonry, metal panel, cementitious panels, and storefront wall system at the podium floors. The upper floors will be primarily masonry, cementitious panels, metal panels, and windows. The colors of the building will be neutral in the fields with bold accent colors at key design moment's. Refer to material precedent images included in this package. See Section H-VI figure A.8 for additional information.

**B.2.f) Locate building equipment and service areas away from Public Ways or major interior circulation routes and provide screening. Enclose all storage of inventory unless it is completely screened from public view with architectural elements meeting these guidelines:**

Mechanical equipment access is located along the exterior of the perimeter of the building at "Road L", Revolution Drive, and "Road K". Along Revolution Drive and "Road K" access to mechanical equipment is recessed back five feet (5'-0") from the public way as to not interfere with the pedestrian circulation. "Road L" allows access to the trash/recycle pick up for the building. Fenestration at these locations blends in with the overall base of the façade. Service access will be within the parking garage. Mechanical equipment located on the roof will be located as far back from the edges to avoid sightlines from the street.

**B.2.g) Show preference for vertical integration of uses. Developments shall 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:**

The base of the building is a mixed-use of active use/retail, lobby, leasing, residential townhomes, bike storage, and parking which allows for visual access into the building. The integration of these program elements adds a distinct presence to the public ways and sidewalks. At the base of each of the four corners, glazing allows for visual access into the building. Retail space will be provided at the corner of "Road K" and Revolution Drive and at the corner of Grand Union and "Road L". Two lobbies support the activation of the ground level; the main lobby is located to serve as a "gateway" opportunity at the corner of Grand Union Boulevard and Revolution Drive, while the secondary lobby faces internally to the Site activating the corner of "Roads K and L". See figures A.1, A.2, A.6, and A.7 for additional information.

Further activation is added along "Road K" which is parallel to the open space/park. The program at the ground floor will include five (5) residential townhomes and two additional retail spaces. The residential townhomes will have direct access from the sidewalk along "Road K" that are recessed back from the public way to not interfere with circulation.

**B.2.h) Not have any uninterrupted or un-fenestrated length of its façade exceeding thirty-five (35) horizontal feet. Facades greater than one hundred (100) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three (3) percent of the length of the façade and extending at least twenty (20) percent of the length of the façade; and**

The facade is broken down into three key components: base, middle, and top to create visual interest and variety. To ensure for an uninterrupted or un-fenestrated length of façade, there was careful consideration in designing the exterior envelope. The base or podium of the building is emphasized with rhythms of masonry and cladding with glazing to allow for visual access into the active use/retail and lobbies. Masonry piers along the base of the building act as a frame to highlight other building materials.

To avoid uninterrupted or in-fenestrated lengths of facade, the material between the piers is a combination of recessed masonry, spandrel glazing, storefront, and/or window openings. Further considerations were taken at the townhome entries along "Road K" which are recessed back from the main building façade.



The middle or field of the building is anchored by four primary corners. The primary corners of the building create strong horizontal rhythms that wrap around the building. An array of Juliet balconies and terraces fill the façade to provide continuous visual interest that creates an uninterrupted facade. The field of the façades are composed of vertical rhythms. To create further visual interest in the field, moments of the façade are setback to give the building further dimension. The top of the building is located above the primary corners and masonry cornices.

See Section H-VI figure A.6 for additional information.

**B.2.i) Have windows providing visual access to the interior space, arcades, display windows, entry areas, awnings, or other such features no less than seventy (70) percent of their horizontal length on all Ground Floor facades that face Public Ways or the Mystic River. Forty percent (40%) of this activated façade 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.**

The base or podium of the ground floor is a dynamic façade that provides visual access and interest with the use of windows, entry areas, canopies, cornices, signage, and other building elements. These design features allow The Project to meet the required seventy (70) percent of horizontal length along the Ground Floor façade. Grand Union's ground floor design provides forty-one (41) percent of activated façade. "Road K" which faces the proposed park/open space provides fifty-four (54) percent of activated façade. These activated facades consist of windows and doors to allow for visual access to the active use/retail and lobbies.

See Section -VIIH figure A.7 for additional information

**B.3) Parking Lot Design. Refer to Section 9.16 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.**

The Project does not propose any surface parking lots. All proposed residential parking spaces are located on the Site within an enclosed structured parking garage.

