



**CITY OF SOMERVILLE, MASSACHUSETTS**  
***MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT***  
**JOSEPH A. CURTATONE**  
**MAYOR**

GEORGE J. PROAKIS  
EXECUTIVE DIRECTOR

January 12<sup>th</sup>, 2021

Brickyard at Assembly LLC  
c/o Ed Doherty, KEMS Holding Corporation  
200 Broadway, Suite 103  
Lynnfield, MA 01940

Dear Mr. Doherty,

This letter is the Final Decision of the Director of Mobility ('the Director') for the Mobility Management Plan ('MMP') submitted by Brickyard at Assembly LLC, (the 'Applicant') for 120 Middlesex Avenue as required by §11.4 Mobility Management of the Somerville Zoning Ordinance (SZO) for a Master Planned Development (MPD). The decision is an **Approval with Conditions**. This letter details the conditions necessary for the successful implementation of your plan.

### Background & Applicability

The Applicant proposes to construct a 596,000 square foot (sf) mixed use development on approximately 1.03-acre (44,992 sf) of land in the Assembly Square Mixed Use zoning district, in the half mile transit area walkshed for the Assembly Square Orange Line Station. The development consists of a single building containing approximately 268,000 sf of office uses, 324,500 sf of R&D/lab enabled uses (including 6,000sf of ground floor makerspace), 3,500 SF of café space, 629 below-grade structured parking spaces, 165 long-term bicycle parking spaces, and a number short-term bicycle parking spaces.

Mobility Management Plans are required by the Somerville Zoning Ordinance for Master Planned Development. The purpose of a MMP for master planned development is to ensure that master developers are fully aware of the mobility management responsibilities of future property owners and tenants and that advanced notice is provided to future property owners, tenants, parking facility operators, and property management firms of the operational expectations necessary for successful plan implementation.

The proposed building will meet the fifty thousand (50,000) square feet commercial space threshold to trigger MMP requirements of the property owner. **Please note: the Applicant is required to submit a building level MMP as a part of site plan approval.**



Due to the size of the building, one or more future tenants may trigger the requirements of individual employers with more than 50 employees. **The property owner shall require qualifying future tenants to provide required mobility management programs and services through lease agreements.** Due to the size of the ground floor cafe spaces, the future tenant of this spaces is unlikely to meet the fifty (50) employee threshold to trigger individual MMP requirements – making the property owner primarily responsible for implementation of the required mobility management programs and services. Annual reporting will be necessary to verify the cumulative employee count each year and implementation of programs & services required of the property owner and/or retail/restaurant tenants should this threshold be exceeded.

## Plan Commitments

### Programs and Services Required by SZO

The Applicant has made the following commitments in relation to the mode share commitment requirements for all mobility management plans:

- To making reasonable efforts to control the percentage of trips made by automobile at fifty percent (50%) or less and to implement additional mobility management programs and services if annual monitoring and reporting identifies a shortfall in meeting this goal.

The Applicant has made the following commitments in relation to the programs and services *required for buildings with fifty thousand (50,000) square feet or more of commercial space and for multi-tenant buildings where the tenants, in combination, have fifty (50) or more employees:*

- To provide an on-site transportation coordinator and to identify the work space location or office and contact information for the on-site transportation coordinator prior to occupancy of the building.
- To post and distribute mobility management information, including information pertaining to pedestrian, cycling and transit access to the Project Site.
- To host an annual mobility management education meeting for tenants and their employees.
- To un-bundle the rental or lease of parking spaces from the rental or lease of floor space.
- To provide preferential carpool and vanpool parking, with spaces located nearest to building entrances within the parking garage as a convenience to commuters and to promote ride-sharing.

The Applicant has committed to require in all commercial lease agreements for all future tenants:

- To provide their employees with Qualified Transportation Fringe benefits per current U.S. Internal Revenue Code.
- To provide their employees with a guaranteed ride home service.

