



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

MICHAEL F. GLAVIN  
EXECUTIVE DIRECTOR

PLANNING DIVISION

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**Case #: PB 2014-24**  
**Site: ASQ Block 6 (479 Canal Street)**  
**Date of Decision: October 2, 2014**  
**Decision: Petition Approved with Conditions**  
**Date Filed with City Clerk: October 15, 2014**

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**PLANNING BOARD DECISION**

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<b>Applicant Name:</b>	SRI Assembly Row B6, LLC
<b>Applicant Address:</b>	1626 East Jefferson Street, Rockville, MD 20852
<b>Property Owner Name:</b>	SRI Assembly Row B6, LLC
<b>Property Owner Address:</b>	1626 East Jefferson Street, Rockville, MD 20852
<b>Agent Name:</b>	Robert A. Fishman
<b>Agent Address:</b>	155 Seaport Boulevard, Boston, MA

Legal Notice: Applicant and Owner, SRI Assembly Row B6, LLC, a Delaware limited liability company, seek a Special Permit with Site Plan Review–A, final level approval of “Block 6” (identified as MBL 85-A-13 & 85-A-15) of the Planned Unit Development Preliminary Master Plan (PUD-PMP) approved by the Planning Board on December 14, 2006 and as revised on August 5, 2010 and June 19, 2014. Applicant and owner seek approval under SZO Article §16.8.3 and §5.2, to construct a mixed-use 640,800 net sf building with approx. 40,000 sf retail/restaurant space, 447 residential units and approx. 671 parking spaces. The uses include those approved in the PUD-PMP. The residential development is subject to inclusionary housing requirements under §13.2. The Applicant and Owner also seek a special permit for signage under §5.1 and §6.4.14 to install signs that are over 35 feet from finished grade. Waivers are sought (S.Z.O. §6.4.12 & 16.5.5) for fewer loading spaces than required under §9.16.3 and §9.7, alteration to bike parking dimensions under §6.4.7 & 9.15.2, and to waive the



Planning Board's right of first refusal or option to purchase the inclusionary units under §13.3.5.

<u>Zoning District/Ward:</u>	Assembly Square Mixed Use District (ASMD); Planned Unit Development Overlay District - A (PUD-A) / Ward 1.
<u>Zoning Approval Sought:</u>	(see legal notice)
<u>Date of Application:</u>	
<u>Date(s) of Public Hearing:</u>	9/18 & 10/2/14
<u>Date of Decision:</u>	October 2, 2014
<u>Vote:</u>	5-0

Appeal #PB 2014-29 was opened before the Planning Board at Somerville City Hall on September 18, 2014. 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 hearing of deliberation, the Planning Board took a vote.

### **DESCRIPTION:**

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

The plan for Block 6 includes a 640,800 net square foot mixed use building with 447 residential units and 40,000 square feet of retail and restaurant space. There will be a 253,000 gross square foot parking garage at the back of the site with 671 parking spaces – 447 for residential and 224 for the retail and restaurant uses. The proposal also includes signage locations; however, the review of some of the proposed signage will be reviewed at a later date and will not be part of this approval.

Compliance with dimensional standards is shown in the table below.

<b>DIMENSIONAL REQUIREMENTS</b>	<b>PUD-A</b>	<b>Approved PUD</b>	<b>Proposed Project *</b>
Minimum lot size	20,000 sf	66.5 acres	116,935 sf (2.68 acres)
Frontage	-	-	~313 ft
Front yard setback	No minimum	-	8.0 ft
Side yard setback (left)	No minimum	-	3.8 ft
Side yard setback (right)	No minimum	-	14.5 ft
Rear yard setback	No minimum	-	<1 ft
Maximum Floor area ratio (FAR)	10.0	2.0	5.48 with parking 3.81 without parking
Maximum height, feet/stories	70 feet up to 250 feet	Varying up to 250 feet	237 ft 8 in / 20 story tower
Minimum lot area/per dwelling unit	No minimum	Approx 1379	261.6
Total open space (% & sf)	25%	27.8% / 743,568 sf	9.1 % / 10,534 sq
Useable open space (% & sf)	12.5%	21.2% / 565,983 sf	6.4 % / 7,495 sf

\* The dimensional requirements do not need to be met for each individual SPSR as they contribute to the approved PUD that does comply with the dimensional requirements.



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

The project area is rectangular in shape except for the rear property line which follows the MBTA tracks. The main entrance to the residential building has been assigned 479 Canal Street. When the retail space is subdivided addresses for each occupant will be established. The entrance to the parking garage is located at the end of Canal Street and the parking structure is situated along the MBTA tracks. Canal Street was originally intended to be a residential street that terminated by Block 6. The uses in Blocks 4 and 6 fronting Canal Street have changed since the original plan. Block 4 has a gym on the ground floor and the parking garage is the terminating use instead of being all residential uses as was originally planned. Some of the original intent remains because the main residential lobby for Block 6 and the secondary residential lobby for Block are located on Canal Street.

Pedestrian access will be around the site on the sidewalks. There are entrances to the apartments on Foley Street and Canal Street. The retail entrances will be directly off of the sidewalks. There will not be a pedestrian connection from Canal Street to Great River Road. The space between the buildings on Block 4 and 6 is small but necessary because of the garage open air percentage requirements. The residual spaces is not ideal for pedestrians to use as a cut-through to Great River Road and therefore it will be blocked off. This space between the Block 4 and 6 parking garages may be used as a dog park. If that is the case, the transformers and switching gear shown on the plans will be moved inside of the garage.

There are two vehicular access points to the garage. One is at the end of Canal Street and the other is on Great River Road.

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

The building space and placement matches the recently revised and approved design guideline for Block 6. There is a five story podium building with a courtyard in the middle and a 20-story tower along the northern/northeast side of the property. The parking garage is situated along the northeast side of the site. The parking structure is wrapped with residential units in the interior courtyard.

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

The use of the building is proposed to be residential, restaurants and retail. A list of specific uses from the Somerville Zoning Ordinance use table was approved as part of the PUD-PMP and the building could contain a mix of those approved uses. There will be common space for the residents in a maker space and lounge on the second floor and in an amenity space and terrace on the twentieth floor. The number of retail or restaurant tenants on the ground floor of the building is not yet known. The estimated number of jobs that will be created is 135. Appendix F provides information on the square footage of each use that was permitted through the Master Plan approval and how many square feet of each use has been constructed to date.

### ***E. Linkage***

The City, the Somerville Redevelopment Authority, IKEA, and Federal Realty Investment Trust have entered into a development covenant from 2006 that establishes that linkage will be paid after the first 300,000 square feet of space is constructed in the PUD PMP, excluding the existing Mall. This threshold has been reached as outlined in Appendix F and linkage will be required for the square footage of this building as in outlined in the attached conditions.

### ***F. Inclusionary Housing***

Fifty-six residential units will be affordable units as specified in the SZO and the Affordable Housing Implementation Plan (AHIP) that the Applicant will enter with the City. The Applicants are seeking a waiver from the right of first refusal requirement that grants the SPGA or its designee the right of first refusal or option to purchase the affordable units under Section 13.3.5 of the Zoning Ordinance. The waiver would only apply when the units are rented. At such time as all or any portion of the residential units are converted to a secondary residential condominium or cooperative form of ownership and any of the affordable units are marketed for individual sale, this waiver shall automatically, without the necessity of any further action on the part of the SPGA, become null and



void. The attached waiver includes the details of the agreement and if approved by the Board, the right of first refusal would be waived as long as the units are rented.

**G. Landscaping and Open Space**

Block 6 will be built out as an urban block and will not contain landscaping beyond the green roof that will be located on the second floor in the interior courtyard. Landscaping across the Assembly Row site is concentrated in publically accessible well programmed spaces.

The usable open space on the site is around the building adding to the width of the sidewalks. Larger areas of usable open space will be on other parcels where they are consolidated to make larger spaces that will connect the Assembly Row development to the waterfront. The private courtyard and terrace area are not counted in the usable open space calculation, although they will function as usable open space for the tenants of the building. The overall calculation of useable open space in the PUD is 21.2%. Under §16.6.1 of the SZO, the usable open space must be permanent, made accessible to the public at a minimum from 9:00 am to 5:00 pm, and protected through a covenant or other appropriate legal instrument.

**H. Parking, Loading and On-site Circulation**

The minimum and maximum parking requirements are outlined in the table below. Assuming a use mix of 28,000 square feet of retail, 12,000 square feet of restaurant space, and 447 residential units, the minimum requirement is 499 and maximum is 775. The number of spaces that will be provided, 671, is within this range. The parking will provide parking for the retail and residential on the block as well as shared parking with uses on surrounding blocks.