#### **4) Open Space.**

**4.a) Landscaping strips required in parking areas (Article 10) shall not apply to Usable Open Space calculations.**

The Project does not propose any surface parking, therefore there are no landscaping strips.

**4.b) Developments are encouraged to make significant contributions to Open Space along the Mystic River adjacent to the ASMD. These contributions shall be designed and developed with special attention to the provision of wildlife habitat and contiguous migration corridors, and to help reduce the level of stormwater runoff into the Mystic River.**

The Project is not located along the Mystic River, but does provide permeable surfaces, landscaping, and open space on Site, with approximately 27,270 SF (34.1 %) of on-site open space. The details for the landscaping and open space are included in Section H-VII.

The open space and landscaping design is consistent with the proposed master plan open space and landscape design as presented in the XMBLY PUD-PMP application, approved on June 7, 2018.

**5) *Efficiency of Design.* 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.**

The Applicant has completed a LEED worksheet for the Project and is provided in Appendix II. The LEED worksheet reflects current design assumptions and may be revised slightly as design progresses.

**6) Contributions. 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.**

The Applicant will continue to work closely with the Owner and City regarding potential on-and-off-site contributions to open space and infrastructure. As required by Condition # 6 of the Master PUD approval, CDNV Assembly LLC and the OSPCD Economic Development Director must execute a covenant prior to Applicant applying for its SPSR-A, which covenant shall govern the Project and comply with these criteria.

**7) Loading Spaces. 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.**

There are no loading spaces proposed in the development of The Project. The Project proposes to utilize the two on-street loading spaces in the adjacent Road K to accommodate loading. The on-street loading spaces are in close proximity to the residential move-in entrance and area. A waiver is requested for the required loading spaces provided for the Project.

**6.4.12. Powers of the SPGA in the ASMD. In the ASMD the Planning Board shall serve as the Special Permit Granting Authority (SPGA). The SPGA may approve, approve with conditions, or deny any application for a SPSR-A, or a PUD-A after consideration of the criteria set forth above and criteria set forth in any other Sections of this Ordinance referred to herein. The SPGA shall administer Site Plan Approval-A for Priority Permitted Uses as set forth in Subsection 6.4.11 above.**

**A) Relief from Requirements. Notwithstanding any other provisions of this Ordinance, the SPGA may, as part of an application for a SPSR-A, a PUD-A or Site Plan Approval-A grant relief from Development Standards, and any other requirements of the ASMD outlined in Sections 6.4.6 through 6.4.11. In such cases, in granting such relief, the SPGA must find that:**

**A.1) Strict enforcement of such standards or requirements would run counter to achieving the objectives of the Assembly Square District Plan (the "ASD Plan");**

A list of requested waivers for the Project are included as part of Section B of this application.

**A.2) The application is substantially consistent with the objectives of the ASD Plan and advances the objectives of the ASD Plan;**

The Project will achieve the objectives of the ASD Plan by developing a true mixed-use program, incorporating pedestrian and transit-oriented planning, and creating a series of new pedestrian-oriented public spaces, while minimizing environmental impacts by locating development on previously paved and/or otherwise disturbed land.

Though the heights of the other buildings within the XMBLY development vary from the requirements as defined in the ASD Plan, thought was given to building program, site orientation and adjacent context when determining the building heights. The Project complies with the zoning height requirement and is consistent with the master plan development presented in the XMBLY PUD-PMP submission, approved on June 7, 2018.

**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; and**

This section is not applicable to the Project.

**A.4) In the case of waivers from the landscaping requirement, the SPGA must determine that such a level of landscaping is incompatible with the objectives of the ASD Plan.**

This section is not applicable to the Project.

**B) *Exceptions.* Notwithstanding the foregoing, the SPGA may not grant relief from any of the following standards, guidelines or requirements:**

**B.1) Section 6.4.8, regarding Large Developments being developed pursuant to the PUD-A provisions of Article 16 unless as part of a Priority Development Process; and**

This section is not applicable to the Project.

**B.2) Section 6.4.8.D.2 regarding a Large Retail Project providing a non-retail component.**

This section is not applicable to the Project.

## 4.3 ARTICLE 7: PERMITTED USES

### 7.11. Table of Permitted Uses

The following are uses that the Applicant may request relief with regards to the Project. Please note that a majority of Retail Uses are Allowed Uses in the ASMD at less than 10,000 square feet of gross floor area and a majority of Restaurant Uses are Allowed Uses in the ASMD at less than 5,000 square feet of gross floor area.

