



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: PB 2006-59-R2(05/2014)
Site: Assembly Row PUD PMP
Date of Decision: June 19, 2014
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: June 26, 2014

PLANNING BOARD DECISION

Site:	Assembly Row PUD PMP
Applicant Name:	Street Retail, Inc.
Applicant Address:	1626 East Jefferson Street, Rockville, MD 20852
Property Owner Name:	The Owners of the parcels within the boundaries of the proposed PUD include FR Assembly Square, LLC, FR Sturtevant Street, LLC, SRI Assembly Row B2, LLC, SRI Assembly Row B3, LLC, SRI Assembly Row B5, LLC, SRI Assembly Row B6, LLC, SRI Assembly Row B7, LLC, SRI Assembly Row B8, LLC, and SRI Assembly Row B9, LLC Row B7, LLC, SRI Assembly Row B8, LLC, SRI Assembly Row B9, LLC, as tenants in common (Parcels: 86-a-1, 67-a-2, 67-a-6, 67-a-7, 85-a-5, 85-a-8, 85-a-9, 85-a-10, 85-a-11, 85-a-12, 85-a-13, 85-a-14, 85-a-15, 85-a-16, 85-a-17, 85-a-18, 99-a-8, 99-a-13, 99-a-14, 99-a-15, 99-a-16, 99-a-17, 99-a-18). Conveyed to MBTA: 85-a-19, 99-a-10a, 99-a-19.
Property Owner Address:	1626 East Jefferson Street, Rockville, MD 20852
Agent/Attorney Name:	Robert A. Fishman
Agent Address:	155 Seaport Boulevard, Boston, MA 02210
Legal Notice:	The Applicant, Street Retail, Inc., and its Agent, Attorney Robert A. Fishman, seek approval of a Major Amendment of a preliminary master plan (S.Z.O. §16.11.3) for a Planned Unit Development (PUD) project



to construct buildings containing a mix of retail, restaurant, business, residential, cinema, office, laboratory, boat storage, research and development, medical office, hotel, manufacturing and other commercial uses. The residential development is subject to inclusionary housing requirements (S.Z.O. §13.2). The Owners of the parcels within the boundaries of the proposed PUD include FR Assembly Square, LLC, FR Sturtevant Street, LLC, SRI Assembly Row B2, LLC, SRI Assembly Row B3, LLC, SRI Assembly Row B5, LLC, SRI Assembly Row B6, LLC, SRI Assembly Row B7, LLC, SRI Assembly Row B8, LLC, and SRI Assembly Row B9, LLC Row B7, LLC, SRI Assembly Row B8, LLC, SRI Assembly Row B9, LLC, as tenants in common (Parcels: 86-a-1, 67-a-2, 67-a-6, 67-a-7, 85-a-5, 85-a-8, 85-a-9, 85-a-10, 85-a-11, 85-a-12, 85-a-13, 85-a-14, 85-a-15, 85-a-16, 85-a-17, 85-a-18, 99-a-8, 99-a-13, 99-a-14, 99-a-15, 99-a-16, 99-a-17, 99-a-18). Conveyed to MBTA: 85-a-19, 99-a-10a, 99-a-19. One Waiver is sought (S.Z.O. §16.8.2.6) from the requirement for contour elevations in two foot increments (S.Z.O. §6.4.12). Assembly Square Mixed Use District (ASMD); Planned Unit Development Overlay District - A (PUD-A). Ward 1.

<u>Date(s) of Public Hearing:</u>	June 19, 2014
<u>Date of Decision:</u>	June 19, 2014
<u>Vote:</u>	4-0

Appeal #PB 2006-59-R2(05/2014) was opened before the Planning Board at the Visiting Nurse Association on June 19, 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.

I. PROJECT DESCRIPTION

A. General Description

1. Land Area

Per the application, the land area of the master plan is 66.9 acres. Once existing permanent highway easements and future street rights-of-way that will be dedicated to the City are deducted, the remaining area is reduced to approximately 56.2 acres of developable land. The property is level, includes former filled tidelands, and is a brownfield site which has been and is being remediated by the Applicant. It is bound by the Mystic River, Orange Line Right-of-Way, Grand Union Boulevard, Foley Street, Middlesex Avenue, and Route 28. There are no distinguishing natural features.

2. Parcel Ownership

Several significant land transactions have occurred since approval of the Preliminary Master Plan (PMP) in 2006 and revision in 2010. In 2007, FR Sturtevant Street, LLC acquired the Spaulding Brick site; in 2008 they acquired the Yard 21 site from the Somerville Redevelopment Authority; and in 2009, they acquired the land previously occupied by the Green Cab company. In 2009, FR Sturtevant Street, LLC and IKEA Property, Inc. successfully implemented their land swap agreement. The land swap transferred IKEA's ownership from property along the



waterfront to the inland site where the new store will be built, and vice versa for land owned by FR Sturtevant Street, LLC.

FR Sturtevant Street, LLC created several wholly affiliated corporate entities (Street Retail Inc. and SRI Assembly Row B2, B3, and B5 through B9) which now own the Assembly Row site along with FR Sturtevant Street, LLC, as tenants in common. "Tenants in common" means each entity owns an undivided interest in the whole project area. The ownership shares and relationships will change over time as the land is subdivided; individual blocks or parcels will ultimately be transferred to the different Street Retail Inc. entities or other buyers. Note that each of the entities remains under the common control of Federal Realty Investment Trust.

In 2012 IKEA announced that they are not going to build a new store in Assembly Square. Street Retail Inc acquired the property owned by IKEA.

Other parcels in the area are owned by the MBTA: 85-a-19, 99-a-10a, 99-a-19.

3. Existing Land Uses

Several structures on the site have been demolished including the former home of Good Time Emporium, two smaller buildings along Assembly Square Drive, a building previously occupied by Green Cab, and the Central Steel business. Those areas have been and continue to be environmentally remediated. In addition to vacant land, the site contains the Assembly Square Marketplace, an active mix of large format retail businesses including Kmart, Bed Bath N Beyond, and Staples. Blocks 1, 2, 3, 4 and 10 of the Master Plan have been permitted and have or are seeking Certificates of Occupancy.

Infrastructure work has been ongoing starting in the Assembly Square Drive/Grand Union Boulevard right-of-way throughout 2009-2010 and is consistent with the roadway design approved as part of the IKEA SPSR-A. The road network through the mixed-use area is also taking shape. Portions of Assembly Row, Great River Road, Artisan Way and Canal Streets are constructed and open to the public.

B. History of Property

The PUD property was once one of the largest employment centers in the region. The Ford Motor Assembly Plant, the namesake of Assembly Square, was previously a thriving operation along with other light industrial businesses. By the 1970's, however, Assembly Square had declined and was largely vacant and underutilized. In 1980, the City of Somerville adopted an urban renewal plan for the area. In 2002, the urban renewal plan was extended until 2022 by a Major Plan Change and five acquisition and disposition parcels were named, including Yard 21, and the Amerigas, Spaulding Brick, Central Steel, and Green Cab sites. In 2005, the Applicant (through related entities) purchased the Assembly Square Mall and 34 & 100 Sturtevant Street and was named by the Somerville Redevelopment Authority (SRA) as the designated redeveloper of Yard 21, and the Amerigas, Central Steel, Spaulding Brick, and Green Cab sites. Since that date, the Applicant has secured SPSR-A approval for the Marketplace, IKEA, and Blocks 1, 2A, 2B, 3, 4, and 10, secured a \$50 million I-cubed award for public infrastructure and received and expended a \$2 million Growth District Initiative grant for remediation and public infrastructure. In addition, the Boston Metropolitan Planning Organization (MPO) allocated up to \$15 million in American Recovery and Reinvestment Act (ARRA) funds for the Assembly Square Access Improvements (ARRA). The ARRA included the construction of the rebuilt and extended Assembly Square Drive and for required off-site infrastructure improvements to locations such as Lombardi Street, Broadway, Mystic Avenue, New Road, Foley Street, Assembly Square Drive at Rt. 28, Middlesex Avenue at Rt. 28, and others as required as part of the IKEA special permit.

Other critical steps towards implementing the Master Plan that are complete or in progress include:

- Constructed Sylvester Baxter Riverfront Park
- Constructed Point Park



- Near completion of the two head houses for the Assembly Square Orange Line Station that is planned to be operational in the Fall of 2014
- Designed and constructed Phase 1B streetscape improvements
- Constructed utility and drainage improvements within Grand Union Boulevard and the rest of the Master plan area
- Achieved the final level of approval for use of the 72-inch stormwater outfall, which was constructed in February of 2012
- Sewer Extension / Connection Permit from the DEP for Phase 1 and Phase 1A which includes sewer connections for the former IKEA store, Block 1,3,4, and 10 and a new sewer extension in Grand Union Boulevard
- Reconfiguration of the City of Somerville sewer main connections to the MWRA interceptor line within nearby North Union Street as outlined in the City's Utility Analysis
- Completed sewer mitigation in Ten Hills, within Lombardi Street, Mystic Avenue and Broadway

The project has been renamed "Assembly Row". Its most recent name was "Assembly on the Mystic".

II. PRIOR APPROVALS

A. PMP 2006 Approval

On December 14, 2006, the Planning Board granted Planned Unit Development-A-Preliminary Master Plan (PUD-PMP) (PB 2006-59) approval, subject to certain conditions. The application was deemed to meet the required findings and approved subject to conditions. The application also included an approved waiver from the Ground Level Retail Size Cap under Section 6.4.8.D.2.b of the SZO to allow for two existing stores to continue operation within the Assembly Square Mall (now Assembly Square Marketplace).

B. Marketplace Special Permit (Phase 1AAA)

On July 1, 2004 (PB 2004-45) Site Plan Approval-A was granted by the Planning Board for a Retail Priority Permitted Use within the former Assembly Square Mall building. This Site Plan Approval-A permitted the owner to replace existing retail uses and to re-tenant vacant spaces in the former Assembly Square Mall and to perform alterations to the Mall to facilitate such replacement and re-tenancing.

On April 13, 2005, (PB 2005-19) Site Plan Approval-A was granted by the Planning Board to modify parking, elevations and open space plans approved in PB2004-45.

These permits were granted under the "Priority Development Process" (PDP) and the site was developed accordingly. However, in 2006 in the case of *Evarts vs. Somerville*, a Land Court judge ruled that the PDP review process violated the uniformity provision of the Massachusetts Zoning Act (MGL Chapter 40A, Sections 4 and 9). Pursuant to the court decision and subsequent settlement agreements, the applicant subsequently applied for the PMP (as noted above) and then a new SPSR-A review and approval in 2007 without using the PDP provisions of the SZO.

Subsequent to approval of the PMP, on March 15, 2007, the Planning Board granted a SPSR-A (PB2007-10) approval for the development, continued use, and occupancy of the existing 328,806 s.f. Assembly Square Marketplace site.

On December 3, 2009, the Planning Board granted a new SPSR-A (PB2009-13) for the Assembly Square Phase 1AAA Marketplace site to apply concurrently with the previously approved SPSR-A application that was approved on March 15, 2007. This permit allowed the Applicant to locate trees and other landscaping elements in the area between the northernmost parking lot and the intersection of Middlesex Avenue and Route 28. This application identified the location of Useable Open Space within the Marketplace area of the original approved PMP.



The proposed amendment to the PMP makes no modification to the 2006 PMP with regard to the Marketplace area (Phase 1AAA).

C. IKEA Special Permit (Phase 1AA)

On October 18, 2007, the Planning Board granted conditional approval (PB2007-29) of the IKEA store as follows:

- SPSR-A for final level approval of a phase of the PUD (§6.4.9), including construction of an IKEA store up to 340,000 s.f. in size with an accessory restaurant use, 1,287 parking spaces for the store, including 200 spaces for weekday commuter parking for the Orange Line station, and reconstruction and realignment of Assembly Square Drive; and,
- Special Permit for Signage in order to exceed the maximum height and area of allowable signage (SZO §6.4.14.c); and,
- Site Plan Approval for subdivision of parcels (SZO §5.4).