The Applicant has committed to require in all commercial lease agreements for all future tenants with 50 or more employees:

- To submit their own Mobility Management Plan and provide for their employees all programs and services required by the Somerville Zoning Ordinance of employers with 50 or more employees.
- To provide an on-site transportation coordinator and to identify the work space location or office and contact information for the on-site transportation coordinator prior to occupancy of the building.

- To post and distribute mobility management information, including information pertaining to pedestrian, cycling and transit access to the Project Site.
- To host an annual mobility management education meeting for tenants and their employees.
- To provide preferential carpool and vanpool parking, with spaces located nearest to building entrances within the parking garage as a convenience to commuters and to promote ride-sharing.

The Applicant has made the following commitments in relation to the programs and services required for property owners of commercial parking facilities:

- To offer preferential carpool and vanpool parking within the parking garage and spaces near office building entrances within the parking garage as a convenience to commuters and to promote ride-sharing.
- To post mobility management information, including information pertaining to pedestrian, cycling and transit access to the Project Site.

### Additional Commitments

In addition to the above, the Applicant has committed to the following additional programs & services:

- To be provided by the Property Owner:
  - Becoming an active member of the Assembly Connect TMA
- To be provided by all tenants with 50 employees or more:
  - Provide an employee ride matching service.
  - Sponsored vanpools and subsidized expenses;
  - Make efforts to seek qualified candidates located within one-quarter mile (i.e., walking distance) of the Project Site;
  - Provide telecommuting and flexible work hour options for employees in appropriate
  - Hold promotional events for transit-riders, cyclists, and pedestrians
- To be provided by the Property Management Firm:
  - Charge market rate for parking spaces through tenant lease agreements;
  - Implement short-term parking lease agreements;
  - Offer short-term parking lease options to employees;
  - Provide preferential carpool/vanpool parking spaces;
  - Consideration of implementation of demand-responsive parking pricing;
  - Consideration of implementation shared parking
  - Consideration of providing preferred parking for low-emitting fuel-efficient vehicles and/or electric vehicle charging stations

### Approval Conditions

- **CONDITION #1:** Posted and distributed mobility management information must be reviewed and approved by the Director of Mobility prior to the issuance of any Certificate of Occupancy for the building.
- **CONDITION #2:** Provision of on-site real time transit information is required, consisting of connected TransitScreen displays (or equivalent service), in (1) the building lobby and (2) either the café space or facing the public sidewalk.
- **CONDITION #3:** At least 5% of vehicle parking spaces (32 spaces) must be signed, designated, and reserved for carpools and/or vanpools and be located in preferential locations close to building entrances. Additional spaces will be provided if demand warrants.