- › Residential Use – Dwellings, multiple (7 or more units) – Use No. 1-1(c) - SPSR-A - Special Permit with Site Plan Review. Town Houses (4-6) – Use No. 1(d) – SPSR-A – Special Permit with Site Plan Review
- › Retail Use – 10,000 sf or more of gross floor area – Use No. 9-5(c) – Special Permit with Site Plan Review

## 4.4 Article 13: Inclusionary Housing

### 13.3.1 Implementation Plan. Those developers seeking special permits with site plan review for projects subject to compliance with this Article shall submit a full, written proposal of the methods to be used in providing affordable dwelling units that conform with all requirements herein.

The Applicant has spoken with representatives from the Somerville Office of Housing and Community Development and is drafting an Inclusionary Housing Implementation Plan. With the exception of the waivers described below, the Applicant complies with the applicable zoning ordinance requirements in Article 13. The project is in compliance with the Inclusionary Housing Implementation Plan requirements.

**Table 4-3 Unit Breakdown Table**

UNIT TYPE	QUANTITY OF BEDROOMS	AVERAGE UNIT SF	TOTAL UNIT QUANTITY	TOTAL UNIT SF
Studio	1	526 SF	48	25,249 SF
Jr One Bedroom	1	640 SF	54	34,560 SF
One Bedroom	1	720 SF	144	103,680 SF
Two Bedroom	2	1,072 SF	66	70,752 SF
Three Bedroom	3	1,410 SF	12	16,920 SF
Townhomes	2	1,352 SF	5	6,760 SF
<b>Total</b>			<b>329</b>	<b>257,921 SF</b>

## **4.5 ARTICLE 16: PLANNED UNIT DEVELOPMENT (PUD)**

### **16.8.3. PUD Final Level Application**

The scope of the proposed Project building application is in conformance with the previously approved Master Plan.

### **16.12 Denial Letter**

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.

## 4.6 PLANNED UNIT DEVELOPMENT PRELIMINARY MASTER PLAN (PMP)

### APPROVAL CONDITIONS

The following represents the applicable conditions listed in *Appendix E: XMBLY (5 Middlesex Ave): PUD-PMP Conditions* within the Planning Board Decision for the PUD-PMP from June 2018. Applicable conditions shown below are those that reference SPSR-A within the Timeframe for Compliance.

**Condition 2: The approval of this PMP shall be considered to be approval of the width of roadway and rights-of-ways. For each street, 100% street design plans, consistent with the PMP and the City's Complete Street Ordinance, must be filed with the City Engineer, Traffic and Parking Director, Transportation & Infrastructure Director and Planning Director for review and compliance with city standards and sound engineering practices. Applicant shall provide detailed roadway marking plans and cross sections, including bicycle and pedestrian design details (markings, signals, crosswalks, street furniture's, etc.) Bike lanes shall be provided as determined by the City's Transportation & Infrastructure Director. All modes must be considered and accommodated in these details, and NACTO minimum accommodations incorporated. [Timeframe for Completion: Continuous.]**

As required by condition # 6 of the Master PUD approval, CDNV Assembly LLC and the OSPCD Economic Development Director must execute a covenant prior to Applicant applying for its SPSR-A. The covenant shall govern the overall Project development and expected to be finalized before the building is permitted for construction. The Owner/Applicant will work with the City staff and comply with all City ordinances during the design review and submission of roadway 100% design plans.

**Condition 6: Applicant shall, per the agreement made with the OSPCD Economic Development Director, sign a covenant prior to the first SPSR-A application, which indicates that the amount provided towards public benefits and improvements. This is in addition to any required linkage payments per Article 15, on-site inclusionary zoning per Article 13, and the required provision and maintenance on land owned by the applicant. The covenant shall indicate that a portion of the total improvement may be provided by the applicant completing in-kind work. Unless otherwise permitted by the covenant, the funds may be dedicated to infrastructure upgrades of public property in and around Assembly Square, and shall include a substantial portion of the funding towards: a) improvements to Draw 7 and/or Foss Park; b) lighting and other improvements to the Kensington Underpass; c) highway sound barriers; and, d) improvements to transit infrastructure. [Timeframe: Prior to submission of first SPSR-A].**

The master developer and the City of Somerville have reached an agreement in principal and are working toward formalizing the terms in a covenant.

