



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

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GERARD AMARAL, (ALT.)

**Case #: PB 2018-09**  
**Site: 845 McGrath Hwy**  
**Date of Decision: May 15, 2018**  
**Decision: *Petition Approved with Conditions***  
**Date Filed with City Clerk: May 29, 2018**

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**PLANNING BOARD DECISION**

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**Applicant Name:** 845 Riverview LLC  
**Applicant Address:** 200 Broadway, Suite 103, Lynnfield, MA 01940  
**Property Owner Name:** 845 Riverview LLC  
**Property Owner Address:** 200 Broadway, Suite 103, Lynnfield, MA 01940  
**Agent Name:** McDermott, Quilty & Miller, LLP  
**Agent Address:** 28 State Street, Suite 802, Boston, MA 02109

Legal Notice: Owner/Applicant, 845 Riverview LLC, is seeking a Special Permit with Site Plan Review-A (SPSR-A) final level approval of "Assembly's Edge" of the Planned Unit Development Preliminary Master Plan (PUD-PMP) approved by the Planning Board on April 5, 2018. Owner/Applicant seek approval under Somerville Zoning Ordinance (SZO) Article §16.8.3 and §5.2 to develop a transit-oriented mixed-use development build on 0.85 acres in the Assembly Square Mixed-Use District (ASMD) consisting of 368,030 square feet in two buildings. One building will be 147' containing up to 180 hotel rooms, and the other, 235' high containing approximately 210 residential units. Both supported by ground floor retail and restaurant space, with structured parking of approximately 290 spaces. The uses include those approved in the PUD-PMP. The residential development is subject to inclusionary housing requirements

Zoning District/Ward: ASMD zone. PUD-A Overlay District. Ward 1.  
Zoning Approval Sought: Special Permit with Site Plan Review-A (SPSR-A)  
Date of Application: April 19, 2018  
Date(s) of Public Hearing: May 15<sup>th</sup>, 2018  
Date of Decision: May 15<sup>th</sup>, 2018  
Vote: 4-1



Appeal #PB 2018-09 was opened before the Planning Board at Arthur D. Healey School Cafeteria on May 15<sup>th</sup>, 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 hearings of deliberation, on May 15<sup>th</sup>, 2018, the Planning Board took a vote.

## **DESCRIPTION:**

### ***A. Overall***

The project proposes to redevelop the site at the edge of the Assembly Square area with a transit-oriented, mixed-use development that consists of two buildings - constructed over one floor of below-grade parking - with up to 215 residential units, approximately 9,515 square feet of ground floor retail and restaurant space, a hotel of up to 180 rooms, and approximately 293 structured parking spaces.

The Project will benefit the Assembly Square area by redeveloping an underutilized site into a hub of residential and retail activity, and helping knit together the gap in the fabric of Middlesex Avenue between commercial uses to the north and south and the residential and commercial uses to the east. The Project will also diminish the visual impact of the elevated roadway and highway ramps from Assembly Square. This will further the strategy created with the storage building – but providing a visual barrier between the elevated highway and the mixed-use project.

### ***B. Site Design and Access***

The Project Site has convenient public transit access, including; one (1) MBTA station within a quarter mile (0.25) mile, the Orange Line station at Assembly Square, and three (3) bus routes with stops near the site along Middlesex Avenue and Mystic Avenue which provides opportunities to minimize vehicle trips and encourage alternative modes of travel.

The project's design strategy focuses on creating pedestrian-oriented sidewalks and streets surrounding the site. Existing sidewalks will be expanded and improved with new street trees (some in raised planters), benches, street lights and bicycle racks, dramatically improving the pedestrian experience, while maintaining existing circulation patterns.

### ***C. Building Shape and Placement***

The block is trapezoidal in shape and the development is roughly a U-shape within the property so some of the building angles are not 90 degrees. The two towers are placed on the street frontage at Middlesex Avenue and Cummings Street/Kensington Avenue with the narrow widths at the street face on McGrath Highway. The “garage link” that forms the podium also lines McGrath Highway on the upper floors but allows for the pedestrian through-block courtyard at the street level. Given the irregular shape of the block, the building and site design does manage to do a good job at placemaking.

### ***D. Uses***

On the eastern portion of the site fronting Middlesex Avenue, up to 215 residential units will be located in the “Residential Building”. The Residential Building includes approximately 9,515 sf of ground floor retail, three (3) floors of above-grade, architecturally-screened parking, and approximately 249,203 sf for residential uses. The Residential Building rises 21 stories, to a height of approximately 235 feet from grade to the top of the highest occupiable floor.

On the western portion of the site adjacent to the elevated highway, up to 180 hotel rooms will be located in the “Hotel Building”. The Hotel Building includes a lobby and three (3) floors of above-grade, architecturally-screened parking, and approximately 108,542 sf of hotel use. Additional amenity space for the hotel, condominium, and apartments will be incorporated into the fifth floor of the hotel building with a terrace shared by both buildings. The Hotel Building rises 13 stories, to a height of approximately 147 feet.



**E. Linkage**

The commercial portions of the development will trigger the requirement for payment of Affordable Housing Linkage Fees and the Jobs Creation and Retention Linkage Fee. Inflow & Infiltration payment will also be required.

**F. Inclusionary Housing**

Consistent with the City of Somerville Inclusionary Housing Policy, the Project will provide approximately 43 affordable units (20 percent of the total residential units). As currently designed, the anticipated breakdown of the affordable units is approximately as follows:

- a. Eight (8) One-bedroom units;
- b. Twenty-four (24) two-bedroom units;
- c. Three (3) two-bedroom plus study units; and
- d. Eight (8) three bedroom units.

This distribution assumes a total residential unit allocation for the project of approximately 39 one-bedroom units, 119 two-bedroom units, 17 two bedroom + Study Units, and 40 three-bedroom units which is subject to change as the building design and program is refined.

Affordable units will be provided on-site in the Residential Building. Affordable housing units will be intermixed with the market rate units, dispersed throughout the building, and will be comparable to market-rate units in every respect, including location, quality and character, room size, and external appearance. Along with the requirement of an Affordable Housing Implementation Plan, additional details on affordability and bedroom distribution shall be provided prior to any building permit application.

**G. Landscaping and Open Space**

The project envisions removing Kensington Avenue to create a new 15,826 sf off-site public open space (the "Urban Park"). The Urban Park is not included in the PUD boundary, and is considered an off-site improvement to City owned land that extends from the site southeast to the edge of the existing Public-Storage Facility on Middlesex Avenue. The Urban Park will create an attractive gateway into the Assembly Row development and will provide generous pedestrian and bicycle infrastructure that connects the Kensington Underpass below I-93, to the Stop and Shop, and Garfield Avenue neighborhood to the southwest to the MBTA station along Foley Street. The space is envisioned as a passive park with lawn, shade trees, and ornamental plantings. Pedestrian pathways will be defined with seatwalls and lighting will create an active and safe space at all times of the day.

The Urban Park will blend with the open space provided by the adjacent storage building when it was permitted. Both the storage building open space and the urban park are also designed to reserve enough right-of-way to be used as a vehicular connection under I-93 at Kensington. Currently, a pedestrian underpass is located in this area, and that underpass could benefit from upgrades to lighting and design. The long-term plan for Assembly Square is designed to reserve access for a vehicle connection as well, in the event that traffic congestion requires it. But, such a connection would require splitting the Urban Park, redesigning and rebuilding the 28/38 off-ramp from I-93 North (to create enough vertical clearance) replacing the supports under I-93 (to align them with the roadway) and new connections in an intersection on the East Somerville side of I-93.

The Hotel and Residential buildings create an interior courtyard over the underground parking. This multifunctional courtyard (approximately 10,613 sf of publicly accessible open space including 8,542 sf of useable open space) will serve as a convenient public passage through the Site, a prominent gathering area for ground level commercial space, and as an entry for the hotel. The courtyard opens to the proposed Urban Park to the east, and connects under the garage bridge to McGrath Highway, establishing permeability throughout the Site and important pedestrian connections to the surrounding neighborhood.

The courtyard is designed as a grid of decorative pavers accented with an informal arrangement of curbed planters. The planting plan will utilize contrasting textures and colors of grasses, perennials and shrubs accented with small flowering trees (to be fully designed and articulated in the future SPSR-A applications). Fixed and flexible seating



will be provided for hotel guests and public users of this space. The courtyard design will extend around the Hotel and along the proposed pedestrian way (and emergency vehicle access) that will replace Kensington Avenue.

The Applicant will be responsible for maintenance of the open space and public realm improvements on the project site and will work closely with the City regarding details for the maintenance of the proposed off-site improvements to City-owned property. A condition is recommended to be added to any approval that requires a meeting between the City's Transportation & Infrastructure parks & open space team and the Applicant's qualified landscape designer prior to any additional permit applications are submitted.

#### ***H. Parking and On-site Circulation***

The project site also has excellent vehicular access and visibility from I-93. The primary vehicular point of entry will be at the intersection of Middlesex Avenue and McGrath Highway (note that this which one block long remnant of the original "McGrath Highway" in this location will need to be renamed). On-site structured vehicle parking, short-term hotel drop-off and valet parking, and service and loading areas will all be accessible from the McGrath Highway spur and Kensington Avenue along the side of I-93. Above-grade structured parking in both buildings (on floors two through four) will be connected by an elevated garage bridge - the "Garage Connector".