- **CONDITION #4:** At least 6 parking spaces must be signed, designated, reserved, and made available for car share vehicles at no cost to a care share service provider. Spaces may be brought online at the discretion of the car share service provider. Notification of available spaces to car share service providers must be documented prior to the issuance of any Certificate of Occupancy and in annual reporting.
- **CONDITION #5:** In addition to the initial mode share commitment of 50% or less trips made by automobile, the Applicant will make reasonable efforts to control the percentage of trips made by vehicles at 37.5% or less by 2030 and at 25% or less by 2040 in order to meet the city's SomerVision 2040 goals. The Applicant will implement additional mobility management programs and services if annual monitoring and reporting identifies a shortfall in meeting this goal.
- **CONDITION #6:** The Applicant will fund the purchase of, and identify an on-site location for, a city owned 19-dock Bluebikes bike share station to be located on the Applicant's property or a city approved location in the public ROW on the sidewalk. Location must be identified on building plans prior to the issuance of building permits. Station must be installed prior to issuance of any Certificate of Occupancy.
- **CONDITION #7:** In any lease agreement with future tenant(s) of any number of employees, the Applicant shall require tenant(s) to enroll in the Bluebikes Bike Share Corporate Partner Program and subsidize annual Bluebikes memberships at the Silver subsidy level or higher (50% subsidy), subject to rate increases. Standard lease agreement language for subsidized Bluebikes annual passes must be approved by the Director prior to the issuance of any Certificate of Occupancy. To verify ongoing conformance, the property owner or property manager must provide either a copy of executed lease agreements or an affidavit signed by the property owner and tenant(s) verifying that this language was included and agreed to in the lease or other agreement.
- **CONDITION #8:** In any lease agreement with future tenant(s) of any number of employees, the Applicant shall require tenant(s) to subsidize MBTA transit passes by 90% of the pass cost, up to the federal maximum Qualified Transportation Fringe benefits per current U.S. Internal Revenue Code (\$270 per month in 2020), subject to annual increases. Standard lease agreement language for subsidized MBTA transit passes must be approved by the Director prior to the issuance of any Certificate of Occupancy. To verify ongoing conformance, the property owner or property manager must provide either a copy of executed lease agreements or an affidavit signed by the property owner and tenant(s) verifying that this language was included and agreed to in the lease or other agreement.
- **CONDITION #9:** In any lease agreement with future tenants of any number of employees, the Applicant shall require the tenant to unbundle, and charge the market rate for, on-site parking spaces by passing on to their employees the full market rate cost charged by the property owner or their designated property manager. Standard lease agreement language for unbundled and market rate parking must be approved by the Director prior to the issuance of any Certificate of Occupancy. To verify ongoing conformance, the property owner must provide either a copy of executed lease agreements or an affidavit signed by the property owner and tenant(s) verifying that this language was included and agreed to in the lease or other agreement.
- **CONDITION #10:** The Applicant will operate the parking garage as a Commercial Parking Facility and will offer, at minimum, hourly, daily (weekday and weekend), overnight, and monthly parking rental options at market rates to tenant employees and the general public

24 hours per day, 7 days per week, 365 days per year. Tenant employees must be made aware of these options through the distribution of mobility management information. Parking spaces held unoccupied when not in use or otherwise made unavailable to daily users due to being rented in bulk or through long term agreements with tenants will be considered reserved parking spaces even if they are not assigned to a specific person and are subject to a 200% market rate price premium. Applicant will submit details on all parking rates offered in the commercial parking facility with annual Mobility Management reporting.

## Monitoring and Reporting

The property owner has committed to Annual Reporting to track, assess, and report on the implementation of the Mobility Management, including:

- An annual statistically valid travel survey of employees.
- Annual reporting of parking utilization and operations for the parking facility
- Biennial (every other year) counts of automobile trips entering & exiting the parking facilities.
- Status update of Mobility Management program & service implementation.

All monitoring must be conducted at the same time each year, as determined by the Certificate of Occupancy for each building. If the Certificate of Occupancy for a building is issued between September 1 and February 29, the monitoring shall take place during the months of September or October and be reported to the Mobility Division no later than November 30. If the Certificate of Occupancy for a building is issued between March 1 and August 31, monitoring shall take place during the months of April or May and be reported to the Mobility Division no later than June 30. This will ensure that the monitoring captures a realistic assessment of the performance of the project, while giving time to compile the results and report them to the City.

It is important to note that while approved Mobility Management Plans are transferable by and among private parties, this transfer is 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.

I look forward to working with you in the future as you implement this plan. If you have any questions, please feel free to contact me at (617) 625-6600 or [brawson@somervillema.gov](mailto:brawson@somervillema.gov).

Sincerely,



Brad Rawson  
Director of Mobility  
Mayor's Office of Strategic Planning & Community Development  
City of Somerville, Massachusetts

I certify that I have read and agree to implement the Mobility Management Plan in the form approved by the Director of Mobility. I understand that failure to implement the approved plan may result in enforcement actions taken by the City of Somerville.

Agreed and accepted,

*edward doherty*

Ed Doherty, KEMS Holding Corporation, on behalf of Brickyard at Assembly LLC