



City of Somerville

# PLANNING BOARD

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

**TO:** Planning Board  
**FROM:** Planning & Zoning Staff  
**DATE:** 1 April 2021  
**RE:** 120-132 Middlesex Ave, MPSP#2020-0003

**RECOMMENDATION:** Approve with Conditions (MPSP)  
Approve with Conditions (SP)

Staff memos are used to communicate background information, analysis, responses to public comments, review of statutory requirements and other information from the Planning & Zoning staff to the Review Board members.

This specific memo summarizes the application for development review submitted for 120-132 Middlesex Avenue, identifies any additional discretionary or administrative development review that is required by the Somerville Zoning Ordinance, and provides related analysis or feedback as necessary. The application was deemed complete on 13 January 2021. It is scheduled for a public hearing on 1 April 2021. Any Staff recommended findings, conditions, and decisions in this memo are based on the information available to date prior to any public comment at the scheduled public hearing.

## LEGAL NOTICE

Brickyard at Assembly LLC proposes a master plan to develop a 1.3 acre site in the Assembly Square Mixed-Use (ASMD) special district. The master plan includes an 18-story laboratory principal building with underground structured parking and was previously granted a Variance from the ASMD's civic space requirement. The Applicant also requests multiple Special Permits to waive the maximum Floor Area Ratio (FAR), the maximum permitted building height, and to authorize occupancy of commercial spaces over 10,000 square feet by any permitted use.

## SUMMARY OF PROPOSAL

Brickyard at Assembly LLC is proposing a master plan for a 1.03 acre development site at the corner of Middlesex Avenue and Cummings Street in the Assembly Square Mixed Use District. The proposal provides for the construction of a new LEED Platinum Certifiable Lab Building totaling 596,000 square feet. Broken down, the building will provide:

- Approximately 324,500 square feet of space for Research and Development and Laboratory uses
- Approximately 268,000 square feet of space for General Office uses

- Approximately 3,500 square feet of space for Bakery/Café/Coffee Shop uses and a 6,000 square foot ground floor lab use for an Arts & Creative Enterprise use in the form of a “makerspace”
- Below-grade structured parking for up to 629 motor vehicle parking spaces

The Applicant has received approval from the Zoning Board of Appeals for a variance from the requirement to provide onsite civic space per SZO 7.5.b.i.

### **ADDITIONAL REVIEW NECESSARY**

120-132 Middlesex Avenue is located in the Assembly Square Mixed Use zoning district in the Assembly Square neighborhood represented by Ward 1 Councilor Matt McLaughlin. The proposed master plan requires a Master Plan Special Permit, and the applicant is seeking the following concurrent special permits:

1. A waiver from the maximum building height set by Table 7.4.6 of the SZO, to allow a building of 18 stories, and up to 257 feet.
2. A waiver from the maximum Floor Area Ratio (FAR) set by Table 7.4.6 of the SZO, to allow a building exceeding 10.0 FAR.
3. A special permit to authorize occupancy of commercial spaces over 10,000 square feet by any permitted use.

If this Master Plan Special Permit is approved, the proposed building will require subsequent development review and a separate appearance before the Planning Board.

### **NEIGHBORHOOD MEETINGS**

A neighborhood meeting was hosted by Ward Councilor Matt McLaughlin and the development team and held on 23 September 2020 via the Zoom meeting platform.

### **ANALYSIS**

The proposed master plan is offered to provide for a high-rise commercial building to mix Research and Development and Laboratory and General Office uses on a full block footprint at the corner of Cummings Avenue and Middlesex Avenue. The site is within the half mile walkshed from the Assembly Square Orange Line MBTA station, and a short walk from a range of other amenities in the Assembly Square District, including retail locations, restaurants, existing and proposed residential space, and other employment opportunities related to further development of the Planned Unit Developments at Assembly Row and XMBLY.