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

The Project has been designed based on a holistic approach that promotes livability and economic development, while simultaneously mitigating the external impacts of energy, water, waste, and emissions. The Applicant has also committed to implement a state of the art indoor air quality system in both buildings, which will provide a benchmark in Somerville for constructing and maintaining a healthful indoor environment in a building with a challenged site.

The design guidelines approved with the Preliminary Master Plan lay out the form and key elements of the project. The guidelines have been met with this SPSR-A application and the Applicant pro-actively worked with Staff to provide more information and revise drawings.

#### ***J. Signage***

The retail signage will be located along the first floor where the retail storefronts exist. Any building signage beyond address numbers at entry doors will need to be submitted as a separate application package with more detailed information in accordance with the Assembly Row Design Standards for Storefronts & Signage.

#### ***K. Waivers & Other Relief Requests***

The waivers were approved with the Preliminary Master Plan. The requested relief granted included exceeding the maximum height of 125', reduction of parking requirement, shared loading bays, multi-family residential use over 7 units, and the hotel larger than 10,000sf.

#### **FINDINGS FOR SPECIAL PERMIT (SZO §5.2.5, §6.4, and Article 16):**

In order to grant a Special Permit with Site Plan Review, the SPGA must make certain findings and determinations as outlined in §5.2.5, §6.4, and Article 16 of the SZO. The attached Appendices go through these sections in detail.

##### Appendix A: Application Requirements

- A.1: Procedures for PUD Applications - Supportive Information (SZO 16.8)
- A.2: General Information Required for SPSR Applications (SZO 5.2)
- A.3: Denial Letter Requirement (SZO 16.12)

##### Appendix B: Required Findings of Fact

- B.1: General Findings under Section 16 (SZO 16.9 and 16.1)
- B.2: Consistency Findings (SZO Section 6.4)
- B.3: General Requirements of a PUD (SZO Section 16.4)
- B.4: PUD Design Guidelines (SZO Section 16.7)



- B.5: ASMD Development Standards (SZO Section 6.4.7.A)
- B.6: ASMD Design Guidelines (SZO Section 6.4.7.B)
- B.7: ASMD Large Project Development Standards (SZO Section 6.4.8.D)
- B.8: ASMD Large Project Design Guidelines (SZO Section 6.4.8.E)

Appendix C: Future Requirements for SPSR-A

Appendix D: Standards for Waivers

**DECISION:**

**SPECIAL PERMIT with SITE PLAN REVIEW (SPSR-A) under Article 16**

Based on the materials submitted by the Applicant, the above findings the Board has provided an analysis of findings in Appendix A, B, C, and D (attached), the Planning Board grants **CONDITIONAL APPROVAL** of the requested SPECIAL PERMIT with SITE PLAN REVIEW.

Present and sitting were Members Kevin Prior, Joseph Favaloro, Michael Capuano, Dorothy Kelly Gay, and Gerard Amaral with Rebecca Lyn Cooper absent. Upon making the above findings, Kevin Prior made a motion to approve the request for a Special Permit. Dorothy Kelly Gay seconded the motion. Wherefore the Planning Board voted **4-1** to **APPROVE** the request with Joseph Favaloro opposed. The **CONDITIONAL APPROVAL** incorporates the conditions in Appendix E (attached).



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 \_\_\_\_\_



## Appendix A: Application Requirements

<b>A.1: Procedures for PUD Applications - Supportive Information (SZO 16.8)</b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.8.2.A	A neighborhood context map, at a scale not less than one (1) inch equals one hundred (100) feet, providing a graphic description of the neighborhood in which the tract lies, including roads, utilities and other public facilities, major existing buildings and structures. There shall also be a statement and/or plan as to the general impact of the proposed PUD upon the area, indicating how the PUD relates to surrounding properties and what measures will be taken to create appropriate transitions and access from the subject property to abutting public properties (i.e. parks, waterfront, etc.) or other neighboring tracts (if applicable)	<b>X</b>		<b>X</b>	Included in application submission
16.8.2.B	A conceptual site plan drawn to a scale of not less than one (1) inch equaling fifty (50) feet, or series of drawings at the same scale, and any necessary supporting information	<b>X</b>		<b>X</b>	Included in application submission
16.8.2.C	Analysis of compliance with regulations as to dwelling units per square feet of lot area, height, building coverage, floor area ratio (FAR) and parking requirements	<b>X</b>		<b>X</b>	Included in application submission
16.8.2.D	Names of all property owners within five hundred (500) feet of the PUD boundary	<b>X</b>		<b>X</b>	Included in application submission
16.8.2.E	Explanation of provisions for the landscaping and maintenance of all open space and drainage areas	<b>X</b>		<b>X</b>	See 2.3.3 for a summary of Open Space and Landscaping. See also the Stormwater Management section in the Utility Analysis. Other landscaping/maintenance details be addressed in SPSR-A. Condition is recommended relative to preparation of Maintenance Agreement.
16.8.2.F	A traffic analysis and recommendations prepared by a registered professional engineer qualified to conduct such studies, including current traffic counts for streets surrounding the project, analysis of the existing capacity of those streets, projections of the amount of traffic that will be generated by the proposed development, and the ability of the thoroughfare system to absorb the increased traffic without decreasing the level of service below an acceptable level . . .	<b>X</b>		<b>X</b>	A transportation study was completed as part of the PUD-PMP process and was reviewed by the Director of Transportation & Infrastructure and the Director of Traffic & Parking. As the design of the project is further refined, the Applicant will continue to meet with the City's departments and update the mitigation as required.