On October 16, 2008, the Planning Board granted approval (PB2007-29-R0908) to revise the SPSR-A to accommodate certain changes to the building and the site including the creation of a multi-use path, reduction and configuration of parking facilities, removal of outside vehicular ramp, alteration of façade (egress stairs and addition of windows to west and north façades), revision of drainage and other underground utility design to accommodate site changes; and to revise the Special Permit for Signage in order to reconfigure the sign plan.

On December 18, 2008, the Planning Board granted approval (PB2007-29-R1108) for revisions to the layout of Assembly Square Drive with associated revisions to the Site Plan Approval for subdivision.

On August 6, 2009, the Planning Board granted approval (PB2007-29-R0709) for revisions to the gateway elements and landscaping at the intersection of Assembly Square Drive and Mystic Avenue and to incorporate landscaping elements along the eastern side of Assembly Square Drive.

On January 22, 2009, May 13, 2009 and August 13, 2009, *de minimis* revision applications were approved by the Planning Director that slightly altered the alignment of the multi-use use path, building, landscape and Assembly Square Drive plans.

On October 13, 2009, a *de minimis* revision application was approved by the OSPCD Executive Director that slightly altered the drainage, utility and landscaping plans along Assembly Square Drive.

On October 20, 2009, the Planning Board granted approval (2009-05) of a new SPSR-A and Special Permit for signage to replace the previously approved application, as amended, (PB2007-29). The materials submitted for this application included the materials submitted in the original application as revised through prior amendments approved by the Planning Board or *de minimis* changes approved by the Planning Director.

On December 3, 2009, the Planning Board granted approval (2009-05-R1109) for revisions to the Assembly Square Drive Roadway to incorporate various gateway elements, trees, flagpoles in the rotary, and lighting fixtures along Assembly Square Drive.

On July 14, 2011 the Planning Board granted an extension of the timeframe for the Special Permit with Site Plan Review (2009-05-E1 (6/2011)) and one year later the company announced that they would not be building a new store in Assembly Square due to the downturn in the economy and a change to the business plan to reduce or eliminate expansion of brick and mortar locations in the United States.

D. 2010 MAJOR AMENDMENT TO PMP



On August 5, 2010, the Board granted a revision to the PUD-PMP. The revision included slight modifications to the use mix in the neighborhood, the incorporation of design guidelines to guide development and specifically façade hierarchies, district gateways, and key building elements to promote a cohesive PUD, a new naming system for the blocks, a shared use path along the MBTA tracks, an expanded riverfront area and change to the plazas on Block 2 and 8, removal of building I and street B, reduction in parking spaces. A second head house for the MBTA Orange Line station was also incorporated into the plans. Subsequent minor amendments and subdivisions have been filed that do not substantially impact this site.

E. SPECIAL PERMIT WITH SITE PLAN APPROVAL OF BLOCKS 1, 2, 3, 4, 10 – TEMP 5 & 6

The Planning Board has issued Special Permits with Site Plan Review-A, the second phase of approvals after the PUD-PMP (originally part of Phase 1A), Block 10 in June 2011 (PB2011-10), Block 1 in October 2011 (PB 2011-14), Block 4 in October 2011 (PB 2011-15), Block 3 in October 2011 (PB 2011-16), Block 2A in February 2013 (PB 2013-01), and Block 2B in February 2013 (PB2013-02). Blocks 5 and 6 received SPSR-A's to serve as temporary parking lots in October of 2012 (PB 2012-13 & 2012-14).

III. PROJECT DESCRIPTION

A. General Description

1. Mixed-Use and Transit-Oriented Development

With the new Orange Line Station, livable streets, significant ground floor retail presence, publicly accessible open space, and mix of commercial and residential uses in close proximity, Assembly Row is a model of mixed use and transit-oriented development. The revised PMP will create ten blocks of predominantly mixed use development, with an additional retail pad (#10) located in a portion of the existing Marketplace parking area, as shown in the 2006 PMP. The project will expand the open space area along the waterfront while activating it with retail along Great River Road and will encourage transit use through its connectivity of the Orange Line Station including the second headhouse planned next to Partners HealthCare offices.

2. Infrastructure

To meet the infrastructure needs of Assembly Row, as well as other future redevelopment of the Assembly Square District, considerable investment in infrastructure is required, a portion of which has been completed. Infrastructure includes public utility systems that will be eventually accepted by the City of Somerville including potable water, sanitary sewer, and storm water systems and private utility systems such as electrical, gas, and telecommunications.

Grand Union Boulevard, formerly Assembly Square Drive, – existing and extended – serves as the backbone of the project and, after having been approved as part of the IKEA SPSR-A (Phase 1AA), is presently under construction. Sub-surface work took place during 2009, was completed in February 2010, and applicable utilities were accepted by the City in June 2010. The roadway is presently under construction utilizing ARRA funds and will consist of two travel lanes, bike lanes, on-street parking, lighting, street trees, and other landscaping.

To date, the Conservation Commission has permitted the construction of a 72" storm drain that will discharge into a new outfall on the Mystic River. Under the Order of Conditions (MA DEP file #287-0028), Phase 1AA of the Assembly Square Development (IKEA and Grand Union Boulevard, formerly Assembly Square Drive) and certain existing development are allowed to be connected to the 72" storm drain pipe. Stormwater from the existing development currently discharges to the Mystic from the Somerville Marginal Conduit so the new outfall will reduce demand on the Marginal Conduit. Future stormwater discharges to the 72" pipe will be treated first by a Water Quality Unit or its equivalent. In addition, 4 new catch basins and the reuse of 10 existing catch basins are permitted, including 3 within the Mystic River Reservation. Best Management Practices have been selected to



capture an estimated 84% of the Total Suspended Solids draining off the roadway. Note that the DEP requirement is 80% minimum.

Public and private infrastructure systems will be extended throughout the mixed use component of the project along each of the new streets. All public utility systems and roadway infrastructure will be built to City standard or better and the engineering of utilities and infrastructure will be reviewed and approved by the City Engineer and Director of Traffic & Parking. Preliminary designs have been submitted as part of the revised PMP. Additional permits from the Conservation Commission will be required prior to connecting buildings to the outfall pipe.

3. Open Space

The PUD is oriented around a series of public open spaces connected by pedestrian friendly streets. The total open space for the PUD is approximately 17.1 acres, or 27.0 percent; the useable open space is 13.0 acres, or 21.2 percent. These totals meet the 25 percent and 12.5 percent minimum requirements under §6.4.6 of the SZO. These open space calculations include the previously approved open space areas within the Marketplace (Phase 1AAA) approved SPSR-A. For the purpose of this PMP review, this open space is not changing, and the OSPCD staff will only be reviewing the remaining open space commitments within the full build-out area.

The PUD enhances the Mystic River Reservation by creating a 1.8 acre expansion of Sylvester Baxter Riverfront Park. The Applicant provided DCR with 1.8 acres of riverfront land in exchange for 1.5 acres of DCR-owned backland. Pedestrians now have access to enjoy a passive and active recreation area along the River and there is a more pleasant and easily found entrance to DCR's Draw 7 Park. The waterfront was previously inaccessible with overgrown vegetation, barbed wire fencing and litter. The Applicant worked with DCR to design and construct a riverfront park that is consistent with DCR's Master Plan for the area.

The other large open spaces in the site are Median Park, Point Park and Partners Park. Median Park will be a 20,000 linear park that will have an active edge of retail uses on Blocks 7 and 8. The park will be designed like outdoors rooms that will provide passive recreation and other experiences along it. The park will keep pedestrians safe with the placement of bollards or a low fence or wall; however, the location of the median will in and of itself will provide for traffic calming. Point Park is 21,800 square feet and is designed to accommodate outdoor markets or similar activities. It is located on Block 2 and provides views of the Mystic River from Assembly Row. Partners Park will provide a large open space that will start at the end of Assembly Row and continue under a 2-story portal in the building to a landscaped area with hard and softscapes, pedestrian paths and possibly a water feature.

The Applicant has developed a maintenance agreement with the City that addresses open spaces as well as other amenities. A condition of the PMP approval is that the agreement is updated to include changes since it was adopted.

4. Multi-Modal Transportation and Parking

The PUD is a transit-oriented project that will encourage the use of multiple modes of transportation. Within the PUD, a mix of active ground floor uses and high quality streetscapes will support pedestrian activity and reinforce the site's connection to transit. The new Orange Line station will link the PUD directly to downtown Boston and points north. A shared use path will connect Ten Hills, via the Rt. 28 undercarriage, along the waterfront to the Orange Line station, past Partners and then into East Somerville. This will dramatically increase the ease of access to Draw 7 Park and the riverfront.

A new internal street network will accommodate cars as well as pedestrians and bicyclists. As can be seen in the design guidelines, the Applicant has categorized the roads as boulevard, main street, primary street, and secondary/local street. All will be built to City standard at a minimum, but the finishes and amenities on higher profile streets, such as Assembly Row will be different than other streets. Canal Street will have a central landscaped island that will make it a rather green, lush street on which to walk. In addition, Block 2 is divided into



two one-way components separated by the pavilion building. This is designed to slow vehicular traffic and increase pedestrian safety. Another traffic calming feature is the median park planned for between blocks 7 and 8.

Parking is provided in a combination of below- and above-grade garages and on- and off-street spaces and is proposed to be 10,910 spaces, which is an increase from the previous PMP. A recommended condition of approval is that a study must be submitted to reevaluate the cap of parking spaces. The changes from the 2010 approved plan section below details the proposed parking by use and zoning regulations. Interim surface parking lots are anticipated in the PMP, but will be subject to special permit approval by the Planning Board as was done for the constructed parking spaces on Blocks 5 and 6. The location of the interim lots will be contingent upon when different components of the project begin construction.

The Applicant is implementing off-site transportation improvements in addition to those within the PUD. These improvements include lane reconfiguration and optimized signalization at several key intersections along Middlesex Avenue, Mystic Avenue, and Route 28, and at Lombardi Way. In addition to the signal work, count-down timers and restriped crosswalks will improve pedestrian and bicycle connections between the PUD and surrounding neighborhoods. The off-site transportation mitigation package is the same as the original PMP approval, as updated in the SPSR-A approvals for the Marketplace and IKEA.

One item that has not yet been addressed that was a condition of the original approval is bus stop locations. Bus stop locations need to be identified and incorporated into the street network. Bus routes 90 and 92 that currently run through the Assembly Square Marketplace drive aisle parking lot are being re-routed along Grand Union Boulevard and a stop is needed likely at the intersection of Grand Union Boulevard and Artisan Way, although this may change if a re-route to the new Assembly Square Orange Line Station is possible. The preferred location of a bus stop is the farside of the intersection on each side of the street as is outlined in the MBTA's design guidelines for bus stops. One of the proposed bus stops will have to be a layover location and this will have to be factored into the design of the stop. The City will work with the MBTA and the Applicant ensure that stops provide safe and convenient access to the T-Station and the Assembly Row neighborhood.

In addition to buses, the bicycle sharing system, Hubway, is an important link in a multimodal transportation system. The bike share system relies upon stations to be within a certain proximity to each other and therefore with the expansion of Hubway to East Somerville it will be essential to make the connection with the new Orange Line Station that is under construction. A recommended condition of approval is that the Applicant shall work with the City to provide at least one Hubway Bike Share Station (minimum 12 docks / 8 bicycles) within a 1/4 mile of the Assembly Square MBTA station entrance.

The Applicant has committed to developing a maintenance agreement that will address the maintenance responsibilities for amenities and certain infrastructure elements within the public right-of-way. This is recommended as a condition of the PMP approval as it is needed to ensure that streetscapes remain consistent with the quality expectations identified in the SZO and are to City standard or better as determined by the City Engineer and Director of Traffic & Parking.