The project will provide a further strengthening of the network of life science uses emerging in the Assembly Square Mixed Use district, and will support the further development of Assembly Square as a vibrant, lively, fully serviced neighborhood. Due to the close proximity of the site to the Interstate 93 Highway, the Applicant sought a

variance from the requirement to provide twenty-five percent (25%) of the development site as open space, and will make a payment in lieu of providing this space on site in order to fund the purchase of civic space at a location more distant from the highway and the environmental and air quality challenges it presents.

The proposal will provide large floor plates suitable for office and laboratory uses above the ground floor, while offering smaller scaled spaces with active uses at the street level, including a 3,500 square foot coffee shop at the corner of Cummings Street and Middlesex Avenue, and a 6,000 square foot 'makerspace' along the Middlesex Avenue façade. The ground level is pulled back an additional five (5) feet from the existing five (5) foot front setback in order to provide for a widened sidewalk and an outdoor seating zone with new hardscape surface materials and street trees to enliven the pedestrian experience along Middlesex Avenue. As part of their Mobility Management efforts, the Applicant will augment these pedestrian amenities with bike parking and bikeshare stations, further supporting the evolution of the Middlesex Avenue streetscape.

As proposed, the total FAR for this project is 14.0, which exceeds the maximum 10.0 permitted. However, the location of the development site, situated within the Assembly Square Mixed Use District identified by SomerVision as a Transform Area and adjacent to the elevated highway, makes this an appropriate site for additional density. As proposed, the building will provide for uses typically enclosed within a climate-controlled envelope, and the building itself will help dissipate particulate matter produced by motor vehicle traffic along Interstate 93 and prevent it from reaching the areas of Assembly Square dedicated to more permeable residential buildings and outdoor recreation areas. The proposal incorporates techniques to optimize building performance and indoor environmental quality, enabling greater density without substantial increases in energy use over the density currently permitted for the site.

The building envelope detailed for this development site is proposed to reach nineteen (19) stories and up to two hundred seventy five (275) feet in height, exceeding the maximum building height of one hundred twenty-five (125) feet. As noted above, though the proposal exceeds the specific values permitted in the Assembly Square Mixed Use District zoning, the additional height meets the intent of the goals set by SomerVision to encourage higher density development in the city's Transform Areas. This building is located at the edge of the Square furthest from the riverbank, where taller buildings are most intrusive and least desirable, and sits directly adjacent to the elevated Interstate, where the increased height will have the least adverse impact on other parcels or the recreation spaces along the Mystic River.

## **CONSIDERATIONS & FINDINGS**

The Planning Board is required by the Somerville Zoning Ordinance to deliberate each of the following considerations at the public hearing. The Board must discuss and draw conclusions for each consideration, but may make additional findings beyond this minimum statutory requirement.

### **Master Plan Special Permit Considerations**

1. The comprehensive plan and existing policy plans and standards established by the City.
  - a. Consistency with the Assembly Square Neighborhood Plan
2. The intent of the zoning district where the property is located.
3. The proposed alignment and connectivity of the thoroughfare network.
4. The gross floor area allocated to different use categories.
5. Mitigation proposed to alleviate any adverse impacts on utility infrastructure.
6. Proposed development phasing.
7. Proposed on-street parking to address demand by customers of Retail Sales, Food & Beverage, or Commercial Services principal uses.

### **Special Permit Considerations**

1. The comprehensive plan and existing policy plans and standards established by the City.
  - a. Consistency with the Assembly Square Neighborhood Plan.
2. The intent of the zoning district where the property is located.
3. *(Commercial Space Occupancy) Compatibility with the intensity of activity associated with the surrounding land uses.*
4. *(Commercial Space Occupancy) Capacity of the local thoroughfare network providing access to the site and the impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.*

Information relative to the required considerations is provided below:

### **Master Plan Special Permit and Dimensional Standard Special Permits**

1. *The comprehensive plan and existing policy plans and standards established by the City.*

The proposal will contribute significantly to the achievement of the following key goals set in SomerVision 2030, the comprehensive Master Plan for the City of Somerville.