<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.8.2.G	A utilities analysis and recommendations prepared by a registered professional engineer qualified to conduct such studies. Said analysis shall contain an inventory of existing utilities including, but not limited to, storm sewers and drains, sanitary sewers, electrical lines, fire alarm boxes and lines, gas lines/mains, water mains, lighting, curb and gutter, etc. Said inventory shall illustrate utility locations, sizes, diameters, carrying capacity and present load on the system. The engineer's report shall state if the current system is capable of adequately serving the proposed development. If the current utility system is found to be inadequate for the proposed development, the report shall confirm the deficiencies and make recommendation(s) as to the infrastructure improvements necessary to properly service the proposed development and maintain the existing service. The report shall also present a formal plan for infrastructure improvements, documenting timing, funding mechanisms and coordination with the City	<b>X</b>		<b>X</b>	Included in application submission - see Appendix F Utility Analysis
16.8.2.H	All applicable information required for special permit with site plan review (See Article 5 of this Ordinance). This information may be submitted at a preliminary level, in consideration that PUD approval is a preliminary approval	<b>X</b>		<b>X</b>	See section A2, below
16.8.2.I	Any other supportive information the applicant feels may be beneficial to the City of Somerville in the evaluation of the request	<b>X</b>		<b>X</b>	Additional information provided includes architectural plans and elevations, architectural renderings, and a shadow studies.
<b><u>A.2: General Information Required for SPSR Applications (SZO 5.2)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
5.2.3.1	names, 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	<b>X</b>		<b>X</b>	Included in application submission
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	<b>X</b>		<b>X</b>	Included in application submission - see Fig. 2.3 Existing Conditions Plan
5.2.3.3	scaled site plans certified by a registered land surveyor, architect, landscape architect or engineer showing present and proposed use of land and existing buildings, if any; dimensions of existing and proposed structures; location and dimensions of any easements and public or private rights of way; and at grade parking and loading areas.	<b>X</b>		<b>X</b>	See Figures 2.7A-G for architectural plans - scaled but with limited dimensions labled for individual buildings. The existing conditions survey is Figure 2.3 and the scaled site plan is Figure 2.5.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
5.2.3.4	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	<b>X</b>		<b>X</b>	All existing buildings within the Project Site will be demolished. A Zoning Summary chart is included in the Staff Report.
5.2.3.5	the total floor area and ground coverage ratio of each proposed building and structure	<b>X</b>		<b>X</b>	The project building is a total of 368,030sf and up to approximately 10,479 sf of publicly accessible open space (approximately 8,150 sf of useable open space). The Residential building is 260,465sf with an FAR of 7.03 and the Hotel is 108,542sf with an FAR of 2.90.
5.2.3.6	front, side, and rear elevations	<b>X</b>		<b>X</b>	Figures 2.8a-l for elevations, Figures 2.9a-b for bird's eye views of the Project, and Figures 2.10a-h for Project Renderings.
5.2.3.7	existing and proposed contour elevations in two foot increments	<b>X</b>		<b>X</b>	Figures 5.1 – 5.3 show existing and proposed contour elevations are shown in one (1)-foot increments.
5.2.3.8	provisions for vehicular and pedestrian circulation	<b>X</b>		<b>X</b>	further DRC review will be conditioned prior to Building Permit and by on-site mock-up panel during construction prior to materials being ordered.
5.2.3.9	color, materials, and exterior features of proposed structures	<b>X</b>		<b>X</b>	The base will remain consistent throughout both buildings and will consist of brick and storefront glass. The middle portion of the Residential Building will be made up of composite metal panels and the middle portion of the Hotel Building will be made up composite metal panels and brick. The top portion of the Residential Building is an alternate color composite metal panel and the top portion of the Hotel Building is a 1.5 story cornice of composite metal panels. Further DRC review will be conditioned prior to Building Permit and by on-site mock-up panel during construction prior to materials being ordered. All brick will be conditioned as full brick and not panels of thin brick.
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 landscaped surface materials	<b>X</b>		<b>X</b>	Further DRC review will be conditioned prior to Building Permit and by on-site mock-up panel during construction prior to materials being ordered.
5.2.3.11	measures taken to preserve and protect natural resources	<b>X</b>		<b>X</b>	No natural resources exist on the Project Site.
5.2.3.12	outdoor lighting, including location and intensity of lighting facilities	<b>X</b>		<b>X</b>	All exterior lighting will be confined to the Site and adjacent urban park. Lights will cast downward and will not intrude, interfere, or spill onto adjacent sites.
5.2.3.13	dimensions and locations of signs, proposed and existing			<b>X</b>	Traffic signage is show on the civil drawings included with the submission. Building signage visible from public open space and right-of-way will be reviewed under a subsequent SPSR-A application.
5.2.3.14	location and significance of historic structures	<b>X</b>			A 1927 service station (SMV.1003) was recorded in 1990 along Middlesex Avenue, but has long since been demolished.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
5.2.3.15	method for handling solid waste disposal, and for screening of disposal facilities			<b>X</b>	Solid waste disposal will be handled by private contractors. The disposal facilities (dumpsters and compactors) will be internal to the buildings.
5.2.3.16	description and location of all proposed mechanical and electrical system components, including exhaust and ventilation system, transformers, and satellite dishes			<b>X</b>	The electrical transformer will be located in an enclosed vault within the ground floor loading area. Most of the mechanical equipment such as air handlers, energy recovery units, generators, exhaust fans and cooling towers, will be located on rooftops and mostly screened from public view.
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	<b>X</b>		<b>X</b>	Chapter 5, Utility Analysis and Figures 5.1 - 5.3 show an analysis of existing and proposed utilities.
5.2.3.18	demolition and construction procedures including impact mitigation measures; an estimate of the time period required for completion of the development			<b>X</b>	Construction for both buildings is anticipated to take approximately 20 months. Much more detailed demolition and construction phasing information will be required at the submission of an application for Demolition and Building Permits.
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 twenty-five thousand (25,000) square feet or more, a traffic impact analysis which is prepared by a professional traffic engineer	<b>X</b>		<b>X</b>	A full transportation impact and access study (TIAS) was prepared and submitted as part of the PUD-PMP. A Mobility Management Plan was submitted as part of this SPSR-A application.
5.2.3.20	general summary of existing and proposed easements or other burdens now existing or to be placed on the property	<b>X</b>		<b>X</b>	All existing and proposed easements are shown on Figure 5.1, Existing Conditions Plan, Figure 5.2, Grading, Draining and Utility Plan and Figure 5.3, Layout and Materials Plan.
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 thereunder, 310 CMR 10.00	<b>X</b>		<b>X</b>	There are no wetlands on the Project Site.
5.2.3.22	photographs of at least eight (8) by ten (10) inches, showing the development site and surrounding parcels	<b>X</b>		<b>X</b>	Included in submission
5.2.3.23	names and addresses of all property owners within three hundred (300) feet of site boundaries	<b>X</b>		<b>X</b>	Included in submission
5.2.3.24	such other information as will aid the SPGA in judging the application and in determining special conditions and safeguards, and as the SPGA should deem necessary, in its determination of completeness of said application as provided in Section 5.3.1 and the SPGA Rules and Regulations	<b>n/a</b>		<b>n/a</b>	n/a
<b>A.3: Denial Letter Requirement (SZO 16.12)</b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.12	All applications for a preliminary Master Plan Approval shall be required to include a so-called 'denial letter' from the Inspectional Services Department indicating which aspects of the proposed PUD require approvals from the SPGA	<b>x</b>		<b>n/a</b>	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.

## Appendix B: Required Findings of Fact

<b><u>B.1: General Findings under Section 16 (SZO 16.9 and 16.1)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.9	The SPGA shall review and determine whether a PUD application is complete and place special emphasis in its review as to PUD compliance with provisions of Article 16 herein, including compliance with the purpose and general requirements/features of a PUD	<b>X</b>		<b>X</b>	See Appendix A. Applicant has provided a complete application. See the remainder of Appendix B which establishes that Applicant has provided an application that is in compliance with the provisions of Article 16 and complies with the purpose, general requirements and features of a PUD.
16.9	The SPGA shall . . . determine whether the proposal is consistent with the most suitable development of the City, and conduct a review in accordance with the requirements for special permit with site plan review as set forth in Article 5 of this Ordinance. The PUD shall comply with all requirements of this Ordinance unless a deviation from these strict requirements is authorized herein in Article 16	<b>X</b>		<b>X</b>	The proposal to re-use an under-utilized parcel for a mixed-use development is consistent with the most suitable development in the City. It is based upon a long-term set of principles established by the City for redevelopment of the Assembly Square area in the ASD Plan. The applicant is requesting five waivers, which are addressed in Appendix D, and a waiver from the requirement to submit a three-dimensional model, which is addressed in this decision.
16.1	The purpose of a Planned Unit Development, or PUD, is to provide for a mixture of land usage at designated locations at greater variety, density and intensity than would normally be allowed . . . to achieve, to the greatest possible degree, land development responsive to an analysis of the environmental assets and liabilities of a site, both natural and man-made. A PUD should be a well-integrated development in terms of land uses, functional activities, and major design elements such as buildings, roads, utilities, drainage systems and open space. A PUD is allowed greater design flexibility so that larger-scale site and master planning for a development may protect natural features and consider most fully the surrounding land use and development context . . . Development should be concentrated in the most suitable and least environmentally sensitive areas of the landscape. Preservation and enhancement of open space is strongly promoted.	<b>X</b>		<b>X</b>	The proposed project has benefitted from collaboration by the Applicant with the City and community stakeholders. The result is a plan for a mixed use urban block providing new jobs, increased tax revenues, market rate and affordable housing, improved access to transportation, improvements to regional stormwater systems, and enhanced open space amenities. The project mixes uses, provides urban densities, develops according to environmental constraints and opportunities on the site. The project meets this finding.
<b><u>B.2: Consistency Findings (SZO Section 6.4)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.1	Purpose. The Assembly Square Mixed-Use District (ASMD) has been enacted to encourage the best use of Assembly Square physically, economically, environmentally and socially while promoting the best interests of residents of the City. The ASMD is intended to fulfill the goals and objectives contained in the Assembly Square District Plan (the ASD Plan, as hereinafter defined). The ASMD zoning is designed to allow the district to reach these goals.	X		X	See comments under Section 6.4.4 below.
6.4.4	The ASD Plan describes the physical characteristics of the ASMD. The ASD plan establishes a comprehensive plan for development in the ASMD. The ASD plan includes the <u>Assembly Square Planning Study</u> dated October 2000	X		X	The Assembly Square Planning Study prepared by the Cecil Group in 2000 created a framework for development in the Assembly Square area over the next twenty years and beyond. This Planning Study encouraged mixed-use development, but also recognized that a certain amount of big box retail would be the most feasible use in Assembly Square in the immediate future. The Planning Study specifically supported the redevelopment of the Assembly Square Mall to improve Assembly Square's visibility and image, helping to pave the way for more intensive office development. The general principles and concepts of the plan are supported by this PUD-PMP and includes all of the physical characteristics, values, and goals that were addressed in the Planning Study.
6.4.4	The ASD Plan describes the physical characteristics of the ASMD. The ASD plan establishes a comprehensive plan for development in the ASMD. The ASD plan includes the <u>Assembly Square Revitalization Plan</u> dated 2002	X		X	The Assembly Square Revitalization Plan is an approved Urban Renewal Plan under MGL 121B. The 2002 plan was a Major Plan Change to the 1980 Assembly Square Revitalization Plan -- the City's urban renewal plan for Assembly Square. This PUD-PMP is consistent with the overall vision of the Revitalization Plan.
6.4.4	The ASD Plan describes the physical characteristics of the ASMD. The ASD plan establishes a comprehensive plan for development in the ASMD. The ASD plan includes the <u>Assembly Square Design Guidelines for the Public Realm</u> dated 2002	X			The project is consistent with the PUD-PMP and, therefore, the Public Realm Guidelines. There are good physical and visual connections between the project and its surroundings.
6.4.4	The ASD Plan describes the physical characteristics of the ASMD. The ASD plan establishes a comprehensive plan for development in the ASMD. The ASD plan includes the <u>Assembly Square Transportation Plan</u> dated 2003	X			The Applicant is undertaking several significant transportation improvements to enhance multi-modal access to the site. These efforts are especially important along the neighborhood's outer edges.
<b><u>B.3: General Requirements of a PUD (SZO Section 16.4)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.4a	a designated tract of land meeting the minimum lot size requirements of Section 16.5.1.a for the PUD district	X		X	The parcel size is 37,075 s.f., or approximately 0.85 acres.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.4b	developed in a comprehensive, design-integrated manner, according to an overall master plan, with two (2) or more types of use	<b>X</b>		<b>X</b>	The project includes retail (including restaurants), residential, hotel, and parking.
16.4c	consistent with the objectives of this Ordinance;	<b>X</b>		<b>X</b>	The Applicant has utilized the increased height and FAR allowed proposing buildings ranging from 13 to 21 stories with a maximum height of 235 feet.
16.4d	consistent with the goals, objectives and plans of the City for the general subject area	<b>X</b>		<b>X</b>	Section B2 of these findings identifies in more detail how the proposed project is consistent with the PUD and other City documents.
16.4e	developed so as to locate or cluster development sites, especially buildings, in a manner that provides usable open space, preserves natural or historic features, and preserves views of such features to the maximum extent possible	<b>X</b>		<b>X</b>	The provision of usable open space and the preservation of views will require more landscape design and detailing.
16.4f	an efficient use of land which properly considers topography and protects significant natural features including, but not limited to, waterways, wetlands, floodplains and wildlife	<b>X</b>		<b>X</b>	The existing site is relatively flat and there are no significant wetlands, floodplains, or wildlife.
16.4g	an efficient use of land demonstrating full coordination of its own site development including, but not limited to, the land uses and functions contemplated, architecture, open space and pedestrian networks, vehicular access and circulation, and all other infrastructure	<b>X</b>		<b>X</b>	The project proposes uses and their associated roadways, parking, and infrastructure developed in a coordinated manner.
16.4h	linked and coordinated with surrounding land uses, off-site public facilities, infrastructure and roadway access where appropriate, in a manner that is safe, efficient and non-injurious to the public, and an improvement or benefit to the public where possible	<b>X</b>		<b>X</b>	The Applicant has linked the residential buildings with the existing underpass that abuts the site and has designed a network of open spaces, roadways, and sidewalks which constitute an improvement to the existing conditions and a benefit to the public.
16.4i	designed with sizing of street and other infrastructure systems to accommodate the overall service demand of the PUD	<b>X</b>		<b>X</b>	As the design of the project is further refined, the Applicant will continue to meet with the City's departments and update the mitigation as required.
16.4j	inclusive of provisions for the ownership and maintenance of usable open space as appropriate (see Sec. 16.6 of this Article)	<b>X</b>		<b>X</b>	The Applicant will be required to maintain the usable open space subject to a maintenance agreement that must be developed as a condition of this approval.
16.4k	inclusive of appropriate deed restrictions or covenants requiring compliance of all development with the PUD master plan, and any architectural or other guidelines or standards	<b>X</b>		<b>X</b>	The project meets the Design Guidelines approved with the PUD-PMP. Any deed restrictions will be will be addressed and conditioned as part of this SPSR-A.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.4l	when inclusive of a proposed use allowable under this Ordinance only within a PUD setting, that said use is integrated into the proposed development in terms of function and service to other users of the PUD site and/or to the immediately surrounding area	n/a		n/a	Not applicable.
<b><u>B.4: PUD Design Guidelines (SZO Section 16.7)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.7a	PUD architecture should demonstrate the cohesive planning of the development and present a clearly identifiable design feature throughout. It is not intended that buildings be totally uniform in appearance or that designers and developers be restricted in their creativity. Rather, cohesion and identity can be demonstrated in similar building scale or mass; consistent use of facade materials; similar ground level detailing, color or signage; consistency in functional systems such as roadway or pedestrian way surfaces, signage, or landscaping; the framing of outdoor open space and linkages, or a clear conveyance in the importance of various buildings and features on the site			X	Architectural design has been finessed and refined from the conceptual elevations presented in the Design Guidelines that were approved with the PUD-PMP. Materiality, color, and textures will continued to be explored and further reviewed at the application for Building Permit and during construction.
16.7b	Buildings adjacent to usable open space should generally be oriented to that space, with access to the building opening onto the open space			X	As this building is an entire block with a central courtyard, all elevations are treated equally and provide good connectivity between the courtyard and interior ground floor uses.
16.7c	When a building is proposed to exceed the base district height limit, it is intended that buildings be of slender proportions emphasizing the vertical dimension			X	The residential building is articulated vertically and is appropriate to the guidelines approved with the PUD-PMP.
16.7d	It is strongly encouraged that landscaped space, and particularly usable open space, be designed and located to connect as a network throughout the PUD. It is also generally intended that said space be designed and located to connect with existing off-site usable open space, and provide potential for connection with future open space by extending to the perimeter of the PUD, particularly when a plan exists for the location and networking of such future open space	X			see 6.4.7.A.4
16.7e	It is intended that no non-residential structure cause a casting of any shadow on any residential lands between 10:00 AM and 2:00 PM, solar time, on the vernal equinox (March 21); and that any shadow cast by a PUD structure on public usable open space be of minimal impact on the desired functional use of said open space, particularly in the period from March 21 to September 21			X	Given the constraints on this site and the orientation of the property, the hotel will cast some shadows on the lower floors of the residential building and the courtyard as it screens those same areas from highway pollutants.