5. Urban Design

The PUD is designed as walkable, transit-oriented development with a mix of commercial, retail, and residential uses. The PUD is consistent with the design guidelines under §16.7 of the SZO. The Applicant has significantly advanced the design of buildings beyond what was conceived in 2006, although the key principles - that the tallest buildings are clustered around the T-Station and that buildings step down to the river - remain in effect. As the project progresses, it is possible that the massing shown in this version will continue to change and it will be within the Planning Board's purview to consider those proposals.



The Applicant has proposed that the Planning Board adopt changes to the specific design guidelines that have become a component of the plan review of buildings and add to the design guidelines already included in the SZO. The changes to the guidelines are discussed under “Changes from 2006 Approved Plan” below.

6. Green Development

The revised PUD incorporates low impact development techniques to reduce peak stormwater runoff rates and reduce impact on the Mystic River. The PUD includes five tree box filter units for water quality treatment within the first phase and three units within future phases, a plan that has been approved by the Somerville Conservation Commission. The Applicant is also investigating the feasibility of using green roofs, rain gardens, biofiltration islands, porous pavements, and rainwater recovery on a building by building basis.

In addition to specific green development techniques, the characteristics of the PUD site itself also minimize environmental impact. The PUD is a brownfield redevelopment located on previously disturbed land and remediation will take place as part of the project to state and federal standards. The proposal seeks to reduce overall greenhouse gas (GHG) emissions by creating a mix of uses served by multi-modal transportation options. The introduction of a new MBTA Orange Line station as well as improvements to bike and pedestrian infrastructure will help minimize the total number of single-occupancy vehicle trips to and from the site. The Applicant has also conducted a preliminary GHG benchmarking analysis and found that emissions associated with the project could be 25 percent less than a conventional development.

As noted in the FEIR, the Applicant is committed to pursuing Leadership in Energy and Environmental Design (LEED) certification for the entire project under the LEED for Neighborhood Developments (LEED-ND) rating system. A condition is recommended that parallels the commitment the Applicant made in the FEIR.

7. Remediation

As is common in brownfields redevelopment, contaminated soils have been identified at several locations within the PUD site. The contamination is a result of the storage and use of oils and the release of other wastes during former industrial activities. The Applicant is currently addressing these conditions under the Massachusetts Contingency Plan (MCP). The Applicant has already completed remediation on several areas within the site and will continue to address the remainder in accordance with Massachusetts environment requirements and the MCP. The response actions are explained in detail in the March 2010 FEIR. Copies of all remediation documents have been submitted to the City’s Planning Division office.



B. Changes from 2010 Approved Plan

Changes to the plan since 2010 include reconfiguration of certain streets and open spaces, re-distribution of uses with the prior approval, and changes to the Design Guidelines for Blocks 6 and 11. The plaza on Block 8 has been redesigned into a Median Park located between Blocks 7 and 8 which results in a pedestrian-friendly atmosphere while calming vehicular traffic. While the overall development program remains the same, elements of the Project site layout have been adjusted to improve the urban design relationship of uses, the quality of the open space within the site and pedestrian and bicycle circulation. The following revisions have been made since the 2010 approval of the PMP and are depicted in plans and analysis within this application:

1. Dimensional Requirements

The overall dimensions of the PUD have not changed significantly. The only changes are the number of residential units have decreased, which increases the lot area per dwelling unit figure and the amount of open space and useable open space has increased.

DIMENSIONAL REQUIREMENTS	PUD-A	Previous Approval	Current Proposal
Minimum lot size	20,000 sf	66.5 acres	66.5 acres
Frontage	-	-	-
Front Yard Setback	No minimum	-	-
Side Yard Setback (left)	No minimum	-	-
Side Yard Setback (right)	No minimum	-	-
Rear Yard Setback	No minimum	-	-
Minimum floor area ratio	10.0	2.0	2.1
Maximum height, feet	70 feet up to 250feet	Varying up to 250 feet	Varying up to 250 feet
Minimum lot area per dwelling unit	No minimum	Approx 1379	Approx 1572
Total open space (%)	25%	25.3%	27.9%
Useable open space (%)	12.5%	18%	21.2%



2. Use Mix

The proposed revision to the PMP includes the same mix of uses originally approved in 2006 and revised in 2010. The previously approved and proposed mix of uses can be found in the table below. The use mix reflects IKEA's decision to not construct a new store in Massachusetts, the inclusion of Partners Healthcare's offices and refining the number and location of residential towers. The result is one million more square feet of office, 264,976 less square feet of retail and 257 less residential units. The overall square feet of development will increase by over 500,000.

PERMITTED USES AND PROPOSED CHANGES	Approved through Revision 2010	Proposed Uses	Difference
Office (office, research and development, laboratory, medical office, manufacturing, etc)	1,750,000 sf	2,801,333 sf	+ 1,051,333 sf
Retail (including restaurant and fast food)	792,000 sf (includes former IKEA store up to 340,000 sf)	527,024 sf	- 264,976 sf
Residential	2,100 units	1,843 units (approx 2,149,579 sf)	- 257 units
Hotel	Up to 200 rooms	170 rooms (104,550 sf)	Approx - 30 rooms
Health Club	-	50,000 sf	+ 50,000
Cinema	60,000 sf	60,000 sf	same
Total	5,125,000 sf	5,692,486 sf	+567,486 sf

The project will also include the continued use and occupancy of the retail uses at the existing Assembly Square Marketplace and a proposed cap at 10,066 parking spaces. K-Mart is not included in the PMP as it existed prior to PUD review process.

The 2010 and current 2014 application to revise the PMP lists all of the uses in the SZO Use Table for which the Planning Board may grant relief within the ASMD District. This more expansive definition of what was previously referred to as "office" was requested by City staff due to the fact that the SZO very specifically and rigidly defines office use as "office, other than medical" in the Use Table. With the original approval it was not clear how office-type uses beyond "office, other than medical" would be addressed under the approved PMP or whether an amendment would be required for each use. The 2010 Planning Board approval of the more expansive commercial use definition signaled that the Board was willing to give consideration to all of the commercial uses potentially allowable in the ASMD District during its review process. It should be noted that the uses and thresholds specified in the Use Table would continue to apply in this area.



3. Increase in Parking Spaces

As a result of a parking needs assessment, and the increased demand from the Partners Healthcare offices, the Applicant reconsidered the parking needs for the project. The previous approval included 10,066 spaces and the proposal includes 10,910 spaces as noted in the table below. With the proposal there are 1,098 parking spaces in excess of the maximum allowed in the Somerville Zoning Ordinance; although uses that are in operation prior to the T station opening do not have to comply with the maximum space requirement. The Marketplace and the uses in Blocks 1, 2, 3, 4, and 10 that are operational technically fall into this category and therefore the originally approved 10,066 parking spaces should remain the requirement unless there is more information provided in the future to change this number. With the Assembly Square station set to open in the Fall of 2014, the changing mode preference away from cars in urban environments, the communities' goal through SomerVision, the City's comprehensive plan, to have 50% of new trips via transit, bike or walking, and the uncertainty of the timeline and demand for future tenants in Blocks 5,6,7,8, and 9, there is not a proven need for additional parking. A condition of approval is that a new parking cap will be determined based upon an updated 'shared use analysis' provided by the applicant. The inputs into this analysis will be based upon the new development program, including the Assembly Row blocks and Block 11. 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.

PROPOSED PARKING SUMMARY	Approval 2010	Current Application
Mixed-Use Structured Parking	7,468	6,639*
IKEA	1,287	-
Block 10	26	26
Assembly Square Marketplace (Phase IAAA)	1,095	1,095
Block 11 – Partners Healthcare	-	2,524*
Block 11 – Retail/Health Club	-	380
Mixed-Use On-street	190	246
Total	10,066	10,910

* The garage spaces are approximate until the final parking layout is established.

PARKING REQUIREMENTS	Proposed Uses	Parking Requirements (SZO) Min/Max	Parking Requirements (#) Min/Max
Office (office, research and development, laboratory, medical office, manufacturing, etc)	2,801,333 sf	1 per 1000 / 1 per 500	2,801 / 5,603 spaces
Retail (including restaurant and fast food)	527,024 sf	1 per 1000 / 1 per 500	527 / 1,054 spaces
Residential	1,843 units (approx 2,149,579 sf)	1 per unit / 1.5 per unit	1,843 / 2,765 spaces
Hotel	170 rooms (104,550 sf)	0.5 per guest room / 1 per guest room	85 / 170 spaces
Health Club	50,000 sf	As needed / 1 per 500 (max)	100 spaces
Cinema	60,000 sf	As needed / 1 per 500 (max)	120 spaces
Total			5,476 min / 9,812 max



4. Street Names

The official names of the streets have been determined. The table below shows the naming system that was used in previous approvals and the current street names. The City will be renaming the segment of Great River Road that runs along the rail road tracks so that the Fire Department and others can more easily find future addresses along this street since it is disconnected from the other road segment along the river.

STREET NAMES	
Previous Name	Current Name
Assembly Square Drive	Grand Union Boulevard
A Street	Great River Road
C Street	Artisan Way
D Street	Canal Street
E Street	Foley Street
Main Street	Assembly Row
G Street	Great River Road
IKEA Way	Revolution Drive

5. Design Guidelines – Blocks 6, 7, 8 & 11

Design Guidelines were incorporated into the 2010 revision to provide project specific design guidelines to complement §16.7. The proposed design guidelines address urban elements like streetscapes and public spaces, and the location, size, and relationships of buildings. The guidelines establish façade hierarchies, district gateways, and key building elements to promote a cohesive PUD while still allowing for flexibility and creativity in design. Key principles include concentrating density around the T Station, using vertical articulation to add visual interest and break up long blocks, creating a continuous street-wall, and reinforcing important public spaces through façade details.

The proposed design guidelines represent one of the most significant evolutions in the PMP and a significant advancement in the process by which future SPSR-A projects will be reviewed. The proposed guidelines incorporate the spirit of the Assembly Square District Plan¹ and identify the elements that will help to make the remainder of the PMP area into a mixed use transit-oriented place. That said, the proposed design guidelines go beyond the ASD Plan by developing more specific goals and principles for design of Assembly Row and providing more detail about the buildings that are included in the PMP.

The design guidelines will establish a minimum design quality for developers, architects and designers involved in Assembly Row. All participants are expected to meet the threshold and encouraged to exceed it. The PMP does not articulate specific architectural elements at this phase in the project review; instead the guidelines identify the key elements that are most important to the project and ensure that the most significant architectural investment is focused in these areas. These high profile locations include building pieces that are used to terminate view corridors, mark significant edges, streets, and open spaces, or that serve as building level gateways into the mixed use district.

The design guidelines identify building design principles such as rhythm, organization and exterior priorities and then establish a hierarchy of building elevation types: 1) significant corners; 2) primary elevations; 3) secondary elevations; and, 4) tertiary elevations (Design Guidelines Section 3.1-3.11). For each elevation type, possible

¹ The ASD plan incorporates four documents created to guide development in Assembly Square: Assembly Square Planning Study (2000); Assembly Square Revitalization Plan (2002); Assembly Square Design Guidelines for the Public Realm (2002); and Assembly Square Transportation Plan (2003).



building materials and design features are identified to address roof treatment, wall and wall opening treatment and treatment of balconies. Parking garages are provided a similar hierarchy, with the establishment of four garage treatments (Design Guidelines Section 4.1). The first has decorative features of the architecture, the second employs banners or other strategies to mitigate the visual impact of open spandrel garages, the third identifies unmitigated open spandrel facades, and the fourth provides guidance for garage stair towers and corner elements. How these principles apply on each building is depicted throughout the design guidelines.