**Condition 9: Prior to acceptance by the City, any civic space, thoroughfare, or utility and the land upon which or within which it is located that is to be conveyed to the city must be certified by the Applicant to meet all Federal, State, and local environmental laws and other standards as they are applied at the time of conveyance. The Applicant is responsible for the preparation of all documentation necessary for the conveyance of these facilities to the City.**

The Owner has begun the process with the City to create subdivision plan of land for Planning Board approval and will file with the Middlesex Registry of Deeds. Once the subdivision of land is complete, the Owner will begin the process of the design and approval of public ways that will be conveyed to the City. The Owner will ensure such land complies with all Federal, State, and local environmental laws and other standards at the time of conveyance.

**Condition 10: The Applicant must contact the Engineering Department to obtain a street address prior to an SPSR-A application for the individual buildings [Timeframe: Prior to submission of first SPSR-A].**

The Owner/Applicant has contacted the Engineering Department to obtain a street address (290 Revolution Drive) and planning staff is facilitating the process. The process will be complete by the planning board hearing.

**Condition 11: The applicant will submit a plan amendment to subdivide all public roadway right of way from development blocks, to be approved by the Planning Board, per the SZO, and filed with the Middlesex South Registry of Deeds. Any minor plan changes to this initial subdivision will be reviewed for approval by the Planning Director and Director of Transportation & Infrastructure as a minor plan change [Timeframe: Prior to submission of first SPSR-A].**

The Owner has begun the process with the City to create subdivision plan of land for Planning Board approval and will file with the Middlesex Registry of Deeds.

**Condition 12: Applicant shall be required work with the Planning Director, City Engineer, and the Fire Chief as necessary, to rename the new thoroughfares. The Applicant may suggest names but should involve the Ward Alderman with the previously mention department directors, and note that street names that are the same or similar to names already used in Somerville shall not be permitted. [Timeframe: Prior to submission of first SPSR-A].**

The Owner/Applicant has contacted the City to provide street names to the new thoroughfares.



**Condition 16: SPSR-A applications under the PMP shall include information required to ensure compliance with this PMP decision, including but not limited to information noted as required in the findings (Appendix A, B, C and D) [Timeframe: Addressed with each SPSR-A application]**

The SPSR-A application report addresses the applicable PUD-PMP findings. See Section H-VI figure A.1- A.7 for additional information.

**Condition 19: As a part of the continued effort to shift travel away from private cars, the Applicant shall provide sheltered and secure bike storage facilities in strategic locations, with each SPSR-A application [Timeframe: SPSR-A].**

The SPSR-A application provide 111 bicycle spaces within the bike storage within the structured parking lot.

**Condition 20: Screening of above-ground parking from any thoroughfare, access easement, sidewalk, civic space, or open space by walls, screening, artwork, fences, planting or other means, must be specified in detail and approved by Planning Staff and the DRC [Timeframe: SPSR-A].**

The SPSR-A proposes structured parking interior to the building. The elevations of the building are designed as a complete building without parking visible to the exterior on any street.

**Condition 26: The Applicant will be responsible for the initial cost of parking meters and cost of construction/installation of the parking meters in coordination with and to the standards of the Director of Traffic & Parking and the City Engineer. [Timeframe: SPSR-A].**

The Owner/ Applicant is proposing parking meters on the Civil Site Plans and will coordinate with the Director of Transportation & Infrastructure, the Director of Traffic & Parking, and the City Engineer.

**Condition 29: The Applicant must submit a revised MMP to the Director prior to the submittal of any SP, SPSR, DSPR applications for individual buildings. The revised plan must provide an updated Mode Split/Trip Generation analysis using the Transportation & Infrastructure Division's required methodology and Average Vehicle Occupancy and Mode Splits from the Means of Transportation to Work (B08301) data for Census Tract 3398.01 from the U.S. Census 2016 5-year Estimates. [Timeframe: SPSR-A]**

The Owner has submitted a Revised MMP within this application see Section E: Transportation of the application report.

**Condition 31: The property owner of Block 21, Block 23, Block 25, and Block 26 must submit a MMP in accordance with the Director's submittal requirements prior to or simultaneously with the development review application (SP, SPSR, DSPR) required for each site [Timeframe: SPSR-A].**

The Applicant is submitting a MMP supplemental to this SPSR-A, see Section E: Transportation.