<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.7f	Vehicular access to and from public roads is intended to be consolidated. Vehicular access to PUD lands from a public roadway shall generally be limited to one (1) access point, particularly when PUD frontage along said roadway is three hundred (300) feet or less. When a PUD has more than six hundred (600) feet of frontage on a public road, separation between existing, approved, and proposed curb cuts, whether on or off-site, shall average a minimum of two hundred (200) feet. Consolidation to a minimal number of access points is strongly encouraged	<b>X</b>			Vehicular access to this area is primarily provided by way of Middlesex Avenue. The PUD guidelines encourage consolidation of access points to and from PUD lands and a minimum of 200 feet between access points. As this proposal is only one urban block, this guideline is met.
16.7g	Internal PUD streets shall consist of local and collector roadways, designed in accordance with standard traffic engineering practice. Any street proposed for public dedication shall meet the standards of the City's Director of Traffic and Parking.	<b>X</b>			There are no internal streets within this block but the existing surrounding streets will be improved. As these streets will be dedicated to the public, these streets will be conditioned to meet City standards or better pursuant to review by the Director of Traffic and Parking and City Engineer.
16.7h	PUD block sides should reflect average city block size of Somerville, to maximize a pedestrian-friendly scale in the street grid. Alight streets to give building energy-efficient orientations.	<b>X</b>			The block size is defined by existing streets. However, block sizes are larger than typically found in Somerville to accommodate buildings much larger than are typical in other parts of the City. Though the blocks are larger, the ground floor retail uses proposed and pedestrian friendly architectural elements and designs that would be required during the SPSR-A process will offset the negative effects of the above average block sizes and provide a scale appropriate for pedestrians.
16.7i	The PUD design should preserve and enhance natural features such as topography, waterways, vegetation, and drainage ways.	<b>X</b>			The natural features of the site have been substantially altered over the years as an industrial and commercial site. This proposal would expand and improve vegetation on the site by including well-designed and maintained civic spaces.
16.7j	The PUD design should minimize impervious surfaces and incorporate other design features to minimize storm water runoff.			<b>X</b>	Staff recommends including a condition that requires coordination with the Director of Sustainability & Environment and approval by the Director of Engineering to determine the appropriate stormwater management mitigations prior to application for demolition or building permit.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.7k	PUDs should maximize pedestrian transit-oriented development. Specifically they should use "traffic-calming" techniques liberally; provide networks for pedestrians as good as the networks for motorists; provide pedestrians and bicycles with shortcuts and alternatives to travel along high-volume streets, and emphasize safe and direct pedestrian connections to transit stops and other commercial and/or employment nodes; provide long-term, covered, bicycle parking areas; provide well-lit, transit shelters; incorporate transit-oriented design features; and establish Travel Demand Management programs at employment centers.	<b>X</b>			Traffic calming measures have been included in the roadway designs that feature combination pedestrian/vehicle streets and open spaces, paver cross walks, intersection bumpouts, and street trees. The site is directly adjacent to Foley Street for a direct pedestrian connection to the MBTA station which will promote rapid transit ridership and is in line with ideals of Transit Oriented Development.
16.7l	Make shopping centers and business parks into all-purpose activity centers.	<b>X</b>			There are no shopping centers or business parks in this proposal.
<b><u>B.5: ASMD Development Standards (SZO Section 6.4.7.A)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.7.A.1	<i>Transportation Analysis.</i> All new Developments shall conform to the requirements set forth in any Transportation Study, subject to the approval of the SPGA.	<b>X</b>			A transportation study was completed as part of the application submission and has been reviewed by the Director of Transportation & Infrastructure and the Director of Traffic & Parking. As the design of the project is further refined, the Applicant will continue to meet with the City's departments and update the mitigation as required.
6.4.7.A.2	<i>Parking Requirements.</i> Developments shall meet the parking requirements set forth in Section 9.15.	<b>X</b>		<b>X</b>	A waiver for parking requirements to provide 293 spaces was approved with the PUD-PMP.
6.4.7.A.3	<i>Landscaping Requirements.</i> 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.			<b>X</b>	Conditions have been recommend specifying additional andscaping requirements and coordination with City Departments.
6.4.7.A.4	<i>Pedestrian Connections.</i> 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 between the ASMD and the Ten Hills and East Broadway neighborhoods by means of sidewalk connections, crosswalks, landscaping, traffic signalization and traffic calming methods as appropriate.	<b>X</b>		<b>X</b>	The open space, pedestrian pathways and sidewalk connections provided as part of the project will be designed to complete and improve connections with the existing network of parks and pathways in the vicinity, including improving the connection between Assembly Row and the Mystic River, and the residential and commercial neighborhoods of East Somerville to the west of the I-93 Off-Ramp via the Kensington Underpass.
<b><u>B.6: ASMD Design Guidelines (SZO Section 6.4.7.B)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
Note: The applicant has provided, of its own volition, additional Design Review Guidelines to address the design and massing of the proposed blocks and buildings. While the plans and images					