<b>PARKING REQUIREMENTS</b>	<b>Square Feet</b>	<b>Minimum Requirement</b>	<b>Minimum # Spaces</b>	<b>Maximum Requirement</b>	<b>Maximum # Spaces*</b>
Retail	28000	1/1000sf	28	1/500sf	56
Restaurant	12000	1/500sf	24	1/250sf	48
Residential	447 units	1/unit	447	1.5/unit	670.5
<b>Total</b>			<b>499</b>		<b>774.5</b>

\* The parking requirements do not need to be met for each individual SPSR as they contribute to the approved PUD that does comply with the parking requirements.

The bicycle parking requirement is 20 spaces plus 1 for every 20 parking spaces above 200 for the commercial uses and a ratio of one bicycle parking space for every three additional residential units above seven. The commercial spaces, 224, require 21 bike parking spaces and the residential requires 147 spaces for a total of 168. The spaces shall be in the building and on the sidewalk. The proposal includes 155 bike parking spaces in the building and 13 will need to be on the sidewalk.

Based on the Applicant’s assumptions of the number and size of the retail and restaurant tenants anticipated 4 loading docks parking spaces are required. The requirements are: 2 for between 20,001 and 35,000 square feet of retail and 2 for between 6,001 - 16,000 square feet of restaurant. The users of the buildings will be able to share loading docks including the residential tenants when moving into or out of the building. A waiver is being requested to provide 3 docks. Loading will occur mid block at the ground floor of the building. Trucks will enter via Foley Street and exit onto Canal Street. Trucks are able to ingress and egress the site in the forward direction. The median on Canal Street was designed to accommodate maneuvering spaces for the truck and landscaping.

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

The design guidelines that lay out the form and key elements of the Blocks of the Preliminary Master Plan (PMP) that were adopted as part of the revised PMP approval. The guidelines for Block 6 were approved as part of the Preliminary Master Plan approval on June 19, 2014 and the proposed design complies with them. The uses are retail on the first floor with five residential floors above and one residential tower. There will be a residential courtyard mid-block. The residential entrance will be on the north side of the building and there will be a secondary



residential entrance on the south side. The parking garage footprint is along the eastern side of the site along the railroad tracks. Primary elevations will be along the first floor retail and extend up at the corners of the building. Primary elevations and an iconic building element at the corner of Assembly Row and Foley Street will provide for an interesting walk from the Assembly Square Orange Line station to Assembly Row. The corner of the building at Assembly Row and Foley Street has been designed to be a significant building corner as was in the revised design guideline. The corner will be chamfered and there will be balconies to engage the street. The corner of the building at Assembly Row and Canal Street has a glass canopy to achieve the secondary corner designation. Finally the corner of the building at Foley Street and Great River Road will be clad in brick and have a colorful window pattern, making for an interesting primary façade that is highly visible from the northern MBTA headhouse.

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

The retail signage will be located along the first floor where the retail storefronts exist. Staff will review and approve retail signage based on the Assembly Row Storefront and Signage Design Standards. Plans that are inconsistent with the Standards will require review from the Design Review Committee and approval from the Planning Board. The signage size and location proposed outside of the retail area is shown on the signage plans. The parking entrance signs and garage screening signs will be reviewed as part of this review. The three roof signs and flat mounted signs at the top of the residential tower will not be included in the review and approval of this application. The materials and technology of the signs are not yet defined and with their proposed prominence, it would be difficult to evaluate the impacts of them. A future special permit application will be required when the details of the signs are determined.

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

The Applicant is requesting waivers from the requirements of the Zoning Ordinance under §5.1 and §6.4.14 to install signs that are over 35 feet from finished grade, under §9.16.3 and §9.7 for fewer loading spaces than required, alteration to bike parking dimensions under §6.4.7 & 9.15.2, and to waive the Planning Board's right of first refusal or option to purchase the inclusionary units under §13.3.5.

- The loading space requirement is dependent on the breakdown of retail versus restaurant space in the mixed use building. Since the breakdown has not yet been determined, the Applicant calculated that the maximum number of loading docks required is 4 and 3 will be provided. The rationale for providing less than the maximum number of loading spaces is that allocating less ground floor space to loading results in more square footage for retail and restaurant uses that enliven the district. Moreover, three loading spaces will be sufficient for the proposed uses. Several of the tenants will likely use vans for deliveries and two vans can fit in a loading area designated for a larger truck. The site will be managed to minimize conflicts.
- The bicycle parking dimension that is altered is from the statement that bicycle racks designed to hold a bicycle by its front wheel alone shall not be considered to meet the bicycle parking requirements of this Ordinance. The proposal includes a mix of racks that hold both wheels on the ground and one wheel for a hanging bike rack.
- The Applicants are seeking a special permit in order to waive the signage requirements related to the 35-foot height limit from finished grade. The type of signage that would be above the 35-foot height limit would be limited to garage entrance signs and the screening on the parking garage as part of this approval. Banner signs and a flat mounted sign will emphasize the parking entrance by projecting from the building at right angles or flush mounted above the parking lot entrance. The garage screening signs will screen some of the parking garage and break up the expansive façade. The garage screening signs will be a metal mesh material that, as conditioned, would only contain retail signage for tenants in the building or for Assembly Row.
- The third waiver is related to the SPGA's right of first refusal. The attached right of first refusal waiver would eliminate the SPGA's right to purchase the affordable units as long as the units remain rental units. The affordable units will conform to the requirements of the SZO Article 13 and the Affordable Housing Implementation Plan between the Applicant and the City. More details can be found in the Inclusionary Housing Section of the report.



**FINDINGS FOR SPECIAL PERMIT WITH SITE PLAN REVIEW-A:*****A. General Application Requirements***

Application requirements are identified in Section 16.8 of the SZO. Section 16.8.2 and 16.8.3 identifies the general information required for a preliminary PUD PMP approval and final level approval. Section 16.8.2.H and 16.8.3 identifies that the Special Permit with Site Plan Review requirements in Section 5.2 are required for both phases of approval. The Board finds the SPSR-A meets the application submittal requirements in the above listed sections. Detailed findings are contained in Appendix A.

***B. Required Findings of Fact for PUD***

Section 16.10.1 of the SZO indicates that PUD preliminary master plan approval shall be considered preliminary approval that recognizes that the plan is in general accordance with provisions of the Somerville Zoning Ordinance (SZO). Findings are then required under 16.1, 6.4.1, 6.4.3, 16.4, and 16.7 of the SZO. The ASMD further requires findings to meet development standards and design guidelines under 6.4.7 and 6.4.8. The Planning Board determined that the PMP met the required findings for a PUD PMP, but indicated that some issues would require further review at the SPSR-A submittal. The Board has reviewed these required findings as they relate to the SPSR-A application and find that these findings have now all been met. Detailed findings are contained in Appendix B.

***C. Requirements for SPSR (SZO §5.2.5 and 5.1.4)***

The SZO requires that the PMP be reviewed to ensure that projects under the PMP can meet the standards required for SPSR-A in the ordinance. Section 6.4.9 requires that the requirements in Section 6.4.9C as well as parts a-h of Section 5.2.5 must be addressed when SPSR-A requests are submitted. The Board finds that projects submitted for SPSR-A under this PMP meets the findings required as identified in Appendix C.

The SZO requires that the requirements in Section 5.1.4 are addressed when Special Permit requests are submitted. The Board finds that the special permit for signage meets the findings required as identified in Appendix C.

***D. Waiver Standards***

Upon written request by the applicant, the SPGA may waive submission of any of the required information for Special Permit with Site Plan Review applications, if the SPGA finds the information is not applicable to the project, per Section 5.2.3, 6.4.12 & 16.5.5. The Board finds that the requested waiver from the loading bay requirements (§9.16 & 9.7) and alteration to bike parking dimensions under §6.4.7 & 9.15.2 are acceptable. The Board finds that projects submitted for SPSR-A under this PMP meets the findings required as identified in Appendix D.

The waivers for the dimensions and location of signage plan (§5.2.3.13) and signage height waiver (§6.4.14) for the garage directional signage and garage screening are reasonable. The other proposed signage should not be approved because the details of the materials and technology are not yet know and therefore the impact of these large signs cannot be determined. The applicant will need to seek a special permit for signage outside of the garage directional and screening signage as part of a future application.

The Board finds the request for a waiver of the right of the SPGA to purchase the affordable rental units, as long as they remain rental units is reasonable given that there will be a management company to manage the units and they will remain affordable within the provisions of the SZO and AHIP.