**Condition 37: Infrastructure must be designed to meet all requirements and standards of the City of Somerville and its relevant departments (including, but not limited to, the City Engineer, Department of Public Works, Inspectional Services, Traffic & Parking, Fire Department, and the divisions of the Mayor's Office of Strategic Planning and Community Development) and all other legal requirements for the installation of services within public rights-of-way. Subsequent SPSR-A applications must include reasonable written evidence establishing that such infrastructure is sufficient to support the proposed development, that all details are designed to City standards, that installation, unless otherwise included in capital project work of the City, is done without cost to the City, and that installation will be functionally adequate and completed at the appropriate time in the course of the phases of development [Timeframe: SPSR-A].**

Infrastructure is designed to meet all the City's requirements and is provided as preliminary design within this submission. 100% design plans will be submitted to the City for approval and building connection will be verified during the building permit application. Please see included with this SPSR-A application, see Section F: Utility analysis and Section G: Stormwater Memo.

**Condition 38: All new sidewalks will be installed by the Applicant in accordance with the specifications of the Director of Transportation & Infrastructure and the City Engineer. [Timeframe: SPSR-A]**

The sidewalks will comply with the City's specifications and are shown as part of this SPSR-A application. See Section H-I for more information. The sidewalks along the surrounding roadways (Road L and Road K) will be included in the future Roadway ROW Subdivision Review. The Owner is in the process of developing that submittal with the City.

**Condition 40: Applicant shall provide individual calculations to determine the sizes necessary for the water connections to each property. The proposed service connections to each of the new buildings shall be shown on further design drawings [Timeframe: SPSR-A].**

The applicant will provide detailed utility plans as building design development progresses and fixture counts are finalized.

**Condition 41: Design and construction phasing of the stormwater management system shall be subject to review and approval by Engineering and the Director of Sustainability & Environment to ensure compliance with City standards and best practices for design and ongoing maintenance [Timeframe: SPSR-A].**

Included with this SPSR-A application are Chapter H: Civil Site Plans, Chapter F: Utility Design & Management and Chapter G: Stormwater Management Summary pertaining to The Project.

**Condition 42: Applicant shall provide a detailed soil erosion control plan with each SPSR-A application and prior to construction [Timeframe: SPSR-A/Building Permit].**

Provided in Chapter H: Civil Site Plans of this application is an erosion control plan.

**Condition 48: Each individual building provide interior disposal and storage systems for trash and recycling with locations clearly indicated on site plans. Storage areas shall be inside of the structure and screening or loading dock doors must be designed as an integral part of the architecture and the building elevation and remain closed unless in active use [Timeframe: Addressed with each SPSR-A application].**

A trash chute is provided in a separate room located on each residential floor where residents will dispose of their trash and recycling. A central trash and recycling room is located on the ground floor of the building along Road L and screened from public view. Solid waste disposal will be handled by private contractors and pickups will be scheduled accordingly. Retail tenants will have access to the trash and recycling room.

**Condition 49: Any transformers should be located as not to impact the buildings or landscaped area, and shall be fully screened to the extent permissible by code. [Timeline: SPSR-A].**

Mechanical equipment access is located along the exterior of the perimeter of the building and screened from public view. Service access will be within the parking garage. Mechanical equipment located on the roof will be located as far back from the edges to avoid sightlines from the street. Transformers have dedicated space interior to the building.

**Condition 50: There shall be a minimum of one tree for each 1,000 sf of required landscaped area under SZO §10.3 installed and maintained in compliance with the American Nurserymen's Association Standards and in accordance with the City Arborist. [Timeline: SPSR-A].**

The Owner /Applicant is dedicated to this condition and will contribute as part of the overall masterplan requirements

**Condition 51: Signage shall be subject to separate review and approvals by the Design Review Committee and the Planning Board, as required and customary. [Timeline: SPSR-A].**

The Owner/Applicant is has shown schematic signage on the architectural elevations located in Chapter H. The Owner/Applicant shall formally submit for review and approval by the Design Review Committee and the Planning Board the required documentation for signage at a later date.

**Condition 54: To the extent possible, all exterior lighting must be confined to the subject property, cast light downward and must not intrude, interfere or spill onto neighboring properties[Timeline: SPSR-A]**

Outdoor lighting will be provided to meet code requirements. Exterior street fixtures will match the City of Somerville Assembly Row Roadway streetscape standards.