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.7.B.1	<i>Street and Sidewalk Design.</i> 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.			X	The Project does not include construction of any new streets. The design of new sidewalks and the Kensington Avenue Pedestrian Way will respond appropriately to the Street and Sidewalk Design Criteria of the Assembly Square Public Realm Design Guidelines.
6.4.7.B.2	<i>Building Design.</i> Buildings shall be designed to the highest architectural standards and shall be sited appropriately on the Lot.			X	see below
6.4.7.B.2a	Buildings should be located to create a presence on existing street edges or along major internal circulation routes and have maximum building setbacks of five feet except in special circumstances, where greater setbacks would enhance the pedestrian friendly experience of the ASMD, such as dedicated open space; and buildings should be located to reinforce both existing and future circulation patterns that may serve more than one Site.			X	There are no setbacks proposed on existing streets and the retail spaces along McGrath Highway, Middlesex Avenue, and the new Pedestrian Street at the discontinued Kensington Avenue will be setback five (5) feet, while the upper stories are at a zero (0) foot setback.
6.4.7.B.2b	Buildings should have 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, should be part of all street facades and accompany building entrances. Multiple and frequent entrances oriented to streets are encouraged. Building entrances should be clearly defined, through the use of elements such as canopies, porticos, overhangs, peaked roof forms, arches. Entries set back from the street should have outdoor patios, tile work, moldings, integral planters or wing walls with landscaped areas, or places for sitting.			X	The ground floor retail spaces will include entry points that interact with McGrath Highway, Middlesex Avenue, the Kensington Avenue pedestrian way, and the proposed Courtyard. The main hotel entry is accentuated by the recessed Porte Cochere along Kensington Avenue.
6.4.7.B.2c	There should be a clearly defined pattern of bays, rhythms, and dimensions that create continuous visual interest and variety in the design of all facades.			X	The Project clearly defines the pattern of bays and fenestration rhythms to create visual interest and variety in the design of the elevations.
6.4.7.B.2d	The overall scale of development should be broken down to respond to the pedestrian scale use of open space.			X	The ground floor human interaction is highlighted with the storefront of retail uses and by the size and location of landscape elements within the courtyard.
6.4.7.B.2e	Materials and colors shall be consistent with traditional buildings in the area with historic merit.			X	There are no existing buildings of historic significance or merit in the vicinity of the Project. The hotel building uses a traditional look with brick and composite metal panels. The residential building has a contemporary look and uses composite metal panels and window walls, similar to recently constructed and proposed buildings within Assembly Square and Cambridge Crossing.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.7.B.2f	Building equipment and service areas should be located away from public streets or major interior circulation routes and provide screening. All storage of items for sale or related inventory should be enclosed unless completely screened from public view with architectural elements meeting the 6.4.7 guidelines.			<b>X</b>	Mechanical equipment will be located on the rooftop or ground floor within an internal mechanical room. All equipment will be visually and acoustically buffered from neighbors. Rooftop mechanical equipment will be hidden from public view on City streets with parapet walls and screening designed to fit within the character of the overall building .
6.4.7.B.2g	Preference should be shown for vertical integration of uses. Developments should 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.			<b>X</b>	The proposed buildings include active ground floor uses, including ground floor retail and hotel lobby space. Upper floors of both buildings will include above-grade structured parking and residential and hotel uses. The fifth floor contains a semi-public outdoor roof terrace accessory to the Hotel and Residential amenity spaces.
6.4.7.B.2h	The façade of a building should not have any uninterrupted or unfenestrated length exceeding thirty-five (35) horizontal feet. Facades greater than one hundred (100) feet in length, measured horizontally, should incorporate wall plane projections or recesses having a depth of at least three percent (3%) of the length of the facade and extending at least twenty percent (20%) of the length of the façade.			<b>X</b>	The elevations submitted show that these façade regulations are met.
6.4.7.B.2i	All Ground Floor facades that face public ways or the Mystic River should have windows providing visual access to the interior of a space, arcades, display windows, entry areas, awnings, or other such features along no less than seventy percent (70%) of their horizontal length. Forty percent (40%) of this activated facade 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.			<b>X</b>	A majority of the ground floor hotel space and retail spaces will be comprised of a storefront system. This provides transparency and creates an inviting and safe ground-level experience for pedestrians.
6.4.7.B.3	<i>Parking Lot Design.</i> Refer to Section 9.15 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.	<b>n/a</b>		<b>n/a</b>	There are no surface parking lots proposed in this application. The only exposed vehicle parking will be the reverse-in diagonal spaces along Middlesex Avenue which have been reviewed and conceptually approved by Traffic & Parking. A recommended condition has been added so the Applicant is responsible for the cost of acquisition and installation of parking meters for these spaces in accordance with City standards.
6.4.7.B.4	<i>Open Space.</i> Landscape strips required in parking areas shall not apply to UOS calculations. Developments are encouraged to make significant contributions to Open Space along the Mystic River adjacent to the ASMD.	<b>X</b>		<b>n/a</b>	The Project does not include any on-site surface parking, therefore, there are no landscaping strips. The Applicant has agreed to make financial contributions for improvements to Draw Seven Park at the Mystic River.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.7.B.5	<i>Efficiency of Design.</i> 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.	<b>X</b>		<b>X</b>	Please refer to Figure 2.3 and Appendix B for a completed Leadership in Energy and Environmental Design® ("LEED") Version 4 checklist. The Project is currently targeting a goal of LEED v4 Certified rating.
6.4.7.B.6	<i>Contributions.</i> 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.	<b>X</b>		<b>X</b>	To date, the Applicant has agreed to commit up to approximately \$2,166,834 towards public benefits and improvements. The covenant shall indicate that a portion of the total improvement, not to exceed \$750,000 may be provided by the applicant completing in-kind work.
6.4.7.B.7	<i>Loading Spaces.</i> 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.	<b>X</b>		<b>X</b>	Two loading areas will be located on either side of the midblock connector accessed from McGrath Highway. Within the Hotel Building there will be one 12' wide by 30' long loading bay and two 12' wide by 30' long loading bays within the residential building. Deliveries are anticipated to arrive on Middlesex Avenue and the loading areas will not be visible form the Courtyard or Urban Park.
<b><u>B.7: ASMD Large Project Development Standards (SZO Section 6.4.8.D)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.8.D.1	Transportation Analysis. Large Developments shall provide a Transportation Access and Impact Study. The Director of Traffic and Parking shall approve the geographic scope and content of the study in consultation with the Executive Director of the Planning Department and the Traffic Commission. In addition, the Applicant shall submit a Transportation Demand Management (TDM) plan tailored to the specific uses and the geographic location of the Development Site. If the Transportation Access and Impact Study indicates a significant impact to the transportation network in the specified study area, the Applicant shall include in the study proposed mitigation measures to address those impacts.	<b>X</b>		<b>X</b>	A transportation study was completed as part of the application submission and has been reviewed by the Director of Transportation & Infrastructure and the Director of Traffic & Parking. As the design of the project is further refined, the Applicant will continue to meet with the City's departments and update the mitigation as required. As detailed in Section 4.5.1 and the Mobility Management Plan, a TDM plan has been proposed to help reduce the use of motor-vehicles by residents and visitors of the proposed site. Some of these measures include pedestrian facility improvements along Middlesex Avenue, McGrath Highway extension, and Kensington Avenue, providing car-sharing parking on-site, providing safe and secure bicycle storage on-site, and providing visitor bicycle parking spaces outside of the building.
6.4.8.D.2	<i>Large Retail Projects.</i> Any Large Development in which any single Retail Use is more than fifty thousand (50,000) square feet of gross floor area shall also be deemed a Large Retail Project. A). Nonretail Component --"No Large Retail Project ... shall be permitted in the ASMD unless permitted as part of a PUD-A which includes 1.5 net square feet of non-retail uses for every square foot over 50,000 net square feet of Retail Use in the Large Retail Project." B). Ground Level Retail Size Cap-- "In a Large Retail Project, not more than 50,000 square feet of Gross Floor area of any single Retail Use shall be located on the Ground Floor of any Building included in the PUD-A."			<b>n/a</b>	This Project does not contain a Large Retail Project.
6.4.8.D.3	<i>Landscaping.</i> A minimum of fifty (50) percent of the Landscaped Area in a new Large Development shall be Usable Open Space. The SPGA shall have final discretion in deciding if land constitutes Open Space for the purposes of determining whether this requirement has been met. The Open Space requirement may be met with land that is part of the Large Development, or with land that is outside of the Large Development area but is located within the ASMD that was not already Useable Open Space, provided that the conditions of paragraph 2 of Section 16.6.1 of the Ordinance relating to public dedication of such Usable Open Space are met.			<b>X</b>	Open Space and Usable Open Space requirements within the ASMD are 25% and 12.5% respectively. The Project will provide up to approximately 10,479 sf of publicly accessible open space (28% of the total site area), and approximately 8,150 sf of useable open space (22% of total site area) on the site.
<b><u>B.8: ASMD Large Project Design Guidelines (SZO Section 6.4.8.E)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.8.E.1	<i>Structured Parking.</i> Due to the size and scope of Large Developments, every effort shall be made to provide as much parking as possible underground and/or in structures	<b>X</b>		<b>X</b>	The Project will include 290 structured garage vehicle parking spaces and 74 bicycle parking spaces within the building. The underground parking spaces will provide up to 93 spaces, and above-grade structured parking floors will provide up to 197 spaces - all will be accessed from a ramp located on McGrath Highway.
<b>B.9: Alternative Compliance for Affordable Housing. (SZO Section 13.3)</b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
13.3.4	The SPGA may authorize or require that affordable housing units be provided off-site, or that an alternative method of compliance be used, consistent with Section 13.4 of this Article.			<b>X</b>	All affordable housing requirements will be met on-site.