The guidelines also identify design expectations for streetscape elements, storefronts, parks and public spaces that will be a part of the new development.

As the PUD moves forward in the SPSR-A phase, the design guidelines will provide architects and developers with design principles to help ensure the creation of a high quality urban environment. The guidelines will also become an evaluation tool for the City and the Design Review Committee during PUD implementation.

Block 6

The Design Guidelines for Block 6 have been revised as the building form and uses have been refined. Block 6 previously contained retail on the ground floor with commercial uses above and two residential towers. The commercial uses shifted to Block 2, which is currently built. The uses are now retail on the first floor with four 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 as opposed to the end of Canal Street. The parking garage footprint has expanded and shifted to be along the railroad tracks as opposed to being mid-block and the entrance is at the end of Canal Street. The parking will provide shared parking for the retail and residential on the block as well as shared parking with uses on surrounding blocks. 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.

Blocks 7 and 8

The footprints of the Block 7 and 8 have changed to accommodate the addition of Median Park to the Master Plan and to provide generous sidewalk widths along Assembly Row. Also, the southern side of Block 8 was moved back from the alignment of Revolution Drive to improve pedestrian access to the southern head house. The development program for these blocks will remain generally the same.

IKEA Site / Block 11

The IKEA Block that was permitted under Phase IAA is now labeled Block 11. This block will be developed in two phases for Partners Healthcare administrative offices of as much as 1.2 million square feet. The block will contain office space, cafeteria, retail, parking garage and daycare in three structures. There will be a landscaped open space that will be open to the public.

6. Enhanced Public Open Space

Block 8 previously had a square shaped park at the northwest corner. This open space is proposed to shift to the middle of Assembly Row between Blocks 7 and 8. The linear park will be 20,000 square feet. It would link the mixed use portion of the site with the open space on Block 11 and book end Assembly Row with Point Park on Block 2. The park will contain different environments along it with passive recreational uses and a balance of hard and softscape.

7. Revolution Drive Reconfiguration



Revolution Drive, formerly IKEA Way, was designed to accommodate loading for the IKEA store. Now that the retailer is not building the store, the street is being proposed to be redesigned to allow for pedestrian access and parking along the entire length. The street will be consistent in terms of design and feel to the other streets in the development, which will facilitate pedestrian activity to Block 11

8. Waivers Requested

The Applicant is seeking relief from Somerville Zoning Ordinance Section 5.2.3.7 and 16.8.2.6 from providing contour elevations in two foot increments. Grading for the revised alignment of Revolution Drive and Assembly Row south of Foley Street will be provided in a future submission. Grading for each site will be addressed during the Special Permit with Site Plan Review approval for each Block.

9. Phasing Reconsidered

The Project is anticipated to be constructed in multiple phases over ten to fifteen years. In the 2006 PMP, the plan included some specifics about which project components were anticipated first and which would be later. The Planning Board has issued Special Permits with Site Plan Review-A, the second phase of approvals after the PUD-PMP, for the Marketplace (Phase 1AAA), for IKEA (Phase IAA), and for a Blocks 10, 1, 4, 3, 2A and 2B consecutively are part of Phase IA. The Marketplace and Blocks were in existence or have been constructed. The first phase of development was intended to create a critical mass for the residential and retail environments and the initial success of the neighborhood. Actual phasing of the remaining portion of the project will vary depending on market conditions.

C. Required Future Permits

1. Minor Amendment to the PMP to Subdivide Lots and Develop Streets

The reconfiguration of the roadway and inclusion of median park, which should be owned by the Applicant, will require a plan for subdivision of lots from roadways to transfer roadways to the City while allowing the ownership of individual blocks within the development. In addition to the required plans for subdividing land, the applicant must also work with the City on updates to the maintenance agreements for public infrastructure and open spaces. With a site of this complexity and given the existing parcel configuration, it is very important that development sites be identified and given parcel numbers in order to record any approvals in perpetuity².

In the PMP revision, the Applicant has submitted a series of design plans. Some of the Right of Ways are not yet at 100% design although they are progressing in that direction and they identify the logical lines for future subdivision. With regard to infrastructure, all roadways and infrastructure elements will be required to comply with City standard or better as approved by the City Engineer and Director of Traffic & Parking and detailed drawings will be provided by the Applicant at a later date. With regard to street furniture, plantings, and other design amenities such as pavers, they will also be required to meet City standard or better. Staff does recommend, however, that these be reviewed informally between staff and the Applicant within the context of the Maintenance Agreement which will identify those elements to be maintained in perpetuity by the Applicant. Conditions have been drafted to this effect.

2. Special Permit with Site Plan Review – A

As identified in the SZO, individual projects within the PUD require a Special Permit with Site Plan Review A (SPSR-A). For each of the findings required for the PMP, there will be a subset of those findings required for each and every SPSR-A. These required findings are indicated as such in the Appendixes (see Appendix C). In addition, some PMP findings are contingent on detail to be submitted with SPSR-A applications and are conditioned as such.

² Note that the MaxPak subdivision occurred after a special permit was approved for the entire site, but all roadways in this site will be privately owned and the permit is for only one use, i.e., residential use.



The Applicant has identified in the zoning analysis for Section 6.4.7B the process by which the design guidelines may be used to guide the review SPSR-A applications. Any future applicant shall submit proposals for SPSR-A that are consistent with the guidelines or identify any deviation between the guidelines and the submission together with an explanation of the need for these differences. The DRC and Planning Board will need to determine if the solution is within the spirit of the guidelines. Significant changes could potentially require an amendment to the PMP. All proposals shall meet or exceed the minimum acceptable standard of quality identified in the document.

3. Conservation Commission Review

Conservation Commission to date has reviewed some individual projects within the riverfront area as well as the outfall pipe and the low impact design guidelines. Additional activities within the PMP area, such as the current revision, require review and approval of the Conservation Commission under Massachusetts law.

IV: FINDINGS FOR PRELIMINARY MASTER PLAN

A. Application Requirements

Application requirements are identified in Section 16.8 of the SZO. Section 16.8.2H identifies that the general information required for a special permit under Section 5.2 is also required at a preliminary level. Section 16.12 requires submittal of a denial letter from ISD. The Board finds the PMP meets the application submittal requirements for a PUD-PMP in the above listed sections. Detailed findings are contained in Appendix A.

B. Required Findings of Fact

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 this ordinance. Section 16.11.3 indicates the process for amendments to PUD approvals, including preliminary master plans and makes it clear that the proposal presently before the Planning Board is substantive enough to require major PUD amendment approval. 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 Board finds the PMP meets the required findings for a PUD PMP. Detailed findings are contained in Appendix B.

C. Future Requirements for SPSR-A

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 future special permit requests are submitted. The Board finds that projects submitted for SPSR-A under this PMP should be able to meet the findings required for approval if they substantially conform to the PMP and if they address all the necessary findings identified in Appendix C.

D. Waiver Standards

The Board finds that the PMP meets the required waiver findings of Section 16.8.2.6 and 6.4.12.A from the requirement for contour elevations in two foot increments and recommends approval of the waiver. Detailed findings are provided in Appendix D.

The 2006 PMP approval granted a waiver for a specific circumstance at the Marketplace project, allowing for two stores to receive waivers from the maximum ground floor retail footprint requirement. No additional waivers were granted at that time, and the ground floor footprint waivers were limited to only those specific sites within the Marketplace mall. They will remain in effect.



V: DECISION

Present and sitting were Members Kevin Prior, Joseph Favaloro, James Kirlyo and Gerard Amaral with Elizabeth Moroney and Michael Capuano absent. The Planning Board determined that the Preliminary Master Plan, as amended met the required findings, as addressed in Section IV and Appendixes A, B, C and D of this decision. Kevin Prior made a motion to approve the amendment to the Preliminary Master Plan and approve the requested waiver. James Kirlyo seconded the motion. The Planning Board voted 4-0 to APPROVE the amendment and to approve the waivers requested for the two foot contour lines. The Planning Board incorporated the conditions in Appendix E and attached Appendix F that addresses the PUD-PMP thresholds that will adjust as the Assembly Row project is built out.

This approval is based upon the Preliminary Master Plan Application stamped in at the City Clerk's Office on May 15, 2014. Approval constitutes an approval of the Preliminary Master Plan, subject to the conditions of Appendix E, but does NOT constitute approval of final site or building design details, which shall be reviewed in subsequent Special Permits with Site Plan Review-A (SPSR-A) for individual phases of the development.

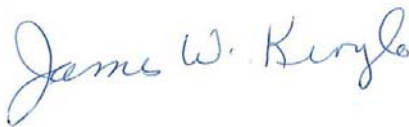
Attest, by the Planning Board:



Kevin Prior, Chairman



Joseph Favaloro



James Kirlyo



Gerard Amaral

Copies of this decision are filed in the Somerville City Clerk's office.
Copies of all plans referred to in this decision and a detailed record of the SPGA proceedings are filed in the Somerville Planning Dept.



CLERK’S CERTIFICATE

Any appeal of this decision must be filed within twenty days after the date this notice is filed in the Office of the City Clerk, and must be filed in accordance with M.G.L. c. 40A, sec. 17 and SZO sec. 3.2.10.

In accordance with M.G.L. c. 40 A, sec. 11, no variance shall take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner’s certificate of title.

Also in accordance with M.G.L. c. 40 A, sec. 11, a special permit shall not take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and either that no appeal has been filed or the appeal has been filed within such time, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner’s certificate of title. The person exercising rights under a duly appealed Special Permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.

The owner or applicant shall pay the fee for recording or registering. Furthermore, a permit from the Division of Inspectional Services shall be required in order to proceed with any project favorably decided upon by this decision, and upon request, the Applicant shall present evidence to the Building Official that this decision is properly recorded.

This is a true and correct copy of the decision filed on _____ in the Office of the City Clerk, and twenty days have elapsed, and

FOR 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

<u>A.1: Procedures for PUD Applications - Supportive Information (SZO 16.8)</u>					
Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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			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			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			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
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. Other landscaping/maintenance details be addressed in SPSR-A. Condition is recommended relative to preparation of Maintenance Agreement.
16.8.2.F	A traffic analysis and recommendations prepared by a registered professional engineer qualified to conduct such studies, including current traffic counts for streets surrounding the project, analysis of the existing capacity of those streets, projections of the amount of traffic that will be generated by the proposed development, and the ability of the thoroughfare system to absorb the increased traffic without decreasing the level of service below an acceptable level . . .	X			A transportation study was completed with 2006 plan and an updated analysis was submitted as part of this application. The analysis indicates that the overall project trip generation will decrease on weekends, and on a weekday daily basis. The capacity analysis conducted indicates that the additional traffic generated by the project during the weekday morning and evening commuter peak hour can be accommodated by the surrounding transportation infrastructure that has been implemented, or is soon to be including the new MBTA station or planned Mystic Ave signalized at-grade u-turn connection.

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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			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			See section A2, below
16.8.2.I	Any other supportive information the applicant feels may be beneficial to the City of Somerville in the evaluation of the request	X			Additional information provided includes design guidelines and supplemental detail on individual plans to later be submitted for SPSR-A review

A.2: General Information Required for SPSR Applications (SZO 5.2)

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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			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			See Existing Conditions Plan SV1-5.
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 Existing Conditions Plan; Layout and Materials Plan; ROW Plan; Overall Site Plan. Plans are scaled but no dimensions labled for individual buildings.