**DECISION:**

The Planning Board determined that the application for Special Permit with Site Plan Review–A for final level approval of a planned unit development under the Planned Unit Development Preliminary Master Plan approved by the Planning Board on December 14, 2006 and as amended on August 5, 2010 and June 19, 2014 meets the required findings, as addressed in Appendixes A, B, C and D of this decision. Kevin Prior made a motion to approve the Special Permit with Site Plan Review – A and approve the requested waivers for submitting the landscape and lighting plan at the time of submission and the waiver to reduced loading bay number. Dorothy Kelly Gay seconded the motion. The Planning Board voted 5-0 to APPROVE the SPSR-A and to approve the waivers requested for the number of loading docks, bicycle parking standards to have some hanging bicycles, and Special Permit for the parking directional and screening signage above the 35 foot height. The Planning Board incorporated the conditions in Appendix E and in order to complete this project, the attached PMP-PUD conditions in Appendix F need to be satisfied within the designated timeframe for compliance. The Board also attached Appendix G that addresses the PUD-PMP thresholds that will adjust as the Assembly Row project is built out.

Approval constitutes an approval of the site plans and building design details for a mixed-use 640,800 net square foot building with approximately 40,000 sf of retail and/or restaurant space, 447 residential units and 671 parking spaces.

Approval does not include the design of the storefronts or first floor retail signs, which are subject to the Assembly Row Signage and Storefront Standards that are currently before the Planning Board for approval. The storefront design and signage are subject to staff review to ensure that the design is consistent with the standards. Wayfinding signs will be subject to design standards that the Owner submits.



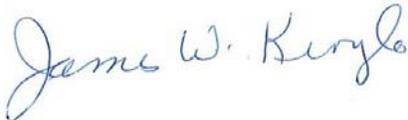
Attest, by the Planning Board:



Kevin Prior, Chairman



Joseph Favaloro



James Kirylo



Michael A. Capuano, Esq.



Dorothy A. Kelly Gay

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 VARIANCE(S) WITHIN

\_\_\_\_\_ there have been no appeals filed in the Office of the City Clerk, or  
\_\_\_\_\_ any appeals that were filed have been finally dismissed or denied.

FOR SPECIAL PERMIT(S) WITHIN

\_\_\_\_\_ there have been no appeals filed in the Office of the City Clerk, or  
\_\_\_\_\_ there has been an appeal filed.

Signed \_\_\_\_\_ City Clerk Date \_\_\_\_\_



## 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)	x		x	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	x		x	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	x		x	See Overall Site Plan
16.8.2.D	Names of all property owners within five hundred (500) feet of the PUD boundary	x			Included in application submission

<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.E	Explanation of provisions for the landscaping and maintenance of all open space and drainage areas	x		x	See Stormwater Management section in Utility Analysis for maintenance of drainage areas. There is a condition relative to preparation of Maintenance Agreement for this Block. The landscaping is minimal on this block and will consist of street trees and raised beds.
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 . . .	x		x	A traffic analysis of the full build-out of Assembly Row has been conducted and the latest version for Block 11A included the proposed build-out of Block 6. With the analysis complete, roadway improvements complete and MBTA station open, Block 6 will not significantly impact traffic conditions in the area.

<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	x		x	See 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	x		x	See section A2, below

Block 6

PB 2014-24  
October 2, 2014

<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>
16.8.2.1	Any other supportive information the applicant feels may be beneficial to the City of Somerville in the evaluation of the request	x			
<b>A.2: General Information Required for SPSR Applications (SZO 5.2)</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	x		x	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	x		x	The Layout and Materials Plan, certified by Hugh Hahn, PE depicts boundaries, angles and dimensions for the proposed Block 6 project area.
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.	x		x	See Overall Site Plan, Layout and Materials Plan, Grading and Drainage Plan, Utility Plan all certified by Hugh Hahn, PE. The Building Elevations were prepared by Add Inc. The footprint is shown on the Layout and Materials Plan along with a zoning summary chart. The total propose number of parking spaces is 671 which will include 14 accessible parking spaces. The proposal is for 155 bicycle parking spaces. Driveway aisles within the garage will be 24-feet wide.

<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	x		x	The proposal is for a mixed-use building that is intended to serve people that would like to live in Somerville and who would like to patron the stores and restaurants in Assembly Row. The projected number of employees is 135.
5.2.3.5	the total floor area and ground coverage ratio of each proposed building and structure	x		x	The FAR is 5.48. The ground coverage is 90.9%.
5.2.3.6	front, side, and rear elevations			x	Mixed use building elevations dated July 2, 2014.
5.2.3.7	existing and proposed contour elevations in two foot increments	x		x	The ground elevations are shown in one-foot intervals on the Existing Conditions Plan of Land. The project is generally flat with elevations ranging from 10 feet to 14 feet. The site is at the same relative elevation as the surrounding area. The proposed grading is 12.5 to 14.3.
5.2.3.8	provisions for vehicular and pedestrian circulation	x		x	See Overall Site Plan and Design Guidelines for basic information. Detailed information regarding the design of streets and sidewalks are a condition of approval for review by the City Engineer and Traffic Engineer. There will be sidewalks and streets surrounding the block that will be free-flowing except that the connection from Canal Street to Great River Road is lost.

<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>
5.2.3.9	color, materials, and exterior features of proposed structures	x		x	The low-rise building will be brick masonry with metal cornices and decorative accents. The high-rise will be clad in precast and metal panels. The garage is precast concrete with decorative and advertising banners.
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	x		x	The temporary parking lot on the site has some landscaping that will be removed to clear the space for the mixed use development that was planned for the site.
5.2.3.11	measures taken to preserve and protect natural resources	x		x	The site is currently a brownfield and the remediation of the soil for the PUD is an improvement to the environment.
5.2.3.12	outdoor lighting, including location and intensity of lighting facilities			x	Lighting will consist of street lights and lighting the façade for wall wash lighting elements to create an effect.
5.2.3.13	dimensions and locations of signs, proposed and existing			x	There is no existing signage at the site. Retail signage will be dictated by the tenants and be in conformance with the Assembly Row Signage Standard. The directional parking signage and garage screening signage are being reviewed at this time. The roof and signs at the top of the tower are not because the materials and technology for these large signs are not yet defined.
5.2.3.14	location and significance of historic structures	x		x	There are no structures of historical significance on the site and all of the structures have been removed.

<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			x	A licensed private contractor will pick up solid waste disposal and recycling. Dumpsters and compactors will be located within the building and will not be visible from public view.
5.2.3.16	description and location of all proposed mechanical and electrical system components, including exhaust and ventilation system, transformers, and satellite dishes			x	The electrical transformers are located between Blocks 4 and 6 on the plan; however, they will likely be moved inside to make way for usable open space in this location. The space will likely be used as a dog park. Apartment ventilation on the low-rise will be located on the interior courtyard wall. The condensers on the low-rise roof will be screened. The other mechanical equipment such as the energy recovery units, generator, and cooling tower on the roof will be screened.
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	x		x	See Existing Conditions Plan; Utility Analysis; Layout and Materials Plans.
5.2.3.18	demolition and construction procedures including impact mitigation measures; an estimate of the time period required for completion of the development			x	There is no demolition. Completion of construction is estimated to be in the Fall of 2017.

<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>
5.2.3.19	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	x		x	Traffic analysis of the full build-out of Assembly Row has been conducted and the latest version for Block 11A included the proposed build-out of Block 6. With the analysis complete, roadway improvements complete and MBTA station open, Block 6 will not significantly impact traffic conditions in the area.
5.2.3.20	general summary of existing and proposed easements or other burdens now existing or to be placed on the property	x		x	See Existing Conditions Plan; ROW 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 there under, 310 CMR 10.00	x		x	See Existing Conditions Plan. There are no wetlands on the project area.
5.2.3.22	photographs of at least eight (8) by ten (10) inches, showing the development site and surrounding parcels	x		x	Included in application submission
5.2.3.23	names and addresses of all property owners within three hundred (300) feet of site boundaries	x		x	Included in application submission. Staff generated a current list.
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	n/a			n/a

## Appendix B: Required Findings of Fact for PUD

<b>B.1: General Findings under Section 16 (SZO 16.9 and 16.1)</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	x			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	x			The proposal to reuse a brownfield next to the Orange Line for a transit-oriented mixed-use, green 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.