## Appendix C: Requirements for SPSR-A

<b>C1: Requirements for SPSR-A</b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.9.C.1	Traffic impact and proposed mitigation, if any, (should be) consistent with any applicable Transportation Study, Traffic Access and Impact Study and/or Transportation Demand Management Plan, and the goals and objectives of the ASD Plan			<b>X</b>	The applicant continues to work with the Director of Transportation & Infrastructure on refining a Mobility Management Plan and Transportation Demand Management techniques that coordinate with the efforts already underway in the ASMD larger area.
6.4.9.C.2	The application (should) reflect an overall consistency with the intent and purpose of any applicable Design Guidelines set forth in this Section 6.4			<b>X</b>	See Appendix B
6.4.9.C.3	The application (should) promote the following objectives: mix of residential, office, research and development, retail, hotels, places of assembly and institutional uses' economic benefits and employment opportunities' structured parking; pedestrian and bicycle access; affordable housing units and project mitigation contribution; view corridors to the Mystic River; enhanced and activated Open Space' creation of new Open Space or enhancement of existing Open Space; and, . . . support transit service at (the MBTA Station).			<b>X</b>	This project proposes a mix of uses, vertically and horizontally, within walking distance to the T station.
6.4.9.C.4	Additional Findings and Determinations: Prior to granting a Special Permit with Site Plan Review-A, the SPGA shall make findings and determinations as noted in 6.4.9.C.4			<b>X</b>	All findings and determinations have been met by the application
5.2.5.a	<i>Information supplied.</i> Complies with the information requirements of Section 5.2.3			<b>X</b>	See Appendix A
5.2.5.b	<i>Compliance with standards.</i> Complies with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit with site plan review			<b>X</b>	SPSR requirements have been met by the application
5.2.5.c	<i>Purpose of district.</i> Is consistent with the intent of the specific zoning district as specified in Article 6			<b>X</b>	This project is consistent with the purpose of the district.
5.2.5.d	<i>Site and area compatibility.</i> Is designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area, and that the scale, massing and detailing of buildings are compatible with those prevalent in the surrounding area			<b>X</b>	There are no natural features on the site but the project has been designed to be appropriate to the Assembly Square neighborhood.
5.2.5.e	<i>Functional design.</i> Meets accepted standards and criteria for the functional design of facilities, structures, and site construction			<b>X</b>	The standards for this project will be consistent with the surrounding development.



<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
5.2.5.f	<i>Impact on Public Systems.</i> Will not create adverse impacts on the public services and facilities serving the development, such as the sanitary sewer system, the storm drainage system, the public water supply, the recreational system, the street system for vehicular traffic, and the sidewalks and footpaths for pedestrian traffic			<b>X</b>	The applicant has adequately addressed that the overall project, with agreed-upon public service upgrades, will have adequate public services.
5.2.5.g	<i>Environmental impacts.</i> Will not create adverse environmental impacts, including those that may occur off the site, or such potential adverse impacts will be mitigated in connection with the proposed development, so that the development will be compatible with the surrounding area			<b>X</b>	The project will not create any adverse impacts.
5.2.5.h	<i>Consistency with purposes.</i> Is consistent with: 1) the purposes of this Ordinance, particularly those set forth in Article 1 and Article 5; and 2) the purposes, provisions, and specific objectives applicable to the requested special permit with site plan review which may be set forth elsewhere in this Ordinance, such as, but not limited to, those at the beginning of the various sections			<b>X</b>	The project is consistent with the purposes set in the Ordinance.
5.2.5.v	<i>Housing Impact:</i> Will not create adverse impacts on the stock of existing affordable housing			<b>X</b>	Affordable housing will be increased by 42 dwelling units with this residential building.
5.2.5.w	<i>SomerVision Plan:</i> Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville's neighborhoods, Transform key opportunity areas, Preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs.			<b>X</b>	The project will continue to transform the Assembly Square area to meet the goals of SomerVision.
<b><u>C2: Requirements for SP for Signage</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
5.1.4.a	<i>Information supplied.</i>		<b>X</b>		N/A
5.1.4.b	<i>Compliance with standards.</i> Complies with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit		<b>X</b>		Building signage will be submitted in a subsequent SPSR-A application.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
5.1.4.c	<i>Consistency with purposes.</i> Is consistent with: (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles		<b>X</b>		Building signage will be submitted in a subsequent SPSR-A application.
5.1.4.d	<i>Site and area compatibility.</i> Is designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the built and unbuilt surrounding area, including land uses.		<b>X</b>		Building signage will be submitted in a subsequent SPSR-A application.

## Appendix D: Standards for Waivers

<b><i>D.1 Information Required for Special Permits with Site Plan Review</i></b>				
<b>Section</b>	<b>Required Finding</b>	<b>Met</b>	<b>Not Met</b>	<b>Comment</b>
16.5.4 & 16.5.5	<i>Waiver of dimensional standards.</i> In order to maximize flexibility in the application of design standards to PUD projects, the SPGA may waive strict compliance with the standards of Section 16.5 upon making a determination that: (a) such a waiver would result in a better site plan than strict compliance with the stated standards; (b) the proposed PUD design furthers the Purpose and PUD Design Guidelines of this section; and (c) the granting of such a waiver will not cause detriment to the surrounding neighborhood.	<b>X</b>		While waivers were requested with this SPSR-A application, all waivers were granted during the PUD-PMP approval. The waivers include: exceeding the maximum height of 125', reduction of parking requirement, and shared loading bays. Along with approvals for the multi-family residential use over 7 units and the hotel larger than 10,000sf.

## Appendix E: Assembly's Edge SPSR-A: Conditions

#	Condition	Evaluated by:	Timeframe for compliance	Notes
<b>General</b>				
1	<p>Approval is based upon the Special Permit with Site Plan Review submitted by Vanasse Hangen Brustlin, Inc. dated April 19, 2018 and stamped in at the City Clerk's office on April 19, 2018, including Chapters 1-5, the Appendices A-H, and Attachments A-B. Including additional information received by Planning Staff: updated Chapters 1-5, the Appendices A-H, and Attachments A-B received digitally on May 10, 2018, and Mobility Management Plan by DCI and dated May 2018. Any changes to the submitted application material that are not de minimis must receive Planning Board approval, unless such changes are designed only to establish compliance with one of the conditions of the PMP or this SPSR-A approval.</p> <p>The approval of this SPSR-A does not incorporate any of the following items: a) Locations of and specifications for elements of the public right of way (to be covered in the maintenance agreement); b) Design details within individual open spaces (to be addressed through review and approval by staff); c) Any off-site design, including the Urban Park (to be addressed through review and approval of relevant city staff).</p>	Planning	Continuous	
2	Approval is subject to the Applicant's and/or successor's right, title, and interest in the property.	Planning/ISD/Engineering	Perpetual	
3	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	Planning/ISD/Engineering	Perpetual	
4	The Applicant must contact the Engineering Department to confirm the street addresses for all buildings prior to application for any demolition or building permit.	Planning/ISD/Engineering	Prior to BP	
<b>Linkages</b>				

#	Condition	Evaluated by:	Timeframe for compliance	Notes
5	Applicant shall, per the agreement made with the OSPCD Economic Development Director, sign a covenant prior to demolition fo buildin permit application, which indicates that the applicant will provide \$5.90 per square foot (a minimum of \$2,166,834) 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, not to exceed \$750,000 may be provided by the applicant completing in-kind work. Unless otherwise permitted by the covenant, in-kind work shall be limited to: a) repaving work around the project on McGrath Highway and Kensington Street; b) building a passive public park on the portion of Kensington Ave to be abandoned; and, c) parking and traffic improvements on Middlesex Street near the project. The remainder of the funds shall 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.	Planning/ Economic Development	Finalized and signed prior to submission of demolition or BP application	
6	Affordable Housing Linkage Fee payments will be required to be paid to the Somerville Housing Trust Fund before a CO is issued as required by Section 15 of the SZO as amended.	Housing	CofO	
7	Jobs Creation and Retention Linkage Fee shall be paid to the Somerville Municipal Job Creation and Retention Trust before a CO is issued as required by Section 15 of the SZO as amended.	Economic Development	CofO	
8	The applicant must comply with the: "Policy for new connections to and modifications to existing connections to the municipal sewer and drainage system stormwater management and infiltration/inflow mitigation." The Applicant shall work with Engineering to meet this condition and provide the required fees/mitigation.	Engineering	CofO	
<b>Thoroughfares &amp; Open Space</b>				
9	The approval of this SPSR-A shall be considered to include the surrounding streets. For any street that will be constructed or reconstructed per this approval, 100% street design plans, consistent with the PMP and the conditions of this SPSR-A , must be filed with the City Engineer and Director of Transportation & Infrastructure for review and approval with city standards and sound engineering practices.	Planning/T&I/ Engineering	Continuous	
10	Design of sidewalk treatments, street trees, landscaping, materials and finishes, street furniture, and other amenities that are to be maintained by the Applicant within the PUD boundary or an adjacent public right-of-way will match those at Assembly Row and be submitted to the Planning Director, Director of Transportation & Infrastructure, and the City Engineer for review and approval.	Planning/T&I/ Engineering	Prior to BP	