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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	Project description, general use mix and development strategy is provided in Section C of PMP. This is sufficient at this time, before individual SPSR-A's are submitted. All of the projects in the development site except for the Assembly Square Marketplace have been demolished.
5.2.3.5	the total floor area and ground coverage ratio of each proposed building and structure	X		X	Scaled Overall Site Plan with max proposed FAR is provided. Detail for each building is not provided at this time, but will be required with each SPSR-A submittal.
5.2.3.6	front, side, and rear elevations			X	To be provided with SPSR-A application. See Design Guidelines for general development strategy for building elevations.
5.2.3.7	existing and proposed contour elevations in two foot increments	X		X	See Grading, Drainage and Utility Plans. Existing contour elevations are shown in one foot increments and with spot grade elevations on the Existing Conditions Plan of Land. A waiver is being sought for the proposed contour elevations in two foot increments.
5.2.3.8	provisions for vehicular and pedestrian circulation	X		X	See Overall Site Plan and Design Guidelines for basic information. Detailed information on pedestrian and vehicle circulation will need to be provided with SPSR-A applications for review by the City Engineer and Traffic Engineer.
5.2.3.9	color, materials, and exterior features of proposed structures	X		X	To be provided with SPSR-A application. See Design Guidelines for general development strategy for building features.
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	A general Treescape Plan is provided. Street trees will be reviewed by Planning Director and City Engineer prior to infrastructure construction, but approval shall not be required for trees to be maintained by the Applicant. Trees that were outside of the Mystic River Reservation were mostly shrub growth have been replaced with approved landscaping.
5.2.3.11	measures taken to preserve and protect natural resources	X		X	Project complies with Waterfront Overlay District. The proposed building heights and orientations have been designed to locate the tallest buildings furthest away from the river to preserve views of the river. Some SPSR-A applications may require approval of Conservation Commission and environmental remediation in accordance with MA DEP requirements. A new outfall pipe was constructed to reduce the combined sewer outflows.
5.2.3.12	outdoor lighting, including location and intensity of lighting facilities			X	Lighting on development site is to be addressed in SPSR-A applications. Lighting on City streets will need approval by City Engineer/Public Works prior to infrastructure construction.
5.2.3.13	dimensions and locations of signs, proposed and existing			X	The Planning Board approved the Assembly Row Storefront and Signage Design Standards on March 12, 2013, as amended May 8, 2014. Any signage outside of these guidelines will need approval from the Planning Board.

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
5.2.3.14	location and significance of historic structures	X			This has been addressed in the 2005 VHB study and included in the original PMP document.
5.2.3.15	method for handling solid waste disposal, and for screening of disposal facilities			X	Individual sites will need to provide complete trash and recycling strategies with SPSR-A applications. Solid waste will be handled by private contractors.
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	To be addressed in SPSR-A applications.
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			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	To be addressed in SPSR-A applications. Demolition permits will require approval of ISD. The entire development is expected to have a 10-15 year buildout.
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			The transportation study was completed with 2006 plan and an updated analysis was submitted as part of this application. The analysis indicates that the overall project trip generation will decrease on weekends, and on a weekday daily basis. The capacity analysis conducted indicates that the additional traffic generated by the project during the weekday morning and evening commuter peak hour can be accommodated by the surrounding transportation infrastructure that has been implemented, or is soon to be including the new MBTA station or planned Mystic Ave signalized at-grade u-turn connection.
5.2.3.20	general summary of existing and proposed easements or other burdens now existing or to be placed on the property	X			See Existing Conditions Plan; ROW Plan. There will be easement agreements between the developer, the City and various utility companies. In order to allow for flexibility with building design the easements will individual SPSR-A applications. Streets within the site will be dedicated as public ways to the City. The Applicant and the City have executed an easement for the use of the public sidewalk as outdoor dining/seating within the right-of-way. All open space as marked in the Open Space Plan reflects the proposed right-of-way and access easements granted by the City and will be documented and reviewed in future SPSR-A applications. Point Park and Median Park will be retained by the Applicant with public access easements granted to the City.
5.2.3.21	wetlands, ponds, and surface water bodies, as defined under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, and rules promulgated thereunder, 310 CMR 10.00	X			See Existing Conditions Plan. There are no wetlands onsite that will be altered by the project.
5.2.3.22	photographs of at least eight (8) by ten (10) inches, showing the development site and surrounding parcels	X			Included in application submission

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
5.2.3.23	names and addresses of all property owners within three hundred (300) feet of site boundaries	X			Included in application submission

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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
<u>A.3: Denial Letter Requirement (SZO 16.12)</u>					
Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
16.12	All applications for a preliminary Master Plan Approval shall be required to include a so-called 'denial letter' from the Inspectional Services Department indicating which aspects of the proposed PUD require approvals from the SPGA	X			Included in application submission - dated Oct 25, 2006. No further denial letter is required for modifications to or phases of the Master Plan.

Appendix B: Required Findings of Fact

<u>B.1: General Findings under Section 16 (SZO 16.9 and 16.1)</u>					
Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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 and the City's Comprehensive Plan, SomerVision to transform and bring jobs and housing to this area. The Master Plan is based upon a long-term set of principles established by the City for redevelopment of the Assembly Square area in the ASD Plan. The applicant is requesting one waiver for two-foot contours which will be provided with each SPSR-A.
16.1	The purpose of a Planned Unit Development, or PUD, is to provide for a mixture of land usage at designated locations at greater variety, density and intensity than would normally be allowed . . . to achieve, to the greatest possible degree, land development responsive to an analysis of the environmental assets and liabilities of a site, both natural and man-made. A PUD should be a well-integrated development in terms of land uses, functional activities, and major design elements such as buildings, roads, utilities, drainage systems and open space. A PUD is allowed greater design flexibility so that larger-scale site and master planning for a development may protect natural features and consider most fully the surrounding land use and development context . . . Development should be concentrated in the most suitable and least environmentally sensitive areas of the landscape. Preservation and enhancement of open space is strongly promoted.	X			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 new jobs, increased tax revenues, market rate and affordable housing, improved access to transportation, improvements to regional stormwater systems and enhanced open space amenities. The project mixes uses, provides urban densities, develops according to environmental constraints and opportunities on the site, while ceating 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.
<u>B.2: Consistency Findings (SZO Section 6.4)</u>					
Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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.
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 the 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.
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 to amend the Revitalization Plan to reflect the latest redevelopment plan as outlined in this PMP and the FEIR.

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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. 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				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 of IKEA and subsequent location for Block 11, but the overall transportation strategy in the PMP meets the spirit of the original Transportation Plan.
<u>B.3: General Requirements of a PUD (SZO Section 16.4)</u>					
Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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.

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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.
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.

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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.
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.

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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.
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.

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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			Not applicable. This finding is not applicable in the ASMD District because all uses in the PUD align with the underlying district.
<i>B.4: PUD Design Guidelines (SZO Section 16.7)</i>					
Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
16.7a	PUD architecture should demonstrate the cohesive planning of the development and present a clearly identifiable design feature throughout. It is not intended that buildings be totally uniform in appearance or that designers and developers be restricted in their creativity. Rather, cohesion and identity can be demonstrated in similar building scale or mass; consistent use of facade materials; similar ground level detailing, color or signage; consistency in functional systems such as roadway or pedestrian way surfaces, signage, or landscaping; the framing of outdoor open space and linkages, or a clear conveyance in the importance of various buildings and features on the site			X	Architectural review will occur during the Special Permit review process, using the Design Guidelines in the PMP and SZO as a basis for discussion about architectural design within the PUD area.
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 Design Guidelines submitted in the application identify levels and qualities of façade materials and the location on the buildings where the applicant believes these are appropriate. While the highest quality (primary) facades tend to be oriented towards the open spaces in the guideline drawings, specific openings and architectural elements would be decided during the Special Permit review process.
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. Buildings that substantially exceed the base district limit of 40 feet emphasize the vertical dimension by having slender sides. Architectural elements that also accentuated the verticality of the buildings would be reviewed during the Special Permit review process.

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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 review will occur during the SPSR-A review process. In general, shadow impacts have been reduced to the extent possible, with the understanding that the basic design of the site that is stipulated by the zoning, Chapter 91, and the desire for more intense development near the T will result in a plan that puts taller buildings on the southern edge of the site, thereby creating more shadow than would be created if the tallest buildings were near the water.
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			Vehicular access to this area is primarily provided through Grand Union Boulevard but also through Revolution Drive and Foley Street by way of Middlesex Avenue. The PUD guidelines encourage consolidation of access points to and from PUD lands and a minimum of 200 feet between access points. This proposal meets this guideline while still offering optimal transportation access to the site, and a robust street grid to handle traffic within the site.
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.

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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 that would be required during the Special Permit review process will offset the negative effects of the above average block sizes and provide a scale appropriate for pedestrians.
16.7i	The PUD design should preserve and enhance natural features such as topography, waterways, vegetation, and drainage ways.	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	Though this a predominantly urban development and, where possible, the applicant has maximized pervious surfaces. Drainage would be updated to address the non-pervious surfaces and would include natural features to limit stormwater runoff including swales and rain gardens. Specific measures to increase pervious surfaces will be addressed in the Special Permit review process.
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.

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
16.7I	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.
<u>B.5: ASMD Development Standards (SZO Section 6.4.7.A)</u>					
Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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	Parking requirements were reviewed and approved with the original PMP approval. Total parking has changed slightly in 2010, from 10,278 spaces to 10,066 spaces. The applicant exceeds parking requirements for the site as a whole, as specified in Section 9.16 of the SZO and the project is conditioned to remain at the 10,066 number. Individual projects and phases will need review to ensure that interim parking needs are adequately met before full buildout is complete. Section 9.15 of the SZO identifies required bicycle parking. Bicycle parking will be addressed in the SPSR-A process for individual development sites and there is a condition of approval related to preferred location.
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 application is for an amendment to the approved Planned Unit Development Preliminary Master Plan. Landscaping requirements will be reviewed during the Special Permit process for each building and/or phase.

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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.
<u>B.6: ASMD Design Guidelines (SZO Section 6.4.7.B)</u>					
Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
<p>Note: The applicant has provided, of its own volition, additional Design Review Guidelines to address the design and massing of the proposed blocks and buildings. The document's specific purpose is to: 1) Establish the standards upon which the Design Review Committee (DRC) will base its recommendations for the implementation of the Assembly Row PUD; 2) Provide viable building solutions for massing, vertical mixing of uses, fenestration and materials, pedestrian lobby locations, parking structure location and entrances as well as building service locations; 3) Establish the guide upon which the DRC and Planning Board will base recommendations for the implementation of the Assembly ROW PUD; and, 4) Provide architects, designers and developers with a document to guide their work as the Assembly Row Project is implemented. These guidelines are generally consistent with all other guideline documents pertaining to the Assembly Row PUD Area and are meant to be the relevant document for the proposed project. While the plans and images within this document represent a minimum acceptable standard 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 or acceptable solution. Where design solutions deviate significantly from these guidelines, the Somerville DRC and Planning Board would determine if the solution is within the spirit of the document. If adopted by the Planning Board, these Design Guidelines will become part of the vision and expectation of the project from here forward.</p>					
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 to ensure that streets meet City engineering standards. As applicable, existing buildings will be demolished before street construction is required.

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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	This application is for a revised Planned Unit Development Preliminary Master Plan approval. The final design of the proposed buildings has not been completed. The description and composition of the buildings will be reviewed with each SPSR-A for the individual buildings and phases.
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	This application is for a revised Planned Unit Development Preliminary Master Plan approval. The final design of the proposed buildings has not been completed. The description and composition of the buildings will be reviewed with each SPSR-A for the individual buildings and phases.
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	This application is for a revised Planned Unit Development Preliminary Master Plan approval. The final design of the proposed buildings has not been completed. The description and composition of the buildings will be reviewed with each SPSR-A for the individual buildings and phases.
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	This application is for a revised Planned Unit Development Preliminary Master Plan approval. The final design of the proposed buildings has not been completed. The description and composition of the buildings will be reviewed with each SPSR-A for the individual buildings and phases.
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	This application is for a revised Planned Unit Development Preliminary Master Plan approval. The final design of the proposed buildings has not been completed. The description and composition of the buildings will be reviewed with each SPSR-A for the individual buildings and phases.