**Condition 55: As part of each site plan review submittal, the Applicant shall provide calculations showing that the percentage of open space and usable open space meets the zoning requirement for a PUD-A within the ASMD. [Timeline: SPSR-A]**

Open space figures and calculations are provided in Chapter H: III.

**Condition 56: Applicant shall ensure that all trees meet the species, caliper, well size, and planting specifications of the City Arborist. [Timeline: SPSR-A]**

The Applicant will ensure that all landscape design complies with the specifications of the City Arborist.

**Condition 57: Each subsequent SPSR-A application submitted under this PUD-PMP must identify vulnerabilities and/or risk for each parcel based on the City's Climate Change Vulnerability Assessment. The application should clearly identify the extent and nature of planning/design interventions necessary to mitigate those risks. To ensure effective strategies for resiliency by preparing for weather and flooding impacts, the Director of the Office of Sustainability & Environment shall define specific appropriate expectations for responses to this condition, and the applicant shall provide these responses with each PUD-PMP application. [Timeline: SPSR-A]**

A Sustainable and Resilient Building questionnaire and narrative explaining responses is included in Appendix of the application report. The Questionnaire and LEED Narrative describe the design extent to mitigate climate change. See Appendix II for more information.

**Condition 58: Each subsequent SPSR-A application submitted under this PUD-PMP must document how the proposed development, including civic spaces, public realm improvements, and buildings, will help to reduce the urban heat island, assist in the City's stated objective to be Net Zero by 2050, and assess whether the infrastructure presents an opportunity for reducing demand and/or district energy solutions. [Timeline: SPSR-A]**

A Sustainable and Resilient Building questionnaire and narrative explaining responses is included in Appendix of the application report. The Questionnaire and LEED Narrative describe the design. See Appendix II for more information.

**Condition 59: Each subsequent SPSR-A application submitted under this PUD-PMP must submit the necessary LEED worksheets along with narratives explaining the methods of compliance with each point achieved [Timeline: SPSR-A].**

A LEED worksheet and explanatory narrative is included in Appendix I of the application report.

**Condition 60: Applicant shall provide material and color samples for all exterior cladding, trim, windows, and doors to Planning Staff and the Design Review Committee for review, comment, and approval as part of the review required with each SPSR-A application. [Timeline: SPSR-A]**

The material palette for The Project will consist of masonry, metal panel, cementitious panels, and storefront wall system at the podium floors. The upper floors will be primarily masonry, cementitious panels, metal panels, and windows. The colors of the building will be neutral in the fields with bold accent colors at key design moment's. See the architectural plans in Chapter H for more information.

**Condition 62: Where sides or backs of buildings face a civic space, they must incorporate (physically or visually) strategies that address the public frontage and impact of these spaces. These strategies need not be related to retail spaces or functional entrances, and can be small in scale. But, these spaces should be ambitious, active and should encourage creativity and engagement. These spaces may include, but are not limited to, public art installations or display cases for artwork, large scale supergraphics or murals, green walls, and/or artist/maker space, etc. [Timeline: SPSR-A]**

The façade is broken down into three key components: base, middle, and top to create visual interest and variety. The base or podium of the building is emphasized with rhythms of masonry and cladding with glazing to allow for visual access into the active use/retail and lobbies. The townhome entries along "Road K" are recessed back from the main building façade to allow them to feel independent from retail. Cornices frame the base and top of the townhome entries with the assistance of landscaping. The middle or field of the building is anchored by the four primary corners. The primary corners of the building create strong horizontal rhythms that wrap around the building. An array of Juliet

balconies and terraces fill the façade to provide continuous visual interest. The field of the façades are composed of vertical rhythms. To create further visual interest in the field moments of the façade are setback to give the building further dimension. The top of the building is located above the primary corners with a contrasting material that creates horizontal rhythms.

**Condition 63: A draft Affordable Housing program must be provided by the Applicant showing the anticipated affordable units - types and sizes - in each DSPR application**

The Applicant has spoken with representatives from the Somerville Office of Housing and Community Development and is drafting an Inclusionary Housing Implementation Plan. With the exception of the waivers described below, the Applicant complies with the applicable zoning ordinance requirements in Article 13. The project is in compliance with the Inclusionary Housing Implementation Plan requirements. The applicant anticipates provides unit break down in in Section 4.4 of the Zoning Compliance narrative.