#	Condition	Evaluated by:	Timeframe for compliance	Notes
11	Applicant will work with the City to develop the long term maintenance agreement that will provide for the Applicant's commitments to the City relative to maintenance of the elements of the public right of ways and the Urban Park including, but not limited to, sidewalk treatments, street trees, landscaping , materials and finishes, street furniture, and other amenities. The City will not maintain anything that is not reviewed and approved by the Planning Director and Director of Transportation & Infrastructure or constructed to the approval of the City Engineer and the Director of Inspectional Services.	Planning/T&I/ Engineering/ISD	Prior to CofO	
12	Applicant shall ensure that all trees meet the species, caliper, well size, and planting specifications of the City Arborist.	T&I	BP	
13	A meeting is required between the Applicant's experienced landscape designer and the City's Transportation & Infrastructure Parks team regarding the design of the off-site civic space (the Urban Park) prior to any additional permit applications are submitted. The design must not preclude a possible Foley Street Extension adjacent to the Public Storage building and in accordance with the conditions of case# PB2011-08 (50 Middlesex) dated April 21, 2011. The City has final design review authority on the Urban Park space.	Planning/T&I	Prior to BP	
14	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.	Planning	BP	
15	The Applicant will coordinate a public meeting with the Ward Alderman and the City's Transportation & Infrastructure Parks team regarding the renaming of the "Urban Park". The neighborhood should have active involvement in the selection of the names and be involved in the design of this expanded civic space.	Planning/T&I	CofO	
16	Applicant will work with the City to develop the long term maintenance agreement for the Useable Open Space as required in Article 17 of the SZO. The agreement shall specify the requirements for public access and private maintenance of useable open space of the Urban Park and Courtyard, as required by the SZO. The applicant shall build out and maintain all of the open space and allow public access to all of the useable open space in the plan as required by the SZO. The applicant will submit 100% construction plans for open space to the City for review and comment.	Planning/ Engineering	BP	
17	Applicant shall be required work with the City Engineer, and the Fire Chief as necessary, to rename the one block length of McGrath Highway. The Applicant proposes to rename the portion of McGrath Highway adjacent to the site to "Assembly's Edge Street" but will work with the Alderman to solicit public input on the renaming as indicated during the Project's community outreach process.	Engineering/ Planning	Prior to BP	

#	Condition	Evaluated by:	Timeframe for compliance	Notes
18	The Applicant and the Applicant's engineering team must participate in a future meeting between the Director of Traffic & Parking and the Director of Transportation & Infrastructure to review the intersection at Lombardi and Mt. Vernon as the TIS shows the LOS dropping. This meeting should also address potentially adding a video system (similar to Revolution Drive) to the signals at Middlesex and Foley, and any other outstanding coordination issues deemed necessary by either the Director of Traffic & Parking or the Director of Transportation & Infrastructure.	T&I/T&P	Prior to BP	
19	The street section and plan for Middlesex Avenue will be revised along the full property and the adjacent Urban Park frontage length to meet the street section, requirements, and details determined by the Director of Transportation & Infrastructure.	Planning/T&I/ Engineering	Prior to BP	
20	The applicant shall reset or replace curbs along the entire street frontage of the property. The Applicant shall stripe the bike lane and parking spaces along the streets (McGrath Highway and Middlesex Avenue), and if required by Traffic & Parking shall also stripe the bike lane and parking spaces on the opposite side of Middlesex Avenue.	Planning/T&I/ T&P	BP	
21	All mitigation involving traffic signal upgrades must include specific discussion and documentation of the ability of all controllers to be left in place to fulfill the functions required of them by proposed mitigation.	T&P/Engineering	Prior to BP	
22	All City of Somerville traffic control equipment and roadway elements must meet City specifications and standards unless they are otherwise approved by the City Engineer and are maintained by the Applicant under the maintenance agreement.	T&P/Engineering	Continuous	
23	Applicant shall provide street lights that meet City standards on all public streets where lights are to be maintained by the City.	Engineering/ DPW	Continuous	
24	The Applicant will be responsible for the cost of parking meters and the construction/installation of the parking meters at the on-street parking on Middlesex Avenue and McGrath Highway at the property frontage in coordination with and to the standards of the Director of Traffic & Parking and the City Engineer.	T&P/Engineering	CofO	
25	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.	Planning/ISD	CofO	
<b>Mobility Management</b>				
26	The Applicant must implement the Mobility Management Plan in the form approved by the Director of Transportation & Infrastructure.	T&I	Continuous	

#	Condition	Evaluated by:	Timeframe for compliance	Notes
27	Conditions 28-41 are established herein as identified in the Final Approval Letter of the Director of Transportation & Infrastructure for the submitted Mobility Management Plan. The Director of Transportation & Infrastructure may modify or waive these conditions if the Applicant provides satisfactory proof that the intended purpose of each condition has been achieved. The modification of these conditions by the Director of Transportation & Infrastructure shall not be permitted simply as a cost savings strategy.	T&I	Continuous	
28	The Applicant must submit a revised Mobility Management Plan to the Director of Transportation & Infrastructure prior to the submittal of Construction Documents for a Building Permit. 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.	T&I	BP	
29	The work space location or office for the on-site mobility management coordinator must be identified on updated floor plans and submitted to the Director prior to the submittal of Construction Documents for a Building Permit.	T&I	BP	
30	The property owner must have a signed contractual agreement to join or be a member of the Assembly Square Transportation Management Agency (TMA) established by Federal Realty and others. Proof of membership must be submitted to the Director prior to the issuance of the any Certificate of Occupancy for the building.	T&I	C of O	
31	The identity and contact information of the on-site mobility management coordinator must be submitted to the Director prior to the issuance of the any Certificate of Occupancy for the building.	T&I	C of O	
32	Specific marketing and educational programs (the required posted and distributed information and annual educational meeting) must be reviewed and approved by the Director prior to the issuance of any Certificate of Occupancy for the building.	T&I	C of O	
33	In any lease agreement for a tenant with fifty (50) or more employees, the property owner shall require the leasee to submit a mobility management plan in accordance with the Directors standards for approval prior occupancy of the leased space. A copy of the lease agreement language to implement this condition must be submitted to the Director for approval prior to lease execution.	T&I	Continuous	
34	The cost to purchase, rent, or lease floor space must be 'un-bundled' from the cost of parking. Parking spaces must be rented, leased, or sold as an option rather than a requirement of the rental, lease, or purchase of a dwelling unit or non-residential floor space. A copy of the lease agreement language to implement this condition must be submitted to the Director for approval prior the issuance of any Certificate of Occupancy for the building.	T&I	C of O	



#	Condition	Evaluated by:	Timeframe for compliance	Notes
35	To every extent practicable, the property owner shall work with all tenants to implement a program to advertise employment opportunities and seek qualified candidates that live within one-quarter mile of the site. Documentation of these efforts must be included in annual reporting.	T&I	Continuous	
36	In any lease agreement for non-residential uses, the property owner shall require the leasee to provide their employees with Qualified Transportation Fringe benefits per current U.S. Internal Revenue Code. A copy of the lease agreement language to implement this condition must be submitted to the Director for approval prior the issuance of any Certificate of Occupancy for the building.	T&I	C of O	
37	In any lease agreement for tenants, the property owner shall require the leasee to become a participating MassRIDES employer partner worksite that is registered for the MassRIDES Emergency Ride Home (ERH) program or to provide a similar guaranteed ride home service operated by the leasee. A copy of the lease agreement language to implement this condition must be submitted to the Director for approval prior to the issuance of any Certificate of Occupancy for the building.	T&I	C of O	
38	The property owner must purchase and install a bike-share docking station with at least fifteen (15) docks and at least nine (9) shared bicycles. The station must be installed in a location approved by the Director of Transportation & Infrastructure prior to the issuance of the Certificate of Occupancy for the residential portion of the building.	T&I	C of O	
39	The future Hotel use must provide complimentary guest shuttle services between the hotel and Logan Airport in order to reduce automobile trips between the airport and the hotel. Plans for the operation of this service must be approved by the Director prior to the issuance of the Certificate of Occupancy for the Hotel. Revisions to operations at any time require approval by Director.	T&I	C of O	
40	Monitoring and annual reporting to track, assess, and report on the implementation of Mobility Management programs and services must be carried out in accordance with the Mobility Management Plan in the form approved by the Director of Transportation & Infrastructure.	T&I	Continuous	
41	Approved Mobility Management Plans are transferable by and among private parties, contingent upon the new owner agreeing to continue to operate in accordance with the previously approved Mobility Management plan, as conditioned. Should the property owner elect to transfer some portion or all of the development subject to this Mobility Management Plan, commitment to the previously approved Mobility Management Plan is required by the new property owner.	T&I	Continuous	
<b>Construction</b>				