<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>
16.1	<p>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.</p>	x			<p>The proposed project has benefitted from an additional years of work by the applicant in collaboration with the City and community stakeholders since the original 2006 PMP. The result is a plan for a vibrant, mixed use, urban neighborhood and commercial center providing more than 4,500 new jobs, increased tax revenues, 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, while creating a group of urban blocks that concentrate development with the highest densities near the transit station, mid-rise buildings fronting on the Mystic River parks, and expanded open space. The project meets this finding.</p>

<i>Section</i>	<i>Required Finding</i>	<i>Met in PUD</i>	<i>Not Met</i>	<i>Met in SPSR-A</i>	<i>Comment</i>
<b><i>B.2: Consistency Findings (SZO Section 6.4)</i></b>					
<i>Section</i>	<i>Required Finding</i>	<i>Met in PUD</i>	<i>Not Met</i>	<i>Met in SPSR-A</i>	<i>Comment</i>
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			See comments under Section 6.4.4 below.

<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>
6.4.4	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			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 and the proposed new IKEA store to improve Assembly Square’s visibility and image, helping to pave the way for more intensive office development in the future. While the ASD Plan's site layout was based upon the ownership arrangement before the IKEA land swap and removal of IKEA from the plan, the general principles and concepts of the plan are supported by the proposed PMP amendment, and this PMP includes all of the physical characteristics, values and goals that were addressed in the Planning Study.

<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>
6.4.4	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			The Assembly Square Revitalization Plan is an approved Urban Renewal Plan under MGL 121B. The 2002 plan is a Major Plan Change to the 1980 Assembly Square Revitalization Plan -- the City's urban renewal plan for Assembly Square. The Major Plan Change built on the foundation of the Cecil Group's Planning Study. The Major Plan Change envisioned a mixed use district with office, retail, residential, cinema, hotel, and restaurant uses – a vibrant 24-hour district with a density somewhere between Boston's density and level of density in nearby suburbs. The Major Plan Change also envisioned the redevelopment of the Assembly Square Mall and a new IKEA store. The removal of the IKEA store allows for a larger mixed use district and the revised PMP is consistent with the overall vision of the Revitalization Plan. Upon approval of this revised Master Plan, the Redevelopment Authority intends to amend the Revitalization Plan to reflect the latest redevelopment plan as outlined in this PMP and the FEIR.
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			Overall, the revised PUD PMP is consistent with the Public Realm Guidelines. The PUD's four key principles closely align with the goals of the Public Realm Guidelines; both encourage design that supports the PUD's public spaces and achieves sense of place, multi-modal functionality, and 24-hour activity. Both documents give streetscapes and public spaces high priority, stressing the role these spaces play in the framework of the PUD. Both establish street hierarchies and district gateways for orientation. The PUD PMP is also consistent in its recognition of the Mystic River as a regional amenity, maximizing pedestrian accessibility to the waterfront. The Public Realm Guidelines generally include a greater level of streetscape and building detail, while the PUD PMP establishes complementary detailed design guidelines to drive decisions made at the SPSR-A phase and during streetscape design.

<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>
					For example, the Public Realm Guidelines call for a unified signage system that considers elements like sign character, placement, materials, and typestyle. This issue is addressed through inclusion of a condition that a sign design guideline be established. The Public Realm Guidelines also place emphasis on creating physical and visual connections between the PUD and its surrounding neighborhoods. The Applicant is undertaking several significant transportation improvements to enhance multi-modal access to the site. These efforts are especially important along the PUD's outer edges.
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 Assembly Square Transportation Plan generally calls out for development of a street grid within the mixed-use area. That grid has changed with the relocation and removal of IKEA, but the overall transportation strategy in the PMP meets the spirit of the original Transportation Plan.
<b><i>B.3: General Requirements of a PUD (SZO Section 16.4)</i></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			The parcel size is 2,896,740 s.f., or approximately 66.5 acres. This exceeds the 20,000 SF minimum lot size required for the PUD-A in the ASMD.
16.4b	developed in a comprehensive, design-integrated manner, according to an overall master plan, with two (2) or more types of use	x			The Applicant has submitted a revised Master Plan with supporting plans showing buildings and roadways prepared by the architectural firm of Streetworks, Inc. and the engineering firm of Vanasse Hangen Brustlin, Inc. The PUD includes the following uses: retail (including restaurant and cinema), commercial (including office, R&D, and other commercial uses), residential, hotel, and parking.

<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>
16.4c	consistent with the objectives of this Ordinance;	x			The Applicant has utilized the increased height and FAR allowed under the PUD Ordinance, proposing buildings ranging from 8 to 23 stories with a maximum height of 250 feet. By contrast, the maximum height permitted as of right is only 40 feet. The proposed PUD has been designed so that each phase, the Marketplace and Assembly Row functions well on its own and also in relation to other phases. With Assembly Row, the applicant has the flexibility to design and construct residential, retail and/or commercial, or a mix of all, in response to the market and to other development taking place in Assembly Square.
16.4d	consistent with the goals, objectives and plans of the City for the general subject area	x			The goals, objectives, and plans of the City for Assembly Square have been expressed in various public documents. Section B2 of these findings identifies in more detail how the proposed PUD is consistent with the these documents. The previous PUD approval in 2006 met the goals and objectives of these documents and this revision is a refinement of the original PUD approval. The DRC reviewed the Design Guidelines for Assembly Row which provide greater clarity regarding the future development to take place on the site. The DRC's comments have been included in this report.

<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>
16.4e	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	x			The PUD is oriented around a series of open spaces connected by pedestrian friendly streets. Assembly Row has been oriented to preserve a view of the Mystic River. The Applicant will widen the existing DCR park as part of the PUD, and this expanded park will serve as an anchor to the north end of Assembly Row. The new park will be lined with a cluster of residential/retail buildings to give it an active edge and it is expected to serve as a place for public enjoyment of the river. Throughout the site, the Applicant proposes to construct a series of additional passive pocket parks for residents, shoppers, office workers, and visitors. Other than the riverfront, Assembly Square does not have any important natural or historic features to be preserved. During SPSR-A review for each component of the Master Plan, the provision of usable open space and the preservation of views will continue to be monitored by the Planning Board, and this Decision includes conditions regarding the Applicant's obligation to submit detailed information for each Special Permit application.
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	x			The existing site is relatively flat, except for the area near the water, where the land slopes to the river. Although there are some former tidelands in Assembly Square (which will subject the project to Chapter 91 review), there are no significant wetlands, floodplains, or wildlife. The most important natural feature is the Mystic River, and the PUD will enhance passive recreational elements of the DCR park, as expanded, with landscaping, public artwork, and associated improvements consistent with a first-class commercial standard for urban public space. Finally, the PUD has been designed to locate the tallest buildings furthest away from 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>
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	x			The Master Plan demonstrates that full consideration has been given to site development as a whole. The project has been phased such that the proposed uses and their associated roadways, parking, and infrastructure are developed in a coordinated manner. During the Special Permit process for developments within Assembly Row, the architecture, open space and pedestrian networks, vehicular access and circulation, roadways, and infrastructure will be reviewed in appropriate detail, and this Decision includes conditions to ensure that these issues are more fully addressed during the Special Permit process.
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	x			The Applicant has linked the residential buildings with the existing parkland that abuts the site and has designed a network of roadways and sidewalks which constitute an improvement to the existing conditions and a benefit to the public. During the special permit process links with surrounding land uses, off-site public facilities, infrastructure, and roadway access will be reviewed in appropriate detail. Conditions have been attached to this Decision to ensure that these issues will be fully addressed.
16.4i	designed with sizing of street and other infrastructure systems to accommodate the overall service demand of the PUD	x			A full Traffic Impact and Access Study was prepared for the project and was included in the original submission package and amended for this revision. The City Traffic engineer concluded that all facets of intersections and roadways illustrated on the revised Master Plan are consistent with proper Traffic Engineering design practice. Recommendations for traffic mitigation and additional analysis are included in the Conditions section of this report.
16.4j	inclusive of provisions for the ownership and maintenance of usable open space as appropriate (see Sec. 16.6 of this Article)	x			The Applicant will be required to maintain the usable open space within the PUD subject to a maintenance agreement(s) that must be developed or revised as a condition of this approval.