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
6.4.7.B.2e	Materials and colors shall be consistent with traditional buildings in the area with historic merit.			X	This application is for a revised Planned Unit Development Preliminary Master Plan approval. The final design of the proposed buildings has not been completed. The description and composition of the buildings will be reviewed with each SPSR-A for the individual buildings and phases.
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	This application is for a revised Planned Unit Development Preliminary Master Plan approval. The final design of the proposed buildings has not been completed. The description and composition of the buildings will be reviewed with each SPSR-A for the individual buildings and phases.
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	This application is for a revised Planned Unit Development Preliminary Master Plan approval. The final design of the proposed buildings has not been completed. The description and composition of the buildings will be reviewed with each SPSR-A for the individual buildings and phases.
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	This application is for a revised Planned Unit Development Preliminary Master Plan approval. The final design of the proposed buildings has not been completed. The description and composition of the buildings will be reviewed with each SPSR-A for the individual buildings and phases.
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 application is for a revised Planned Unit Development Preliminary Master Plan approval. The final design of the proposed buildings has not been completed. The description and composition of the buildings will be reviewed with each SPSR-A for the individual buildings and phases.
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	This application is for a revised Planned Unit Development Preliminary Master Plan approval. The final design of the proposed buildings has not been completed. The parking lot layouts will be reviewed with each SPSR-A.

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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	Applicant has exceeded the requirement to provide open space and Usable Open Space (UOS). The areas within the Marketplace remain unchanged from their special permit approvals. The final design of the open space within the mixed use component has not been completed. It is the Applicant's commitment that they will maintain the open space and plantings throughout the PUD through the Usable Open Space Agreement. No further action by the Planning Board is anticipated with regard to open space within the street ROW. Landscaping on individual development sites will be subject to PB review and approval as a part of SPSR-A review.
6.4.7.B.5	<i>Efficiency of Design.</i> Every effort shall be made to design Buildings and use materials and construction techniques to optimize daylight in building interiors, natural ventilation, energy efficiency, and to minimize exposure to and consumption of toxics and non-renewable resources and incorporate appropriate "green" design techniques. In accordance with this principle all Developments within the ASMD in excess of ten thousand (10,000) square feet shall be required to complete an Leadership in Energy & Environmental Design (LEED) worksheet and submit the worksheet to the SPGA with permit application materials. This worksheet shall be considered in evaluating whether a proposed Development meets the applicable standards set forth elsewhere in this Ordinance. However, consistency with the LEED standards shall not be a factor in whether or not to permit a Development.			X	This application is for a revised Planned Unit Development Preliminary Master Plan approval. The Applicant shall comply with this section during each SPSR-A process and submit the necessary LEED worksheets. A condition is recommended with regard to the Applicant's commitment to apply for LEED ND, which is LEED at the neighborhood level. Block 11 is proposed to be a LEED certified building.
6.4.7.B.6	<i>Contributions.</i> Contributions for Infrastructure and Open Space related to a Development made by an Applicant to the City or its constituent agencies in other agreements or permits shall be credited by the SPGA toward any applicable requirements hereunder for a Special Permit.	X		X	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. Specific contributions that may be required as a part of individual SPSR-A projects will be reviewed with each special permit.

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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	This application is for a revised Planned Unit Development Preliminary Master Plan approval. The final design of the proposed buildings has not been completed and therefore, the loading spaces are not finalized. The loading spaces will be reviewed during each SPSR-A process.
<u>B.7: ASMD Large Project Development Standards (SZO Section 6.4.8.D)</u>					
Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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.				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.
6.4.8.D.2	<i>Large Retail Projects.</i> Any Large Development in which any single Retail Use is more than fifty thousand (50,000) square feet of gross floor area shall also be deemed a Large Retail Project. A). Nonretail Component --“No Large Retail Project ... shall be permitted in the ASMD unless permitted as part of a PUD-A which includes 1.5 net square feet of non-retail uses for every square foot over 50,000 net square feet of Retail Use in the Large Retail Project.” B). Ground Level Retail Size Cap-- “In a Large Retail Project, not more than 50,000 square feet of Gross Floor area of any single Retail Use shall be located on the Ground Floor of any Building included in the PUD-A.”			X	Section A) The proposed PUD meets this requirement as indicated in the Overall Site Plan breakdown of the proposed uses and the individual SPSR-A applications will be conditioned to not include single ground floor retailers with footprints over 50,000 sf. 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.

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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 15% usable open space. The current amendment increases the usable open space percentage and provides significant usable landscaped areas on Block 11.
<u>B.8: ASMD Large Project Design Guidelines (SZO Section 6.4.8.E)</u>					
Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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			Over 85% of parking spaces are located in parking structures. Some of the parking on Blocks 5, 8, 7 and phase 2 of 11.

Appendix C: Future Requirements for SPSR-A

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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	Individual SPSR-A projects will be assessed for any additional traffic impacts that they may create, above and beyond what was anticipated in the original traffic study, with any appropriate mitigation planned accordingly. Review of pedestrian and vehicle entries and exits will be subject to review by the Traffic Engineer and the Planning Board before project approval.
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 Section I of the document. 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. Projects that deviate from the submitted design guidelines will need to be reviewed further for compliance with this provision.
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 overall development meets these objectives. Individual projects will need review to ensure they are consistent with the PMP and these objectives.
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. The overall development plan does not show any apparent inconsistencies with these objectives. Individual projects will need review to ensure they are consistent with these required additional findings and determinations.
5.2.5.a	<i>Information supplied.</i> Complies with the information requirements of Section 5.2.3			X	Applicants will need to submit 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 will need to meet individual SPSR-A findings as identified in this Appendix C.

Section	Required Finding	Met	Not Met	To Address in SPSR-A	Comment
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. Projects that are consistent with the PMP should be able to meet this finding. Projects that deviate from the PMP will need review within the SPSR-A review process to ensure they remain compatible with the purpose of the district.
5.2.5.d	<i>Site and area compatibility.</i> Is designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area, and that the scale, massing and detailing of buildings are compatible with those prevalent in the surrounding area			X	The overall plan is compatible with natural features and character of the surrounding area. Projects that are consistent with the PMP should be able to meet this finding. Projects that deviate from the PMP will need review within the SPSR-A review process to ensure they remain compatible with the natural features of the area.
5.2.5.e	<i>Functional design.</i> Meets accepted standards and criteria for the functional design of facilities, structures, and site construction			X	Individual buildings will need to be reviewed during the SPSR-A process to ensure that the functional design meets acceptable standards
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. Projects will be addressed in the SPSR-A process to ensure that their utility impact remains consistent with the PMP and does not have any adverse impacts within the development site.
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. Furthermore, upgrades to DCR parkland provide off-site open space for the project as well as the surrounding neighborhood. Individual projects will need review under SPSR-A for consistency with the PMP as well as any unanticipated environmental impacts.
5.2.5.h	<i>Consistency with purposes.</i> Is consistent with: 1) the purposes of this Ordinance, particularly those set forth in Article 1 and Article 5; and 2) the purposes, provisions, and specific objectives applicable to the requested special permit with site plan review which may be set forth elsewhere in this Ordinance, such as, but not limited to, those at the beginning of the various sections			X	The project described in the PMP meets this finding, but individual developments in the SPSR-A process will also need to establish that they continue to meet this finding.

Appendix D: Standards for Waivers

<i>Section</i>	<i>Required Finding</i>	<i>Met</i>	<i>Not Met</i>	<i>To Address in SPSR-A</i>	<i>Comment</i>
16.5.4	<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			<p>The current application is requesting a waiver from the applicant is requesting one waiver for two-foot contours which will be provided with each SPSR-A. The applicant received two waivers from the standards of Section 16.5 from the dimensional standards in Section 6.5.6 as referenced in Section 16.5.1 in the past. The waivers would allow the construction of a building (underground parking structure) within 150 feet of the Mystic River bank; and, b) allow a building of a height up to 90 feet within the area between 150 and 250 feet of the Mystic River bank. Underground parking was not included in the plan for the building on Block 2. The Planning Board approved a waiver from the limit of building within 150 feet of the Mystic River bank in case PB 2006-59-R2(1/2013). The proposed setback from the River is 141.8 feet. The portion of the building in the 150 foot setback is approximately 850 square feet of the one story portion of the building and 125 square feet of the footprint of the upper floors.</p> <p>The height waiver granted will not be exercised; height of the building will be 70 feet at its tallest at the southwest corner and 62 feet for the rest of the building.</p>
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 contour lines were submitted in one foot increments and will be submitted in two foot increments as part of the SPSR-A application.
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			This finding does not apply in this case.
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.

Exhibit A

Appendix E: Assembly Square PMP Revision 2014: Conditions (prior revision March 12, 2011 per PB 2006-59-MA8-3/2012) *Notes Updated 06.12.2014*

#	Condition	Completed Since 2006	No Longer Relevant	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
<p><i>This amended condition list reflects the conditions to the 2006 approval as amended by the Planning Board for approval of the 2010 and 2014 revisions (as amended through March 12, 2011 per Case 2006-59-MA8-3/2012). The conditions below shall supersede the PMP conditions approved in 2006 and 2010. The Applicant agrees that if it is determined that the Planning Board determines that a condition from the 2006 PUD PMP approval decision has been omitted from this decision through error, the Planning Board shall have the right to enforce such condition. Lanugage that was expressly deleted in the staff report and does therefore not appear in these conditions shall not be deemed to have been omitted from this decision through errors.</i></p>							
A. General							
1	<p>Approval is based upon the revised Preliminary Master Plan submitted by Vanasse Hangen Brustlin, Inc. stamped in at the City Clerk's office on May 15, 2014, including Preliminary Masterplan Grade Level R-101, Upper Retail Plan R-102, Typ. Upper Level Plan R-103, Roof Plan R104, Below Grade R-100 dated April 23, 2014, Amended Preliminary Master Plan site plans including pages C-1 through C-17 dated May 15, 2014, C-18 dated June 9, 2014, C-19 dated May 15, 2014, Sv-1 through Sv-13 dated March 9, 2012, Right of Way Plan pages 1-5 dated May 6, 2014, Open Space Plan dated May 12, 2014, Assembly Row Design Guidelines dated Rev May 2014. Any changes to the submitted application material that are not de minimis must receive Planning Board approval, unless such changes are designed only to establish compliance with one of the conditions of this PMP approval.</p> <p>The approval of this PMP does not incorporate any of the following items: a) Any interior layout of buildings; b) Locations of and specifications for elements of the public right of way to be covered in the maintenance agreement per Condition #3 and #4; c) Design details within individual open spaces to be reviewed per Condition #5; d) Any off-site design including but not limited to design on MBTA and/or DCR land.</p>	-	-	Planning Director	Continuous	LM	
2	<p>The approval of this PMP shall be considered to be approval of the width of roadway and rights-of-ways. For each street, 100% street design plans, consistent with the PMP and the City's Complete Street Ordinance, must be filed with the City Engineer, Traffic and Parking Director, and Planning Director for review and compliance with city standards and sound engineering practices. Appilcant shall provide detailed roadway marking plans and cross sections, including bicycle and pedestrian design details (markings, signals, crosswalks, street furnitures, etc.) Bike lanes shall at a minimum be located on Revolution Drive. All modes must be considered and accommodated in these details, and NACTO minimum accommodations incorporated.</p>	-	-	Planning Director / City Engineer / T&P Director	Continuous	LM per RK	Complete for streets surrounding Blocks 1-4. See letter from Rob King dated Nov 14, 2012. Dedicated bike lane on Foley became a shared bike lane in Phase 1B streetscape improvements.
3	<p>Applicant will work with the City to develop the long term maintenance agreement noted in Section 12.1B of the application form that 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.</p>	X	-	Planning Director / City Engineer	Prior to Start of Work Beyond Core & Shell of Building (excluding construction of Blocks 1, 4, &10)	LM	Signed May 2012