#	Condition	Evaluated by:	Timeframe for compliance	Notes
42	Because of the history of the site and the intended use, the Applicant shall, prior to issuance of any demolition permit and/or any building permit for the project, provide to the Planning Department and the Inspectional Services Division: a) a copy of the Response Action Outcome (RAO) Statement, signed by a Licensed Site Professional (LSP) and filed with DEP, verifying that a level of no significant risk for the proposed residential use has been achieved at the site; or b) if remediation has not reached the RAO stage, a statement signed by an LSP describing (i) the management of oil and hazardous materials/waste at the site, including release abatement measures intended to achieve a level of no significant risk for residential use at the site, treatment and storage on site, transportation off-site, and disposal at authorized facilities, (ii) a plan for protecting the health and safety of workers at the site, and (iii) a plan for monitoring air quality in the immediate neighborhood.	Planning/ISD	Demolition Permit	
43	Notification must be made, within the time period required under applicable regulations, to the Massachusetts Department of Environmental Protection (DEP) if there is any release of oil, hazardous materials, or regulated hazardous substances at the site. The City's OSE office, Fire Department and the Board of Health shall also be notified.	OSE/FP/BOH	At time of release	
44	The Applicant shall develop a demolition plan in consultation with the City of Somerville Inspectional Services Division. Full compliance with proper demolition procedures shall be required, including timely advance notification to abutters of demolition date and timing, good rodent control measures (i.e. rodent baiting), minimization of dust, noise, odor, and debris outfall, and sensitivity to existing landscaping on adjacent sites.	ISD	Demolition Permitting	
45	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.	Engineering/OSE	BP	
46	Applicant shall provide a detailed soil erosion control plan.	Engineering/ISD	BP	
47	The Applicant is responsible for the installation of all necessary private infrastructure and utility improvements (such as electrical, telephone, data, CATV, and natural gas utilities), both on and off site, needed to support the development proposed and its constituent phases, as approved and conditioned, and such lines and equipment shall be placed underground from the source or connection.	Wiring Inspector	Installation of Utilities	
48	The Applicant must contact the Engineering Department to coordinate the timeline for cutting or opening the street and/or sidewalk for utility connections or other construction. There is a moratorium on opening streets from November 1st to April 1st and there is a list of streets that have additional opening restrictions.	Engineering	BP	

#	Condition	Evaluated by:	Timeframe for compliance	Notes
49	The Applicant shall at his expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard.	Engineering	CofO	
50	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	T&P/DPW	During construction	
51	The applicant shall post the name and phone number of the general contractor at the site entrance where it is visible to people passing by.	Planning	During construction	
<b>Building Details</b>				
	The Applicant must design both buildings to have no operable windows and a 2-stage filtration for the HVAC system. The primary filter will be at the outdoor intake for the entire building located on the roofs and are required to be MERV 16 filters (intended dust spot efficiency ANSI/ASHRAE Std. 52.1 of 98% for particle sizes between 0.30-1.0 µm). The individual residences will require a minimum of MERV 13 filters in the air recovery units. The system shall be designed and installed according to the agreed performance standards at the time of construction and initial certificate of occupancy.			

#	Condition	Evaluated by:	Timeframe for compliance	Notes
52	<p>The following requirements shall also apply:</p> <ul style="list-style-type: none"> <li>The owner/operator will, during a period post-construction and pre-occupancy: <ul style="list-style-type: none"> <li>commission an indoor-outdoor test for particle count in the air to demonstrate that the system is operating within expected parameters.</li> <li>seek to reach a targeted post-construction performance level of an excess of 80% reduction of the relevant particles between indoor and outdoor pollution.</li> </ul> </li> <li>The owner/operator of the building will, annually: <ul style="list-style-type: none"> <li>have an expert inspection of ventilation system by an entity approved by the Planning Director, to make sure: fans are working, filters have been replaced, filters are properly working to the standards set in this condition, dampers are set correctly, and all other operational elements of the system are working efficiently. The result of this inspection shall be submitted to the City, and the applicant shall have 30 days after the inspection to fix any elements identified and ensure that the system is properly working.</li> <li>have a test of relevant particles inside and outside of the building. This test shall be conducted by an entity approved by the Planning Director based upon a protocol approved by the Planning Director.</li> </ul> </li> </ul> <p>The results of the inspections and annual tests shall be provided to the residents of the building.</p> <ul style="list-style-type: none"> <li>The owner/operator of the building will, at all times: <ul style="list-style-type: none"> <li>maintain current records for the ventilation system.</li> <li>respond to tenant requests to test any unit, and check the filters and ventilation system in that unit.</li> <li>maintain a system that alerts the property manager of any malfunctioning or clogged filters.</li> </ul> </li> <li>The building shall be available for future study of air quality standards.</li> </ul>	Planning/ISD	BP / continuous	
53	The Applicant will design the buildings with indoor finishes of low volatility throughout. In the residential building, no fireplaces or gas stoves will be permitted. All kitchens will be provided with exhausts in accordance with the requirements of the 2105 edition of the International Mechanical Code.	Planning/ISD	BP	
54	Any and all utility room doors/screens, trash/recycling areas, 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.	Planning	BP	
55	Signage shall be subject to separate review and approvals by Planning Staff and the Planning Board, as required and customary.	Planning	separate future SPSR-A	
56	The retail signage will be located along the first floor where the retail storefronts exist. Any building signage beyond address numbers at entry doors will need to be submitted as a separate application package with more detailed information in accordance with the Assembly Row Design Standards for Storefronts & Signage.	Planning	separate future SPSR-A	

#	Condition	Evaluated by:	Timeframe for compliance	Notes
57	Lighting shall be appropriate to the pedestrian-oriented character of the intended mixed-use transit-oriented employment district and will ensure sufficient light for safety while minimizing glare and light trespass. Detailed fixture and lumen specifications must be submitted with the Building Permit application.	Planning	BP	
58	Applicant shall submit plan drawings clearly showing all existing municipal fire alarm and related communications infrastructure to be impacted by proposed construction, including but not limited to underground conduit, above-ground alarm boxes and control cabinets. Applicant shall submit plan drawings clearly showing temporary and permanent relocation of all impacted fire alarm and communications infrastructure necessitated by private construction. Applicant shall meet with Lights and Line Division to discuss plans and address conflicts to avoid service interruption during construction and occupancy phases.	ISD/Fire	BP	
59	The Applicant shall provide detailed calculations and a key plan showing that the percentage of open space and usable open space meets the zoning requirement for the PUD-A.	Planning	Prior to BP	
60	Prior to Building Permit, a LEED narrative is required explaining the methods of achieving then LEED points listed on the checklist. The Applicant should also update the Sustainable & Resilient Buildings Questionnaire to be updated and resubmitted to coordinate with the narrative.	OSE/Planning	Prior to BP	
61	To ensure effective strategies for resiliency by preparing for weather and flooding impacts, the Applicant must meet with the Director of the Office of Sustainability & Environment to define specific appropriate expectations for responses to this condition including documentation of 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. The Applicant shall provide these responses prior to any application to ISD.	OSE/Planning	Prior to BP	
62	Buildings must be designed for flood tolerance to every extent practicable - such as emergency back-up systems for improving resiliency, utility improvement plans include hardening, and/or other hazard protection. These elements should be explained in the BP application or reasons for not considering flood tolerance must be provided.	OSE/ISD/ Engineering	BP	
63	Applicant shall provide material and color samples for all exterior cladding, trim, windows, and doors to the Design Review Committee for review and comment, and to the Planning Staff for review and approval prior to Building Permit application. Materials shall respect the unique and historic character of the Assembly Square neighborhood. Large expanses of highly mirrored glass surfaces are discouraged. Brick treatments shall be full bricks and not panels.	Planning	BP	

#	Condition	Evaluated by:	Timeframe for compliance	Notes
64	Applicant shall provide an on-site mock-up or final building material samples (including color and texture) to Planning Staff and the Design Review Committee for review prior to the issuance of a Building Permit for work beyond the core and shell of the building.	Planning	BP beyond core and shell	
<b>Affordable Housing</b>				
65	Applicant must meet the requirements for affordable housing per Article 13 of the SZO. The AHIP must be approved by the OSPCD Housing Division and executed prior to issuance of Building Permit.	Housing	BP	
66	Written certification of the creation of affordable housing units, any fractional payment required, or alternative methods of compliance, must be obtained from the OSPCD Housing Division before the issuance of a Certificate of Occupancy (C.O.). No C.O. shall be issued until the OSPCD Housing Division has confirmed that the Affordable Housing Restriction has been approved and recorded and the developer has provided the promised affordable units on-site.	Housing	CO	
67	No Certificate of Occupancy shall be issued until the OSPCD Housing Division has confirmed that: (for Condominium Projects) the Condominium Documents have been approved and the Developer has agreed to a form of Deed Rider for the Affordable Unit(s), or (for Rental Projects) the Developer has agreed to and executed a Memorandum of Understanding for Monitoring of the Affordable Unit(s).	Housing	CO	