<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>
16.4k	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			x	There is an Easement Agreement with the City that is conditioned to be amended to reflect this PMP amendment. Deed restrictions for specific parcels not yet developed will be addressed in subsequent submission for special permits with site plan review. In addition, the PUD has urban renewal district and some of the key parcels were acquired from the Somerville Redevelopment Authority via land disposition agreements containing covenants and restrictions ensuring that the goals and objectives of the City as expressed in the Major Plan Change will be adhered to. The existing covenant from December 2006 remains in effect.
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			<u>Not applicable.</u> This finding is not applicable in the ASMD District because all uses in the PUD align with the underlying district.
<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>

<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	The building has a cohesive identity while providing variety in the façade to break up the massing of the building. The building conforms to the design guidelines, which ensures that it is built to be consistent with the PUD-PMP. Details of how the building conforms to the guidelines can be found in the form and design section of the staff report.
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	The usable open space on Block 6 is located around the building and on the sidewalks. The entrances to the retail spaces will be on the northern, western, and southern sides of the building along the usable open space. The larger usable open space area is between the Block 4 and 6 parking garages and will be used as a dog park. It would not be appropriate to have a main entrance fronting onto the dog park.
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 Design Guidelines submitted in the application adhere to the height requirements outlined in the ASMD dimensional requirements with specific height limits based on the distance from the Mystic River bank and the MBTA station. There is a tower portion of the building that has slender proportions. The tower is 20 stories and 238 feet tall.

Block 6

<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>
16.7d	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	Shadow studies were submitted for the block for 10am and 2pm on Mar 21, Jun 21, Sept 21, Dec 21. In March, September and December in the morning and afternoon there will be some shadowing of different sections of Blocks 4, which has residential on the upper floors. Shadows do not impact residential structures at these times in June. From the extent of the shadow studies it appears that the only large open space that Block 6 shadows is the dog park between Blocks 4 and 6 between the parking garages. The tall buildings envisioned for Assembly Square will have some shadows and this block appears to be minimally impactful.

<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	x			This was achieved in the master plan approval.
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.	x			The internal street layout is proposed in a grid pattern with local and collector streets. The main retail street travels north/south through the center of the Assembly Row development between Block 11 and the park land adjacent to the Mystic River, supporting a robust street grid that can handle traffic within the site. Other internal streets provide connections to Grand Union Boulevard, the MBTA station and perimeter locations. 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.

<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>
16.7h	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.	x			Block sizes are larger than typically found in Somerville to accommodate buildings much larger than are typical in the City. Though the blocks are larger, the ground floor retail uses proposed and pedestrian friendly architectural elements and designs offset the negative effects of the above average block sizes and provide a scale appropriate for pedestrians. The reason for the proposed building footprint and portal design to achieve this findings can be found the Building Shape and Placement and Site Design and Access sections of the staff report.
16.7i	The PUD design should preserve and enhance natural features such as topography, waterways, vegetation, and drainage ways.	x			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 as well as expand the open space existing along the Mystic River.
16.7j	The PUD design should minimize impervious surfaces and incorporate other design features to minimize storm water runoff.			x	The development must comply with the City's Stormwater Management policy.

<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.	x			Traffic calming measures have been included in the roadway designs that feature combination pedestrian/vehicle streets and open spaces, traffic circles, paver cross walks, intersection bumpouts, Median Park and street trees. Pedestrians and bicyclists have alternative networks to access the project without travel on the high volume streets and can bypass the entire project on a dedicated bike/pedestrian path around the perimeter of the site. The highest intensity development will be proximate 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.	x			The proposal calls for a wide array of uses that would create a vibrant and sustainable community with amenities and activities that will serve the residents of the development and the surrounding areas. This project is much more integrated than a typical shopping center or business park, allowing for a new community to be developed adjacent to the new T station.
<b>B.5: ASMD Development Standards (SZO Section 6.4.7.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>

<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.	x			A full Traffic Impact and Access Study was prepared for the project and was included in the original submission package and amended for this revision. The City Traffic engineer concluded that all facets of intersections and roadways illustrated on the revised Master Plan are consistent with proper Traffic Engineering design practice. Recommendations for traffic mitigation and additional analysis are included in the Conditions section of this report.
6.4.7.A.2	<i>Parking Requirements.</i> Developments shall meet the parking requirements set forth in Section 9.15.	x		x	The number of parking spaces is between the minimum and maximum allowed.
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.			x	This Block does not contain substantial landscaping because it is going to be an urban block. Other portions of the site will have lush landscaping that will meet the landscaping requirement for the PUD.

<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.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.	x			The project incorporates sidewalks throughout, connecting all parts of the development including to and from the proposed MBTA T stop, the Mystic River and the Assembly Square Marketplace. In addition, a shared use path is planned along the Orange Line right of way that will connect pedestrians along the length of the project to the riverfront. The enhanced riverfront park also provides enhanced and new pedestrian connections to Draw 7 Park and to points within the site. The Proponent has previously provided \$100,000 to the City for the design of a new Mystic River pedestrian/bicycle walkway underneath Route 28 connecting Assembly Square and the Ten Hills neighborhood. The Proponent has also committed to fund construction of the new Mystic River pedestrian/bicycle walkway underneath Route 28 as part of an up to \$2 million commitment to fund pedestrian/bicycle/riverfront park enhancements on DCR land, in addition to other mitigation being constructed by the Proponent in conjunction with the Project.

***B.6: ASMD Design Guidelines (SZO Section 6.4.7.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>
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Note: The applicant has provided, of its own volition, additional Design Review Guidelines to address the design and massing of the proposed blocks and of quality in material and design that will achieve the goal of creating a diverse and vibrant mixed-use neighborhood they in no way represent the only viable

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 design of streets and sidewalks will respond appropriately to the Street and Sidewalk design criteria. To the extent that is known at this time, the streets and sidewalks appear to be designed to meet the expectations of the Design Guidelines. Full engineering plans will need to be provided for review and approval prior to a building permit being issued for the block to ensure that streets meet City engineering standards. There are no longer buildings that need to be demolished to construct the streets around the site.  Block 6 PB 2014-24
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<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.2	<i>Building Design.</i> Buildings shall be designed to the highest architectural standards and shall be sited appropriately on the Lot.			x	The design has been reviewed by the Design Review Committee and Planning Board and it complies with the design guidelines as detailed in the decision.
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	The building will have a presence on the street. It will be constructed within a few feet of the sidewalk.

<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.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	Retail storefronts that must meet the Assembly Row Storefront Standards will line the sidewalks. The main entrance to the residential portion of the buiding will be clearly defined with glazing and a canopy.
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 facades of the building are broken up into sections with different treatment to create an interesting building.
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 base of the building is six stories, which is an appropriate pedestrian scale for the width of the Assembly Row right of way. The tower is setback so that it is not imposing to pedestrians.
6.4.7.B.2e	Materials and colors shall be consistent with traditional buildings in the area with historic merit.			x	Two buildings in the Assembly Square area were inventoried by the Massachusetts Historical Commission and were not deemed to have historic merit. Two buildings were previously demolished. Block 6 PB 2014-24

<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.			x	All of the building equipment and service areas have been located in the middle of the block and are screened by the 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.			x	The uses on the ground floor are retail and restaurants except for the eastern parking garage side of the building where retail is not viable.
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.			x	There are no stretches of the façade that exceed 35 feet in length and are uninterrupted or unfenestrated. The garage façade has openings as it is an open air garage but there are large screens that will interrupt the expansive garage in part to accomplish this finding.

<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.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.			x	This guideline is met. Storefronts will line the building along Assembly Row, Canal Street and Foley Street and have windows and displays that will accomplish this goal.
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.			x	There are no parking lots proposed with this development.
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.			x	Landscaped islands are not include in the Usable Open Space for the Block.

<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	<p><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 &amp; 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.</p>			x	The Application included a LEED worksheet. The could meet the LEED certified certification.
6.4.7.B.6	<p><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.</p>	x		x	<p>The Applicant has committed to contributions and mitigation under contracts with the City and the SPGA shall take that into consideration. The applicant will enter into maintenance agreements for useable open space and a portion of the public infrastructure as well.</p>

<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.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.			x	The loading areas are located within the building and have been consolidated to 3 if the waiver for the loading area reduction is granted.
<b><i>B.7: ASMD Large Project Development Standards (SZO Section 6.4.8.D)</i></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.	x		x	A full Traffic Impact and Access Study was prepared for the project and was included in the original submission package and amended with this application. The assessment states that any level of service degradations identified as compared to the previously approved conditions are primarily due to traffic growth on the study area roadways unrelated to the Project. Regardless, the study indicates that the surrounding infrastructure system can accommodate the addition peak-hour traffic associated with the proposed development. The Assembly Row roadway improvements will be readily available to accommodate traffic generated by Block 6 and future development. The MBTA new Orange Line Station operational and it will reduce the burden on the roadways by providing an alternative to vehicular transportation.

<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.2	<p><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.”</p>			x	<p>Section A) The proposed PUD meets this requirement as indicated in the Overall Site Plan breakdown of the proposed uses. Section B) The Applicant received a waiver from this requirement with the 2006 approval of the PMP for the TJ Maxx Store and the Christmas Tree Shop. Otherwise, the proposed PUD meets this requirement and no additional waivers from this provision are requested at this time. A condition of approval is that one retail tenant cannot make up more than 50,000 sf of the ground floor of any building.</p>

<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.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.			x	As required, the proposed PMP includes greater than 48% usable open space. This project contributes a great deal towards the usable open space for the development and provides a unique type of usable open space in a strategic locations.