#	Condition	Completed Since 2006	No Longer Relevant	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
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.		
3.2	Applicant shall submit a revised Easement Agreement, based upon design changes in this amendment (originally entered into as of Nov 29, 2012) to be reviewed and approved by the City.	-	-	Planning Director / DPW	Prior to BP of Blocks, 5,6,7,8,9,11, whichever is first.		
4	Pursuant to #3 above, design of sidewalk treatments, street trees, landscaping, finishes, street furniture and other amenities that are to be maintained by the Applicant will not be subject to City approval but shall be submitted to the City Engineer and Planning Director for comment.	-	-	Planning Director / City Engineer	Prior to opening of any new public street in the project (other than Assembly Square Drive)		
5	Applicant will work with the City to develop the long term maintenance agreement for the Useable Open Space as required in Article 17 of the SZO. The agreement shall specify the requirements for public access and private maintenance of useable open space in the plan, as required by the SZO. The applicant shall build out and maintain all of the open space and allow public access to all of the useable open space in the plan as required by the SZO. The applicant will submit 100% construction plans for open space to the City for review and comment.	X	-	Planning Director / City Engineer / DPW	Prior to Start of Work Beyond Core & Shell of Building (excluding construction of Blocks 1, 4, &10)	LM	Signed May 2012
5.1	Applicant shall submit revised attachments and updated amendments to the long term maintenance for the Useable Open Space agreement to be reviewed and approved by City Staff. The new green space on Block 11 shall be included in a new or amended Useable Open Space agreement.	-	-	Planning Director / DPW	Prior to CO of Blocks, 5,6,7,8,9,11, whichever is first.		
6	The applicant will submit a plan amendment to subdivide all public roadway right of way from development blocks, to be approved by the Planning Board, per the SZO, and filed with the Middlesex South Registry of Deeds. Any minor plan changes to this initial subdivision will be reviewed for approval by the Planning Director and Director of Traffic and Parking as a minor plan change.	-	-	Planning Director	Prior to Building Permit for any of blocks 1, 2, 3, 4, 5, 6, 7, 8, or 9		Subdivision Plan of Land in Somerville, MA dated Nov 18, 2011. Middlesex Registry of Deeds, Southern District Registry Plan No. 880 of 2011, recorded 12-28-2011. Revisions necessary. Easement agreement will retain point park and median park as owned by the applicant with public access easements granted to the City.

#	Condition	Completed Since 2006	No Longer Relevant	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
7	The financial statement submitted by the Applicant with the original PMP shall be considered to be for informational purposes only. No portion of that document shall be a binding upon the Applicant or the City.	X	-	-	-	LM per prior approval	
B. Transportation / Traffic Circulation							
8	Applicant shall revise the Traffic Impact Assessment Study (TIAS) in consideration of comments included in the Peer Review memorandums prepared by FST reviewing Existing Conditions, No-Build Conditions, and Build Conditions, consistent with MEPA review.	X				LM per prior approval	Completed with IDEA SPSR-A and DEIR
9	Major actions to be taken prior to Phase 1A include: expanding the impact study area, documenting/justifying trip proposed generation rates, trip distribution, and trip reduction rates.	X				LM per prior approval	Completed with IDEA SPSR-A and DEIR
10	Applicant shall consider issues discussed in Peer Review Memoranda. The Board shall consider the Peer Review Memoranda or any additional information when considering permit applications.	X	-	-	-	LM per prior approval	FST reviewed the compliance with the memo prior to approving the 100% design of mitigation associated with the IKEA permit and determined that these comments were addressed.
10.1	Applicant shall review parking supply and demand data with 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 for uses within the same structure and uses on other blocks in the development site.	-	-	Director Planning & T&P	Addressed with each SPSR A application		
11	All mitigation involving traffic signal upgrades must include specific discussion and documentation of the ability of all controllers to be left in place to fulfill the functions required of them by proposed mitigation.	X	-	-	-	LM per prior approval - may need review for future development	Addressed during review of IKEA mitigation
11.1	Prior to occupancy of office uses within any development block, the Applicant shall submit for review and comment by the Planning staff, a Transportation Demand Management Plan designed to minimize the amount of parking demand associated with the development, reduce single-occupant vehicle trips in and around Somerville, and encourage a transportation mode split where 50% of trips are made by walking, bicycling, or public transportation. The TDM plan shall consider commitments to the implementation of automobile trip reduction measures including, but not limited to, the following: Ride-sharing incentives, matching services, and information dissemination Facilities for cyclists, including long-term bicycle storage and showers Preferential parking locations for high-occupancy vehicles (carpools & vanpools) Mass-Transit information dissemination Incentives and/or direct subsidies for Hubway memberships and/or MBTA passes Direct links or pedestrian connections to mass transit stations Flexible working hours Telecommuting Shuttle services	-	-	Director Planning & T&P	Addressed with each SPSR A application		
12	The Applicant shall consider all recommendations referenced in the Traffic Impact and Access Study Memo; On-Site Circulation Memo; and the Pedestrian and Bicycle Circulation Memo prepared by Fay, Spofford & Thorndike (FST).	X				LM per prior approval	Completed with IDEA SPSR-A and DEIR

#	Condition	Completed Since 2006	No Longer Relevant	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
13	Applicant identifies the U-Turn Slot as proposed transportation mitigation. If the Foley Street Connector is proven to be feasible (and is approved by MEPA and MassDOT as an alternative to the U-Turn Slot), the applicant will work with the City of Somerville to substitute the City's proposed Foley Street Connector for the U-turn slot, and put any mitigation support that was proposed for the U-turn slot towards the Foley Street Connector.	-	-	Planning Director	upon approval by DOT and MEPA		
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	Applicant will be oppose the City renaming the portion of Great River Road that is parallel to the railroad tracks pursuant to Section 12.1 and 2-309.5 of the Code of Ordinances. Street names that are the same or similar to names already used in Somerville shall not be permitted.	-	-	Planning Director	Prior to opening of Block 6	LM	
15.1	Applicant will work with the city to provide at least one Hubway Bike Share Station (minimum 12 docks / 8 bicycles) within a 1/4 mile of the Assembly Square MBTA station entrance. Applicant shall purchase and install of at least one such bike share station (total cost estimated to be \$50,000). Applicant shall work with the city and the MBTA as applicable to place the station at a site location approved by the city. The funding shall be provided at such time as the City's Hubway bike share system expands to cover the East Broadway area. The best possible location may require the transformation of surface parking spaces or the construction of a concrete pad, which shall be completed by the applicant. The location and design of the station site shall be agreed upon by the applicant and the OSPCD Transportation & Infrastructure division staff.			Transportation & Infrastructure	Expansion of Hubway into East Somerville		
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		

#	Condition	Completed Since 2006	No Longer Relevant	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
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		
17	Reserved.						
17.1	Should the Applicant install traffic lights in the future, there must be a video traffic signal control technology equipment at each intersection with the new signal, subject to the approval of the Director of Highway, Lights and Lines and Traffic and Parking.	-	-	Director of Highway, Lights & Lines and T&P	Installation of traffic lights		
17.2	If any intersections were designed with two way Stop signs in accordance with MassDOT design standards and the applicant requests 4 way Stop control intersections, then the applicant must have a Traffic Engineer prepare a Warrant Analysis and submit same to Traffic and Parking for review and approval. The Warrant Analysis must indicate that the intersections in question meet the standards of the MUTCD for a 4 way Stop control intersection.	-	-	Director of T&P	Installation of 4 way stop controls		
C. Water Systems							
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		
19	Applicant shall conduct additional hydraulic analyses to ensure that the City's system is capable of meeting the adjusted demands throughout the project. Applicant shall meet fire flow requirements while maintaining a minimum pressure of 20 psi at the fire location. In accordance with DEP guideline, a minimum pressure of 35 psi shall be maintained throughout the distribution system during normal demand conditions.	X	-	-	-	LM per prior approval may need to be revised with future development	Completed between 2006 PMP approval and application for SP for the IKEA.
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		This is complete within Assembly Square Drive, but review will be required for streets in the mixed-use area.

#	Condition	Completed Since 2006	No Longer Relevant	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
21	Roadway construction plans shall provide for hydrants, as required to ensure adequate fire protection for the site in compliance with applicable local, state, and federal requirements as determined by the Fire Chief and City Engineer.	X	-	Fire Chief / City Engineer	Prior to trench permit for roadway construction		
22	Applicant shall install valves at each intersection, and correspondingly show and label on all drawings. All tees, bends, reducers, and other fittings should also be labeled on the drawings.	-	-	City Engineer	Prior to trench permit for roadway construction		
23	Applicant shall provide individual calculations to determine the sizes necessary for the connections to each property. The proposed service connections to each of the new buildings shall be shown on further design drawings.	X	-	City Engineer	Prior to trench permit for roadway construction	LM per prior approval	City Engineer has reviewed and signed-off on infrastructure plans showing water connections. See 11/14/12 letter from Engineer
D. Sanitary Sewer Systems							
24	Design and construction phasing of the sanitary sewer 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		
25	All SPSR-A submissions shall include profiles of the proposed sewer system. Applicant must ensure that there are no conflicts with other proposed utilities.	X	-	City Engineer	Prior to Building Permit for any of blocks 1, 2, 3,4, 5,6, 7, 8 or 9	LM per prior approval	
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	LM per prior approval	
27	Applicant shall make every effort to comply with DEP requirement that states "whenever possible" a minimum horizontal distance of ten feet shall be maintained between sewer lines and water mains. Exceptions are usually only allowed when there are conflicts with existing utilities or existing structures that would prevent obtaining the proper separation.	-	-	City Engineer	Prior to trench permit for roadway construction		
28	Applicant shall evaluate the impact the proposed project flows will have on the MWRA interceptor and the upstream and downstream municipal sewer system.	X	-	-	-	LM per prior approval	This has been addressed with approval of the sewer connection permit for Assembly Square Drive in September 2009
E. Stormwater Management System							
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		

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30	Applicant shall provide additional information to the Planning Board to verify the adequacy of the existing MWRA 84-inch Somerville Marginal Conduit	X	-	-	-	LM per prior approval	New outfall will provide relief to the Marginal Conduit. IKEA is allowed a temporary connection to the Conduit, but otherwise the project will not impact the Conduit.
31	Applicant shall provide the Planning Board with a status report on the receipt of necessary permits from MWRA.	X	-	Planning Director	Continuous		
32	Applicant shall provide a more detailed analysis of the site hydrology for existing and proposed conditions during the 2-, 10-, and 100-year storm events.	X	-	-	-	LM per prior approval	Addressed in MEPA DEIR and Con. Comm. Review
33	Applicant shall meet with DCR and obtain any and all necessary permits from DCR. Applicant shall furnish the Planning Board with copies of these permits.	-	-	Planning Director	Continuous		
34	Applicant shall furnish health and safety requirements for utility workers for all roadways to be constructed on private property and subsequently dedicated as public ways.	-	-	Planning Director	Prior to dedication of public ways		
35	Applicant shall provide a detailed series of Best Management Practices (BMP's) to demonstrate a total suspended solids (TSS) removal rate of at least 80 percent. Plans shall include locations of all proposed BMP's.	X	-	-	-	LM per prior approval	BMP Plan approved by Conservation Commission
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		
38	Activities within the jurisdiction of the Somerville Conservation Commission shall be conducted subject to applicable requirements of the Commission.	-	-	Con. Comm.	Continuous		
39	The applicant shall commit to providing low impact development stormwater management elements in the Block 4 open space, to be designed with the review and approval of the City Engineer for consistency with best practices for stormwater management.	X	-	Planning Director / City Engineer	Prior to trench permit for roadway construction		
F. Urban Design and Design Guidelines							
39.1	A View Corridor Marker, as described in the Assembly Row Design Guidelines, shall be added to Block 11 on the parking garage or in front of it to establish an interesting terminus to the view corridor from median park looking through the 2-story portal. The marker shall be of greater interest than a stair tower for the garage. The design shall be reviewed by the DRC and reviewed and approved by Planning Staff.	-	-	Planning Director	Prior to SPSR-A approval for Block 11		
39.2	Design Guidelines for Blocks 5, 7, 8, phase 2 and daycare of block 11 shall be reviewed by the DRC and reviewed and approved by the Planning Board prior to the Planning Staff entertaining the SPSR-A applications for these blocks.	-	-	Planning Director	Prior to SPSR-A submission for Blocks 5,7,8, phase II of Block 11		