- Promote municipal financial self-determination and reduce fiscal dependence on state aid and residential taxes and fees.
- Make Somerville a regional employment center with a mix of diverse and high-quality jobs.
- Transform key opportunity areas, such as Assembly Square, Inner Belt, Brickbottom, Boynton Yards and the southeastern portion of Union Square into dynamic, mixed-use and transit-oriented districts that serve as economic engines to compliment the neighborhoods of Somerville.
- Design and maintain a healthy and attractive public realm (e.g., streets, sidewalks, and other public spaces) that fosters community connection.
- Use technology and infrastructure improvements to balance the needs of pedestrians, bicyclists, private vehicles, and mass transit, reduce congestion and

pollution, decrease road space dedicated to automobiles, and unlock economic development potential, while having a fiscally sound road maintenance program.

*2. Consistency with the Assembly Square Neighborhood Plan.*

Beginning with the comprehensive planning study for the Assembly Square Neighborhood Plan in 2000, the goal of Planning & Zoning efforts in Assembly Square have worked in close concert with residents and stakeholder groups to focus on the shared goal of guiding the District on a transformational path from the undeveloped area noted as the “Mystic Flats” into the City’s newest and most diverse neighborhood.

For the last decade or more, those efforts have been centered on the key goal of increasing commercial development in the District, particularly in the encouragement of office and research and development uses. This focus supports Somerville’s emergence as a regional jobs center in the life sciences, and provides employment opportunities at a range of levels for workers from Somerville as well as from the surrounding communities.

From an urban design standpoint, neighborhood planning efforts in the Square have set the goal of redressing prior low-density, automobile-focused use patterns by moving commercial development above the ground floor and providing structured parking in order to maximize the use of the ground plane for active uses and engaging spaces at the street level.

Both the broad goals and specific criteria of over a decade of planning attention in the Square are well supported by this proposal.

*3. The intent of the zoning district where the property is located.*

The proposal is consistent with the intent of the District to develop underutilized land characterized by low-rise and low-density into high quality, high-density commercial development that will support the transformation of Assembly Square into a regional commerce and employment center. The development will also serve the intent of the Assembly Square Mixed Use District by providing for commercial development that will contribute to the improvement of utility infrastructure, support the creation of a vibrant, walkable, pedestrian experience, and further enhance multi-modal transportation through the Square.

**Master Plan Special Permit Specific Considerations**

*4. The proposed alignment and connectivity of the thoroughfare network.*

The proposal will provide for a single block commercial building, bounded on two sides by existing thoroughfares which will be improved as part of the building’s Site Plan Approval. To mitigate the impact of the proposal on the existing thoroughfare network, the project will provide for bicycle infrastructure on Middlesex Avenue to engage with

work being completed by the City and projects being proposed on adjacent parcels, and the intersection of Middlesex Avenue and Cummings Street will be improved with smaller curb radii and a crosswalk. Additional crosswalks will be provided along Cummings Street to facilitate safe pedestrian connections through the district. Parking and loading for the proposal have been moved to an alley at the rear of the building to mitigate congestion on Middlesex Avenue.

*5. The gross floor area allocated to different use categories.*

The proposal provides for approximately fifty four percent (54%) of the building's gross floor area dedicated to Research and Development and Laboratory uses, and approximately forty five percent (45%) to General Office uses, all situated at the first floor level and above. The remaining gross floor area for the building is dedicated to active uses at the ground floor level intended to provide an engaging street experience for pedestrians on Middlesex Avenue and Cummings Street.

*6. Mitigation proposed to alleviate any adverse impacts on utility infrastructure.*

The proposal will provide for a LEED Platinum certifiable Commercial Building which will contribute to meeting the sustainability and energy goals for new development.

*7. Proposed development phasing.*

The proposal provides for a single building expected to begin the permitting process for Site Plan Approval immediately upon approval of the Master Plan Special Permit and associated Special Permits.