**B.8: ASMD Large Project Design Guidelines (SZO Section 6.4.8.E)**

<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	x		x	The 671 parking spaces will be structured spaces.

## Appendix C: Requirements for SPSR-A

<b><i>C1: Requirements for SPSR-A</i></b>					
<b><i>Section</i></b>	<b><i>Required Finding</i></b>	<b><i>Met in PUD</i></b>	<b><i>Not Met</i></b>	<b><i>Met in SPSR-A</i></b>	<b><i>Comment</i></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			x	Traffic analysis of the full build-out of Assembly Row has been conducted and the latest version for Block 11A included the proposed build-out of Block 6. With the analysis complete, roadway improvements complete and MBTA station open, Block 6 will not significantly impact traffic conditions in the 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			x	The applicant has provided proposed Design Guidelines as part of the PUD-PMP. See Appendix B for assessment of the guidelines for consistency with the Design Guidelines set out in 6.4.7B and 6.4.8E of the SZO. Projects developed in accordance with the submitted Design Guidelines should be able to meet the general provisions of these sections and this project complies with the design guidelines for the master plan.

<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.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).			x	The retail, restaurant and upper floor apartments will provide a mix of uses. Pedestrian and bicycle access will be provided via sidewalks . Project mitigation payment will be required that will go the Affordable Housing Trust fund and onsite affordable units will be provided. TThe creation of usable open space on the Block will not be substantial but will contribute to the active open spaces in the PUD. The building will provide active uses immediately adjacent to the MBTA 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			x	These additional findings address submittal requirements, criteria for review, impact on public services, site surface drainage, access to buildings, utilities, signage, transformers, screening, and shadow impacts. These materials were submitted as part of the application for the Block.
5.2.5.a	<i>Information supplied.</i> Complies with the information requirements of Section 5.2.3			x	Applicants submitted all required information for SPSR-A applications.
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			x	Applicants meet individual SPSR-A findings as identified in this Appendix C.

<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.c	<i>Purpose of district.</i> Is consistent with the intent of the specific zoning district as specified in Article 6			x	The overall plan is consistent with the intent of the specific zoning district and this project is consistent with the PMP. The project advances the district's goals of development a mix of uses including high density commercial, residential and retail and does not preclude the other mix of uses planned for the area to locate near the site. The project will also greatly increase the number of residences located in the area.
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			x	The overall plan is compatible with natural features and character of the surrounding area. The project is consistent with the PMP and therefore meets this finding. The adjacency of the MTBA station, solar orientation, and existing street grid and were considered when designing the site.
5.2.5.e	<i>Functional design.</i> Meets accepted standards and criteria for the functional design of facilities, structures, and site construction			x	The building and site meets functional standards of the SZO.
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			x	The applicant has adequately addressed that the overall project, with agreed-upon public service upgrades, will have adequate public services. The proposed project is consistent with the uses anticipated in the public services and facilities impact assessment that was created for the PMP and does not have any adverse impacts within the development site.

<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.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			x	The applicant has adequately addressed that the overall project mitigates adverse environmental impacts, cleans an existing brownfield and redevelops a waterfront site with future transit access.
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			x	The project meets the purpose of the Ordinance in encouraging the most appropriate use of the land and increasing the amenities of the municipality. The project also meets the purpose of Article 5 for the Board to evaluate the findings and determinations and provisions of the Ordinance and attach conditions to mitigate concerns.
5.2.5.V	Housing Impact: Will not create adverse impacts on the stock of existing affordable housing			x	The project will comply with Article 15 requirements for project mitigation payments to the Affordable Housing Trust Fund. The funds will help to establish and support affordable units in the City. The project will also include permanently affordable units and an Affordable Housing Implementation Plan.

<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.W	<p>SomerVision Plan: 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.</p>			x	The proposal complies with the applicable goals, policies and actions of SomerVision. The Plan calls for all of Assembly Square to share 29% of the City's growth, increase the number of jobs by 8,500, and develop 3 million square feet of commercial space. The Assembly Row Master Plan area makes up approximately half of the Assembly Square area. Phase 1 of this Block will achieve more than half of the number of jobs planned for this area. The Block will also contribute 6.7 acres of open space towards the goal of creating 125 acres of new open space across the transformational areas in the City.
<b><u>C2: Requirements for SP for Signage</u></b>					
5.1.4.a	<i>Information supplied.</i> Complies with the information requirements of Section 5.1.2			x	Applicants submitted all required information for SP for signage
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			x	Section 6.4.14 allows for the SPGA to waive signage requirements based on the findings in 16.5.4 & 16.5.5. See Appendix D for findings.
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			x	The signage plan is consistent with the purpose of the Ordinance in encouraging the most appropriate use of the land. This is a large building that meets the mixed use and redevelopment goals of the district. The large signs that are taller than 35' are strategically placed to provide direction to parking areas and to screen parking garages.

<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.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.			x	The signage was designed to be integral with the design of the building. The signs will have unique designs and are strategically located to be visible to provide direction to the parking garages. The garage screening signs will be a mesh material that, as conditioned, would only contain retail signage tenants in the building or for Assembly Row.

## Appendix D: Standards for Waivers

D.1 Loading Waiver				
Section	Required Finding	Met	Not Met	Comment
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.	x		The applicant is requesting a waiver from the loading standard in Section 9.7 as referenced in Section 9.16.3 . The waiver would allow for 3 loading areas on the site instead of the 4 that may be required depending on the mix of retail and restaurant uses. The waiver meets the required findings as follows: a) removing the loading area would result in a better site plan by being able to provide more retail space on the ground floor to enliven the Assembly Square neighborhood; b) the waiver furthers the design and purpose of the PUD by locating the loading in the middle of the block and away from major Public Ways and other highly visible locations and achieves the guidelines in the SZO of making every effort to incorporate creative design to reduce the negative visual impacts of loading spaces (section 6.4.7.B.7); and (c) the granting of such a waiver will not cause detriment to the surrounding neighborhood as loading will be coordinated to be staggered and some tenants will have van delivers that take up half the loading area required for a truck.
6.4.12.a.1	Strict enforcement of such standards or requirements would run counter to achieving the objectives of the ASD Plan;	x		The ASD Plan encourages below ground parking and discourages surface parking. Reducing the footprint of the ground floor of the building to build more loading space that is not practically needed for loading to this building would be counter to the objectives of the ASD Plan.
6.4.12.a.2	The application is substantially consistent with the objectives of the ASD Plan and advances the objectives of the ASD Plan;	x		The waivers create a development on Block 6 that is part of a mixed-use program that creates pedestrian oriented streets on Canal Street, Assembly Row and Foley Street. The buildings are only minimally disrupted by access to loading areas. The waiver to retain this nature of the building and not create a need to have large expanses of the facade devoted to loading is consistent with the objectives of the ASD Plan.

Block 6

PB 2014-24

<b>Section</b>	<b>Required Finding</b>	<b>Met</b>	<b>Not Met</b>	<b>Comment</b>
6.4.12.a.3	In the case of any Alteration of a Nonconforming Structure, a Change of Nonconforming Use, or a Major Amendment to an Approved PUD, such alteration, change or amendment shall conform, to the extent feasible, to the objectives of the ASD Plan	n/a		This finding does not apply in this case.

<b>D.2 Signage Waiver</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.	x		The applicant is requesting a waiver for the 35' height limit. The waiver meets the required findings as follows: a) the signage will be on the building and will not impact the site plan; b) the waiver furthers the design and purpose of the PUD by allowing for advertisement for the large amount of retail tenants in the building and for Assembly Row in strategic locations that screen the garages and for garage signage that frames entrances to these uses and provides direction; and (c) the granting of such a waiver will not cause detriment to the surrounding neighborhood as the sign design is integral with the design of the building.
6.4.12.a.1	Strict enforcement of such standards or requirements would run counter to achieving the objectives of the ASD Plan;	x		The ASD Plan encourages a variety of block and building scales oriented to pedestrians, with a mid rise building environment and high quality open spaces. Limiting strategically place and well designed signage on large scale, mixed use building would impede upon the success of the uses within the building and would be counter to the objectives of the ASD Plan.
6.4.12.a.2	The application is substantially consistent with the objectives of the ASD Plan and advances the objectives of the ASD Plan;	x		The signage screens parking lots create another dimension to the building, both of which improves the facade and scale of the building and provides direction to pedestrians and vehicles. The result is consistent with the objectives of the ASD Plan in creating a functional mixed-use building.