#	Condition	Completed Since 2006	No Longer Relevant	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
39.4	Applicant shall consider alternative designs for the footprint of the parking garage and daycare on Block 11. The applicant shall work with Planning Staff on the final location of the footprint of the parking garage and daycare to determine if an alternative design will provide adequate parking and daycare functions while improving the pedestrian experience along Grand Union Boulevard streetscape, improving the impact of the garage on the block 11 park, and provide an opportunity for future retail frontage along the Boulevard. These alternatives shall be reviewed by Planning Staff comment and may be substituted for the approved design guideline with the SPSR-A presentation before the Planning Board.	-	-	Planning Director	Prior to SPSR-A for Block 11		
40	Applicant shall review with the Fire Chief and the City the geometry of Revolution Drive, including its intersection with Grand Union and Assembly Row.	X	-	-	-	LM per prior approval	
41	Reserved.	X	-	-	-	LM per prior approval	
41.1	The site plan may be altered to accommodate the reconfiguration of the access driveway into the parking garage off of Revolution Drive into Block 11, such that it removes the pedestrian conflict from the headhouse, IF the southern headhouse is reconfigured by the Applicant in coordination with the MBTA.						
42	Applicant shall study integrating the T-Station into the site plan and creating visibility for the presence of the T-Station at the terminus of Revolution Drive/Foley Street and a plaza and arrival sequence that connects more directly to the Assembly Square Park on Main Street. Maximizing T-Station visibility shall be a factor in considering applicable site plan proposals.	X	-	-	-	LM per prior approval	
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		
43	Prior to any SPSR-A submission that involves the use of current DCR land or shall reconfigure the development within the requirements of the Master Plan and the applicable regulations of the SZO.	X	-	Planning Director	Prior to SPSR-A submission		Block 2 involved changes. Condition may be triggered in the future.
44	Reserved.						
45	The Applicant shall design and make improvements to the following pedestrian crossings: Lombardi Drive during Block 1AA submission; Kensington Avenue during Phase 1AA submission	X	-	-	-	LM per prior approval	This condition is complete
46	The Applicant shall provide funds for design and up to \$1 million in funds for construction of the pedestrian crossing from Assembly Square to the Ten Hills neighborhood.	X	-	Planning Director	Prior to CO for first SPSR-A in mixed-use area		Design is complete - not yet open
47	As part of each site plan review submittal, the Applicant shall calculations showing that the percentage of open space and usable open space meets the zoning requirement for a PUD-A within the ASMD.	-	-	Planning Director	Addressed with each SPSR A application		Complete to date but continuous.
48	At the time of submittal of development on Block 1, Block 2 and the Main Street Mall, the Applicant shall submit confirmation that the setbacks from the Mystic River to the closest buildings are at least 150 feet except for Block 2 where underground parking has received a waiver to be closer than 150 feet and the building has received a waiver to be 142 feet from the River	X	-	Planning Director	Addressed with each SPSR A application		Complete to date but continuous.

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49	Applicant shall ensure that the sunlight conditions shown on the plans are adequate for the tree species proposed within the public right of ways if trees are to be maintained by the City.	X	-	City Engineer	Prior to installation of street trees	LM per prior approval	City Engineer has reviewed and signed-off on infrastructure plans including landscape plans. See 11/14/12 letter from Engineer
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		City Engineer has reviewed and signed-off on infrastructure plans. See 11/14/12 letter from Engineer

#	Condition	Completed Since 2006	No Longer Relevant	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
51	<p>Applicant shall be responsible for all design, construction, maintenance and repair of all roadways, streetscape including street lighting and other street furniture furnishings, and parks and open space which are part of the PUD. Applicant shall be responsible for the design and construction of water, sewer, and storm drainage systems serving the PUD. Applicant shall be responsible for the usage costs of electricity, gas, water, cable and other utilities furnished to the PUD, and for trash removal. The City shall be responsible for the maintenance and repair of water, sewer, and storm water conduits, and traffic signals on public ways.</p> <p>The City shall also be responsible for snowplowing and street cleaning, including the cleaning of catch basins, except that the City shall not be responsible for LID tree boxes. The Applicant shall be responsible for designing, constructing, maintaining, and repairing similar "Smart Technology" required by MEPA. All utilities shall be designed and installed in accordance with the City of Somerville's standards and specifications.</p> <p>Notwithstanding the foregoing, if the maintenance agreement includes provisions that are inconsistent with this condition the maintenance agreement shall supercede this condition.</p>	X	-	Planning Director / City Engineer	Prior to Start of Work Beyond Core & Shell of Building (excluding construction of Blocks 1, 4, &10)	LM per prior approval	COS-FRIT maintenance agreement has been executed.
52	Applicant shall provide details of the pedestrian connection from Assembly Square to Draw 7 Park under the railroad bridge.	X	-	Planning Director	Prior to trench permit for roadway construction in A Street	LM per prior approval	City Engineer has reviewed and signed-off on infrastructure plans/plans. See 11/14/12 letter from Engineer
53	Applicant shall include a landscape buffer between the tracks and the proposed development along the Great River Road multi-use path that leads to the T-Station.	X	-	Planning Director	Prior to CO for Block 2, 4 or 6, whichever is first	LM per prior approval	Block 2 contains landscaping btw the block and boathouse
54	Applicant shall show the future potential pedestrian connection from the proposed Assembly Square T Station to Draw 7 Park. The design of the project and T Station shall not preclude the ability for the future design and construction of a direct pedestrian connection from the Station into the park. (The Applicant is not expected to construct the pedestrian connection, but merely to show it in the plans in the event that enough federal and state monies are available to construct such a connection as part of the T station.)	X	-	Planning Director	Prior to trench permit for roadway construction	LM per prior approval	City Engineer has reviewed and signed-off on infrastructure plans/plans. See 11/14/12 letter from Engineer
55	Applicant shall plan for a drop-off location and taxi stand for the MBTA station as a part of roadway design.	X	-	Planning Director / City Engineer / T&P Director	Prior to any new public street in the project (other than Assembly Square Drive)		City Engineer has reviewed and signed-off on infrastructure plans/plans. See 11/14/12 letter from Engineer
56	Applicant will consider plans to link the Mystic River Park clearly to the surrounding street circulation for bicyclists and pedestrians to the T Station prior to Phase 1A.	X	-	-	-		addressed during IKEA permit - to addressed with future development
57	Applicant shall provide additional details to better define the "series of pocket parks" described in the PUD submission.	X	-	-	-		Complete to date but continuous.

#	Condition	Completed Since 2006	No Longer Relevant	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
58	Applicant shall depict the locations and design of handicapped accessible curb ramps for review and approval by the City Engineer.	X	-	City Engineer	Prior to installation of sidewalk	LM per prior approval	City Engineer has reviewed and signed-off on infrastructure plans. See 11/14/12 letter from Engineer
59	Applicant shall continue to work with the City on the design of the proposed median on Assembly Square Drive in order to maximize the amount of useable open space.	X	-	-	-	LM per prior approval	Median park proposed.
60	The applicant shall provide a design guideline for all signage within the PUD area for review by the DRC and approval by the Planning Board.	X	-	Planning Director	Prior to issuance of building permit for retail tenant space beyond the core & shell, except Block 10	LM	PB approved March 21, 2013
61	The relocation or reconfiguration of temporary boat storage shall require SPSR-A.	X	-	Planning Director	Continuous	LM	Done - SPSR approved
61.1	The Applicant shall work with Planning Staff to determine if there is a location to relocate Assembly Square's historic water tower and incorporate it into the landscape onsite. The location and design shall be reviewed and approved by Planning Staff.	-	-	Planning Director	Prior to CO for Block 7 or 8, whichever is first		
62	The applicant shall use reasonable efforts to secure LEED-ND approval for the project.	-	-	Planning Director	Prior to CO for first development in Mixed-Use area		Applicant says meets all of LEED-ND standards except one LEED building in the development so keeping condition open to check on future buildings by Federal Realty, Partners or any other future owner certified.
G. Trash and Recycling							
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	LM	Complete to date but continuous.

#	Condition	Completed Since 2006	No Longer Relevant	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
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	LM per prior approval	Engineer has signed-off on plans. Maintenance agreement executed.
65	Applicant shall provide street lights that meet City standards on all public streets where lights are to be maintained by the City.	-	-	City Engineer / DPW	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.	-	-	City Engineer	Addressed with each SPSR A application		
66	SPSR-A applications under the PMP shall include information required to ensure compliance with this PMP decision, including but not limited to information noted as required in the findings (Appendix A, B, C and D)	-	-	Planning Director	Addressed with each SPSR A application	Addressed with each SPSR A application	
67	The applicant has identified in the zoning analysis for Section 6.4.7B the process by which the design guidelines may be used to review SPSR-A applications. The applicant, or successors and assigns, shall submit proposals for SPSR-A that are consistent with these design guidelines. The SPSR-A application shall identify any deviation between the guidelines and the submission and explain the need for these differences. The DRC and Planning Board will determine if the proposed solution is within the spirit of the guidelines. If not, an amendment to the PMP may be required. All SPSR-A submissions shall meet or exceed the minimum acceptable standard of quality identified in the design guidelines.	-	-	Planning Director	Addressed with each SPSR A application	Completed but continuous	
68	Interim parking facilities shall require SPSR-A approval from the Planning Board.	-	-	Planning Director	Addressed with each SPSR A application		Done for Blocks 5 and 6
69	The building on Block 10 shall be reviewed under SPSR-A for consistency with all findings, including a full design review by the DRC. It shall be limited to 35 feet in height and used for retail or restaurant purposes only.	X	-	Planning Director	Addressed with SPSR-A application for block 10	LM	Block 10 is a one-story building with retail/restaurant space
J. Linkage and Inclusionary Zoning							
70	The applicant shall meet the obligations required by Article 13 and Article 15 of the SZO, as modified by a certain Amended and Restated Assembly Square Development Covenant dated December 14, 2006 by and between Federal Realty Investment Trust, IKEA Property, Inc., the City of Somerville, and the Somerville Redevelopment Authority, as amended by First, Second and Third Amendments, and as further amended from time to time.	-	-	Planning Director / Housing Director	Addressed with each SPSR A application		

Appendix F: PMP Tracker												
Square Footage/Linkage/Usable Open Space/Parking Space Approved												
<i>Date</i>	<i>Project Description</i>	<i>Land Area</i>	<i>Square Footage</i>	<i>Commercial Space</i>	<i>Retail Space (inc health club & cinema)</i>	<i>Residential Units</i>	<i>Hotel</i>	<i>Square Footage to which Linkage Applies</i>	<i>Linkage SF Exemption Tracker - to be paid after first 300,000 constructed for FRIT's buildings*</i>	<i>SF of Open Space</i>	<i>SF of Usable Open Space</i>	<i># parking spaces</i>
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
	Block 5											207
	Block 6											228
Total		1,565,401	1,764,323	93,174	342,077	448	-	69,488	300,000	188,529	99,609	3,029
Total Approved		2,671,884	5,692,486	2,801,333	637,024	1,843	170-rooms			744,174	565,983	10,066
Remaining			3,928,163	2,708,159	294,947	1,395				555,645	466,374	7,037

* 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.