*8. Proposed on-street parking to address demand by customers of Retail Sales, Food & Beverage, or Commercial Services principal uses.*

The proposal will not provide for additional on-street parking, however the ground floor Bakery/Café/Coffee Shop uses called for in the proposal are expected to serve the needs of building tenants at first, with the expectation that further development along the Middlesex Avenue corridor can help to build demand for food and beverage service without significant increase in motor vehicle traffic. It is far more likely that a food and beverage use of the scale proposed will provide breakfast and lunchtime options for building workers, and potentially future local residents, rather than serve as a destination food service location.

**Special Permit Considerations Specific to Commercial Space Occupancy**

*9. Compatibility with the intensity of activity associated with the surrounding land uses.*

With its proximity to similar uses proposed for adjacent sites at 5 Middlesex Avenue and 74 Middlesex Avenue, this proposal is fully compatible with the emergence of Assembly Square as a regional cluster for life-science and research activity. The proposal is in

keeping with the scale of similar developments located at the edge of the Square closest to Interstate 93, and provides for commercial space in use categories that have been growing in demand through the most recent downturn.

*10. Capacity of the local thoroughfare network providing access to the site and the impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.*

The proposed development sits at the edge of Assembly Square, adjacent to and with easy access from Mystic Avenue and McGrath Highway, providing access to the site without substantially impacting motor vehicle traffic and circulation patterns within the neighborhood. The development site sits within the half-mile walkshed from the Assembly Square Orange Line MBTA station, and subsequent development of Middlesex Avenue envisions streetscape upgrades that will result in improvements to pedestrian and bicycle access to the site.

In addition to the site's physical features, the Applicant has committed fully to the Mobility Division's standards and expectations for programs and services to control the percentage of trips made to the site by motor vehicles, as well as to a program of monitoring and reporting intended to track, assess, and report on the implementation of required programs. These standards and requirements will be updated to provide further documentation as part of the subsequent Building Site Plan Approval process.

## **PERMIT CONDITIONS**

Should the Board approve the required *Master Plan Special Permit*, Planning & Zoning Staff recommends the following conditions:

### Public Record

- Physical copies of all development review submittal materials, as permitted by the Planning Board, must be submitted to the Planning & Zoning Division for the public record.
- A copy of the recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted to the Planning & Zoning Division for the public record.

### Development Permitting

- Applying for subsequent development review for the proposed building type identified in the submitted Master Plan constitutes substantial use of this MPSP for the purpose of securing subsequent development entitlement.

### Sustainability

- As part of a subsequent Site Plan Approval application for the proposed building, the Applicant shall provide updated information to demonstrate LEED Platinum certifiability, detailing efforts to utilize building systems technology, to every

extent practicable, to reduce the building's energy use intensity and support a potential future transition to net zero capability.

- As part of a subsequent Site Plan Approval application for the proposed building, the Applicant shall provide updated information detailing potential flood risk on the site (due to both sea level rise and as a result of precipitation) and documenting how the potential for flooding will be managed within the underground parking structure, including how electric vehicle charging equipment and other electrical infrastructure will be protected from damage.

#### Thoroughfares

- The design of all proposed new thoroughfares and improvements to existing thoroughfares must include measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspire stormwater and reduce flows to sewer systems or to surface waters to every extent practicable.

#### Mobility Management

- The property owner and applicable future tenants shall comply with the Mobility Management Plan as approved and conditioned by the Director of Mobility on 13 January 2021.

#### Transportation Mitigation

- To mitigate transportation impacts, the entire site frontage along Middlesex Avenue must be improved with a southbound curb separated protected bikeway or substantial equivalent. The final design must be approved by relevant City departments.
- To mitigate transportation impacts, the intersection of Middlesex Avenue and Cummings Street must be improved with pedestrian and bicycle safety improvements that square off the intersection, reduce crossing distance, and slow turning vehicles. The final intersection design must be approved by relevant City departments.

Should the Board approve the required *Special Permit for Dimensional Standard Waivers*, Planning & Zoning Staff recommends no additional conditions at this time.

Should the Board approve the required *Special Permit for Commercial Space Occupancy*, Planning & Zoning Staff recommends the following condition:

#### Uses

- This special permit is not applicable to ground story commercial spaces.