<b>Section</b>	<b>Required Finding</b>	<b>Met</b>	<b>Not Met</b>	<b>Comment</b>
6.4.12.a.3	In the case of any Alteration of a Nonconforming Structure, a Change of Nonconforming Use, or a Major Amendment to an Approved PUD, such alteration, change or amendment shall conform, to the extent feasible, to the objectives of the ASD Plan	n/a		This finding does not apply in this case.

<b>D.3 Parking Dimensions</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.	x		The bicycle parking dimension that is altered is from the statement that bicycle racks designed to hold a bicycle by its front wheel alone shall not be considered to meet the bicycle parking requirements of this Ordinance. The proposal includes a mix of racks that hold both wheels on the ground and one wheel for a hanging bike rack. The floor plans are more functional when a mix of bike rack types are allowed. The waiver will not cause detriment because the racks are designed to be secure and there will be the option of not hanging a bike for those who cannot lift the bike to hang it.
6.4.12.a.1	Strict enforcement of such standards or requirements would run counter to achieving the objectives of the ASD Plan;	x		The number of bike racks or functionality will not be decreased as a result of the waiver. The ability and ease in which to store bikes in smaller spaces that are more strategically located does not run counter to the objectives of the ASD Plan.
6.4.12.a.2	The application is substantially consistent with the objectives of the ASD Plan and advances the objectives of the ASD Plan;	x		Having space saving bike racks in ideal locations for bikers on the ground floor and on each level of the garage furthers the goals of the ASD Plan in having effective storage to encourage people to use alternative forms of transportation such as biking.

<b>Section</b>	<b>Required Finding</b>	<b>Met</b>	<b>Not Met</b>	<b>Comment</b>
6.4.12.a.3	In the case of any Alteration of a Nonconforming Structure, a Change of Nonconforming Use, or a Major Amendment to an Approved PUD, such alteration, change or amendment shall conform, to the extent feasible, to the objectives of the ASD Plan	n/a		This finding does not apply in this case.

## Appendix E: Block 6 Conditions

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
<p><i>This list of conditions includes the conditions that were part of the PUD PMP that relate to this SPSR phase.</i></p>						
<b>A. General</b>						
1	Approval is based upon the application stamped in at the City Clerk's office on July 31, 2014, and revised plans: Renderings: garage entry, bike storage plan, tower end massing- revised, all dated 9/25/14; Building Elevations, Floor plans, Renderings all dated 7/2/14, as revised by plans dated 9/25/14; C-1, C-2, C-3 Neighborhood Context Map; C-4 Overall Site Plan 1; C-5 Overall Site Plan 2; C-6 Layout and Materials Plan; C-7 Grading, Drainage, and Erosion Control Plan; C-8 Utility Plan; C-9 Turning Template all dated 7/11/14; Open space Summary for the PUD dated 7/9/14.	-	Planning Director	Continuous		
<b>B. Transportation / Traffic Circulation</b>						
2	Applicant shall participate in the review of parking supply to be completed annually by the developer of Assembly Row, providing parking utilization data to the Traffic and Parking Division and Planning Division staff on an annual basis. Based on the data, the Applicant shall work with the Planning Division staff in circumstances where parking is not being used, to encourage shared parking in Assembly Square	-	Planning Director / Traffic and Parking Director	1 year after CO and annually thereafter		
3	Applicant will supply a minimum of 168 bicycle parking spaces that should be within the building and on the sidewalk. Less than 50% of the racks supplied may be for hanging bikes. The applicant shall provide a plan of bike parking locations on the sidewalk to Planning Staff for review and approval.	-	Planning Director	Plans - prior to BP for vertical construction / installation of parking -CO		

### C. Design

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
4	All storefronts and retail signage shall be consistent with the Assembly Row Storefronts and Signage Design Standards. Storefronts or retail signage that is inconsistent with the guidelines shall be provided to DRC and Planning Board for review and approval.	-	Planning Director	Building Permit for retail unit and retail signage		
5	This approval does not constitute approval for any signage on the building above the retail level except for the garage directional and garage screening signage in the size and location as shown on the signage elevation plans (N, S, E, W). The design of these signs shall be submitted to Planning Staff for review and approval. This approval does not constitute approval for any of the roof signs or signs at the top of the residential tower that are on the plans.	-	Planning Director	Building Permit for Signage		
6	Off premises advertising is not permitted on this site and is subject to all applicable state and local permit requirements.	-	Planning Director	Continuous		
7	The rooftop screening design shall be submitted to Planning Staff for review and approval. Screening shall be made as least visible and possible and it should tie into the design and color scheme of the building.	-	Planning Director	Building Permit		
8	Applicant shall provide information regarding the final material and colors for siding, trim, windows and doors and an onsite mockup of each building segment for DRC review and Planning Staff review and approval prior to construction.	-	Planning Director	Completion of Steel Erection		
9	The applicant shall provide a lighting plan to Planning Staff for review and approval. Lighting shall be provided between the Block 4 and 6 parking garages and on the parking garage along Great River Road.	-	Planning Director	Completion of Steel Erection		
10	The further refinement of the design of the façade of the building at the end of Canal St (above the garage entry) shall be reviewed by the DRC and reviewed and approved by Planning Staff.	-	Planning Director	Completion of Steel Erection		

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
11	Per section 6.4.8.D.2.b of the SZO, not more than 50,000 square feet of Gross Floor area of any single Retail Use shall be located on the Ground Floor of the building.	-	Planning Director	CO for retail		
<b>D. Trash and Recycling</b>						
12	Trash and recycling storage shall be contained in the designated areas that are internal to the block. The Applicant shall provide convenient recycling to commercial and residential tenants.	-	Planning Director / DPW	Continuous		
<b>E. Maintenance of Facilities</b>						
13	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, publicly assessable open space, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	-	Planning Director	Continuous		
14	Applicant shall submit a new or amended Usable Open Space Agreement to be reviewed and approved by Planning Staff for the open space on Block 6. If the space between the Block 4 and 6 parking garages is not used as a dog park, this area shall be removed from future versions of the usable open space map and figures.	-	Planning Director	CO		
15	To the extent possible, all exterior lighting must be confined to the subject property, cast light downward (except for uplit trees) and must not intrude, interfere or spill onto neighboring properties.	-	Planning Director	Continuous		
<b>F. Linkage and Inclusionary Zoning</b>						
16	Affordable Housing Implementation Plan (AHIP) should be approved by the OSPCD Housing Division and executed prior to issuance of Building Permit. Affordable units shall be provided on-site.		Planning Director / Housing Director	BP		

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
17	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.		Planning Director / Housing Director	CO		
18	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).		Planning Director / Housing Director	CO		
19	The applicant shall meet the obligations required by Article 15 of the SZO. All covenants, contractual agreements and other documents necessary to ensure compliance with this Article shall be executed prior to the issuance of a building permit beyond the foundation permit. The first payment shall be made prior to the issuance of a certificate of occupancy. The total linkage payment shall be as determined by Article 15. The actual payment shall be determined by final square footage at the time of issuance of a building permit.	-	Planning Director / Housing Director	Building Permit / CO		
<b>G. Demolition/Construction</b>						

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
20	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.	-	Planning Director	Certificate of Occupancy		
21	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.	-	Traffic & Parking	During Construction		
22	The Applicant shall provide notice of intent to strictly comply with applicable State and Federal regulations regarding air quality including without limitation continuous dust control during demolition and construction.	-	Plng/OSE	CO		
<b>H. Site Plan/Utilities</b>						
23	Applicant shall submit the Site Plan Review Checklist and submit it along with the applicable documents to Engineering Staff for review and approval. The plans must comply with the City's Stormwater Management Policy.	-	City Engineer	BP		
24	A full set of as built plans shall be submitted to Engineering Office prepared and stamped by a Registered Licensed Surveyor in the State of MA prior to final sign off. This office shall review submitted as built and at its discretion require additional information if needed.	-	City Engineer	CO		
25	All sidewalks and handicapped ramps shall be ADA compliant and a letter of compliance prepared by a professional engineer registered in the State of MA shall be submitted to this office prior to final sign off.	-	City Engineer	CO		

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
26	If alterations are to be made to existing site utilities, a full review and approval by the City Engineer must be made prior to construction.	-	City Engineer	BP		
<b><u>I. Fire Prevention</u></b>						
27	Outside fire strobes shall be placed in front of each retail space. The Applicant shall meet with the Fire Prevention regarding radio master boxes, fire alarm panels and sprinkler plans. Plans for these systems shall be provided to Fire Prevention for review and approval prior to the issuance of any construction permits.	-	Fire Prevention	Building Permit for vertical construction		
<b><u>J. Final Planning Signoff</u></b>						
28	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	-	Planning Director	Sign-off		

## Appendix F: Applicable PUD-PMP Conditions

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)
<i>This list of conditions includes the conditions that were part of the PUD PMP that relate to this SPSR phase.</i>					
<b>A. General</b>					
3.1	Applicant shall submit revised attachments and updated amendments (based upon design changes in this amendment) to the Long Term Maintenance Agreement to be reviewed and approved by City Staff. The Agreement will provide for the Proponent's commitments to the City relative to maintenance of the elements of the public right of ways including sidewalk treatments, street trees, landscaping , finishes, street furniture and other amenities. The City will not maintain anything that is not consistent with City standard, unless otherwise approved by the City Engineer.	-	-	Planning Director / DPW	Prior to BP of Blocks, 5,6,7,8,9,11, whichever is first.
<b>B. Transportation / Traffic Circulation</b>					
14	Applicant shall work with the MBTA and the City of Somerville to identify and provide the necessary roadway/sidewalk infrastructure for a bus route through the site to provide safe and convenient access to the MBTA Station, the Assembly Row neighborhood including Baxter Park, Partners, and the Marketplace. Applicant shall design, construct, and/or reconstruct up to 8 accessible bus stops (4 in each direction) within and/or surrounding Blocks 1,2,3,4,5,6,7,8,11 per MBTA's Bus Design Guidelines. Up to 1 stop in each direction must provide for a layover location. Plans for the right of way development shall not preclude having a bus stop to be located at Assembly Square 'T' Station. Any change to the roadway plans to provide bus stops, including the removal of on-street parking spaces, shall require the approval of the City Engineer and Planning Director.	-	-	Planning Director / City Engineer	

15.2	The Applicant shall provide short term bicycle parking spots in a quantities and locations consistent with the requirements of the SZO. Bicycle parking on the sidewalk shall be provided as follows unless City Staff waive the requirement based on a technical limitation to a location. Bike parking on the sidewalk should be within 50' of each entrance with a minimum of 1 spot per 40,000 sf; OR 19% of the bicycle parking shall be provided within 50 feet of the main egress point of the building, whichever is greater. Short term bicycle parking not accommodated directly at the entrance must be easily visible or clearly signed in parking garage. Public covered long term bike parking within the garage or bicycle room must be provided at ground level and signed from a public entrance. At least half of the racks must conform to standard city design guidelines, while the other half of long term may be hanging type bicycle storage.	-	-	Planning Director	Continuous
16	The PMP is approved with a cap in the total number of parking spaces within the PUD area. A new cap will be determined based upon an updated 'shared use analysis' provided by the applicant. This analysis shall be similar in methodology to the 'shared use analysis' created by Walker Parking Consultants, dated March 26, 2009 and submitted with the FEIR. The inputs into this analysis will be based upon the new development program, including the Assembly Row blocks and Block 11. The existing parking lots and parking demand for the Marketplace may be excluded from the analysis. The analysis will establish overall parking demand for the Project based upon shared parking strategies, parking ratios, capture rates, and mode splits appropriate for the nature of this transit-oriented mixed-use project. The cap will be approved by planning staff, after the review and approval of the updated analysis by the planning staff. The staff reserves the right to have a peer review of the analysis by a reviewer selected by the staff.	-	-	Planning Director	Continuous
<b>C. Water Systems</b>					
18	Design and construction phasing of the water system shall be subject to review and approval by the City Engineer to ensure compliance with City standards and best practices for design and ongoing maintenance.	-	-	City Engineer	Prior to trench permit for roadway construction

20	Applicant shall ensure that all materials shall be in accordance with the City of Somerville Water and Sewer Division's Specifications and/or Rules and Regulations, latest issue.	-	-	City Engineer	Prior to trench permit for roadway construction
<b><u>D. Sanitary Sewer Systems</u></b>					
26	Applicant shall submit details of proposed pipe materials for review and approval during each SPSR-A process.	X	-	City Engineer	Prior to Building Permit for any of blocks 1, 2, 3,4, 5,6, 7, 8 or 10
<b><u>E. Stormwater Management System</u></b>					
29	Design and construction phasing of the stormwater management system shall be subject to review and approval by the City Engineer to ensure compliance with City standards and best practices for design and ongoing maintenance.	-	-	City Engineer	Prior to trench permit for roadway construction
36	Applicant shall provide a detailed soil erosion control plan prior to construction of roadways and/or utilities. Soil erosion plans shall also be required with each SPSR-A application.	-	-	City Engineer / Con. Comm. where applicable	Prior to trench permit for roadway construction and/or SPSR-A
<b><u>F. Urban Design and Design Guidelines</u></b>					
42.1	Foley Street and Revolution Drive shall have wayfinding and strong pedestrian connections to the MBTA headhouses with review and approval of the elements by the Planning Staff.	-	-	Planning Director	Prior to BP for Block 8

50	Applicant shall make reasonable efforts to employ smart growth techniques in overall development, including but not limited to: Low Impact Development for Stormwater Management, bioswales and sustainable green technologies, and LEED;	-	-	City Engineer	Prior to trench permit for roadway construction or Certificate of Occupancy, whichever is applicable
<b>G. Trash and Recycling</b>					
63	Each individual building or block must provide interior disposal and storage systems for trash and recycling. These systems must be detailed in the SPSR-A applications.	-	-	Planning Director / DPW	Addressed with each SPSR-A application

**H. Maintenance of Facilities**

64	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.	-	-	City Engineer	Continuous
65.1	The Applicant shall provide the City's Department of Lights and Lines with 24 hour access to the street lighting control cabinets located in each block.	-	-	Lights and Lines	Addressed with each SPSR-A application

**I. SPSR-A Reviews**

65.2	The Applicant shall request addresses for each Block of PMP from the Engineering Department prior to applying for a Special Permit with Site Plan Review.	<b>Complete for Main Entrance</b>	-	City Engineer	Addressed with each SPSR-A application
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## Appendix G: Square Footage/Linkage/Usable Open Space/Parking Space Tracker

Date	Project Description	Land Area	Building Square Footage	Commercial Space	Retail Space (inc health club & cinema)	Residential Units	Hotel	Square Footage to which Linkage Applies	Linkage SF Exemption Tracker - to be paid after first 300,000 constructed for FRIT's buildings*	SF of Open Space	SF of Usable Open Space	# parking spaces
Dec-09	Marketplace (Phase 1AAA)	1,122,202	328,806	-	328,806	-	-	-	-	105,255	55,073	1,123
Jun-11	Block 10	32,059	4,500	-	4,500	-	-	-	4,500	15,646	11,325	28
Oct-11	Block 1	107,219	437,840	-	67,530	195	-	67,530	-	18,520	2,839	367
Oct-11	Block 4	122,219	439,660	-	43,975	253	-	43,975	-	22,040	13,096	505
Oct-11	Block 3	113,138	417,204	-	182,967	-	-	121,704	295,500	7,602	1,964	571
Feb-13	Block 2A	20,922	3,605	-	3,605	-	-	3,605	-	13,437	13,437	0
Feb-13	Block 2B	47,642	132,708	93,174	39,500	-	-	132,674	-	6,029	1,875	0
Oct-12	Block 5					-	-	-	-			207
Oct-12	Block 6					-	-	-	-			228
Jul-14	Block 11 Phase 1	464,265	874,297	768,375	105,922	-	-	874,297	-	292,359	250,004	1997
Oct-14	Block 6	166,935	557,000	-	40,000	447	-	40,000	-	10,534	7,495	671
<b>Total</b>		<b>2,196,601</b>	<b>3,195,620</b>	<b>861,549</b>	<b>487,999</b>	<b>895</b>	<b>-</b>	<b>983,785</b>	<b>300,000</b>	<b>491,422</b>	<b>357,108</b>	<b>5,469</b>
<b>Total Approved</b>		<b>2,671,884</b>	<b>5,692,486</b>	<b>2,801,333</b>	<b>637,024</b>	<b>1,843</b>	<b>170-rooms</b>			<b>744,174</b>	<b>565,983</b>	<b>10,066</b>
<b>Remaining</b>			<b>2,496,866</b>	<b>1,939,784</b>	<b>149,025</b>	<b>948</b>				<b>252,752</b>	<b>208,875</b>	<b>4,597</b>

\* Linkage is based on gross square feet; however, under SZO section 6.4.6.B - structured parking, whether above grade or below grade, shall be excluded for the purposes of calculating gross floor area.