



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: PB 2017-06
Date: April 20, 2017
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: Assembly Square, Block 8

Applicant Name: SRI Assembly Row B8, LLC

Applicant Address: 1626 East Jefferson St, Rockville, MD 20852

Property Owner Name: FR Assembly Sq, LLC- Assembly Square Mall, Federal Realty Investment Trust and others

Property Owner Address: 1626 East Jefferson Street, Rockville, MD 20852

Agent Name: Robert A. Fishman, Esq.

Agent Address: 166 Seaport Boulevard, Boston, MA 02210

Alderman: Matt McLaughlin

Legal Notice:

ASQ Block 8 - 300-398 Assembly Row (Case #PB 2017-06): Applicant and Owner, SRI Assembly Row B8, LLC, seek a Special Permit with Site Plan Review–A, final level approval of “Block 8” (identified as MBL 99-A-14) of the Planned Unit Development Preliminary Master Plan (PUD-PMP) approved by the Planning Board on December 14, 2006 and as revised on August 5, 2010 and June 19, 2014. Applicant and Owner seek approval under SZO Article §16.8.3 and §5.2 to construct a mixed-use building with approx. 26,500 sf retail space, 500 residential units, and approx. 500 parking spaces. The uses include those approved in the PUD-PMP. The residential development is subject to inclusionary housing requirements.

The Applicant and Owner also seek waivers (S.Z.O. §6.4.12, & 16.11) for the signage height limit of 35' along Great River Road under §6.4.14, the submission of a landscape and screening plan under §5.3.2.10, the Planning Board’s right of first refusal or option to purchase the inclusionary units under §13.3.5, and from the inclusionary housing requirements under §13.3.4 as permitted by §16.10.2 of the SZO.

Parcels: 99-A-14

Zoning District/Ward: Assembly Square Mixed Use District (ASMD); Planned Unit Development Overlay District - A (PUD-A) / Ward 1
Zoning Approval Sought: SZO §7.11.11.10
Date of Application: February 22, 2017
Dates of Public Hearing: Planning Board opened April 6, 2017, Staff Report April 20, 2017

I. BACKGROUND & PERMITTING PROCESS

On December 14, 2006, the Planning Board granted Planned Unit Development-A-Preliminary Master Plan (PUD-PMP) approval, subject to certain conditions, for a development area that includes the subject property. On August 5, 2010, the Board granted a revision to the PUD-PMP. Subsequent minor amendments and subdivisions have been filed that do not substantially impact this site, other than the significant change from an IKEA store to the major office complex for Partners Healthcare.

The PMP is for a mixed-use, transit-oriented development with approximately 5 million square feet of total development including 1.75 million sf of commercial space (including but not limited to office, research and development, laboratory, medical office, manufacturing, etc.), 512,000 sf of retail space including restaurants and cinema, up to 340,000 sf IKEA store, 2,100 residential units, up to a 200-room hotel, the existing Assembly Square Marketplace and approximately 10,066 parking spaces. The revised PMP includes the same overall development program as the original with adjustments to improve the urban design relationship of uses, the quality of the open space along the Mystic River, pedestrian and bicycle circulation, and the financial feasibility of the Project. Design Guidelines were adopted to complement the guidelines in §16.7. 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.

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) - which will not be developed as planned, for Phase IA Blocks 10, 1, 4, 3, 2A, 2B, 11 (the replacement for IKEA), 6, 5A (in chronological order), and temporary uses (mainly parking) for Blocks 5, 6 and 7.

A. Review Requirements under the Somerville Zoning Ordinance

This application is for a Special Permit with Site Plan Review-A (SPSR-A) for the development of parcel 99-A-14 (301 Assembly Row). As set forth in §16.8 of the Somerville Zoning Ordinance (SZO), “Application for PUD is a type of special permit with site plan review [SPSR], requiring two (2) stages of review. A PUD Applicant shall first file a preliminary master plan demonstrating a comprehensive land use plan for the entire PUD tract. Upon approval of this plan, the Applicant may then submit special permit with site plan review applications for definitive plans of each portion or phase of development of the PUD tract.”

The Applicant is seeking SPSR-A final level approval of a planned unit development under the revised Planned Unit Development Preliminary Master Plan (PUD-PMP) approved by the Planning Board on June 19, 2014. The PUD-PMP conditions and findings provide the basis for the review of this type of application. A subset of the requirements are required findings for each SPSR-A. The fulfillment of the required findings is indicated as such in the attached Appendixes.

B. Organization of Report

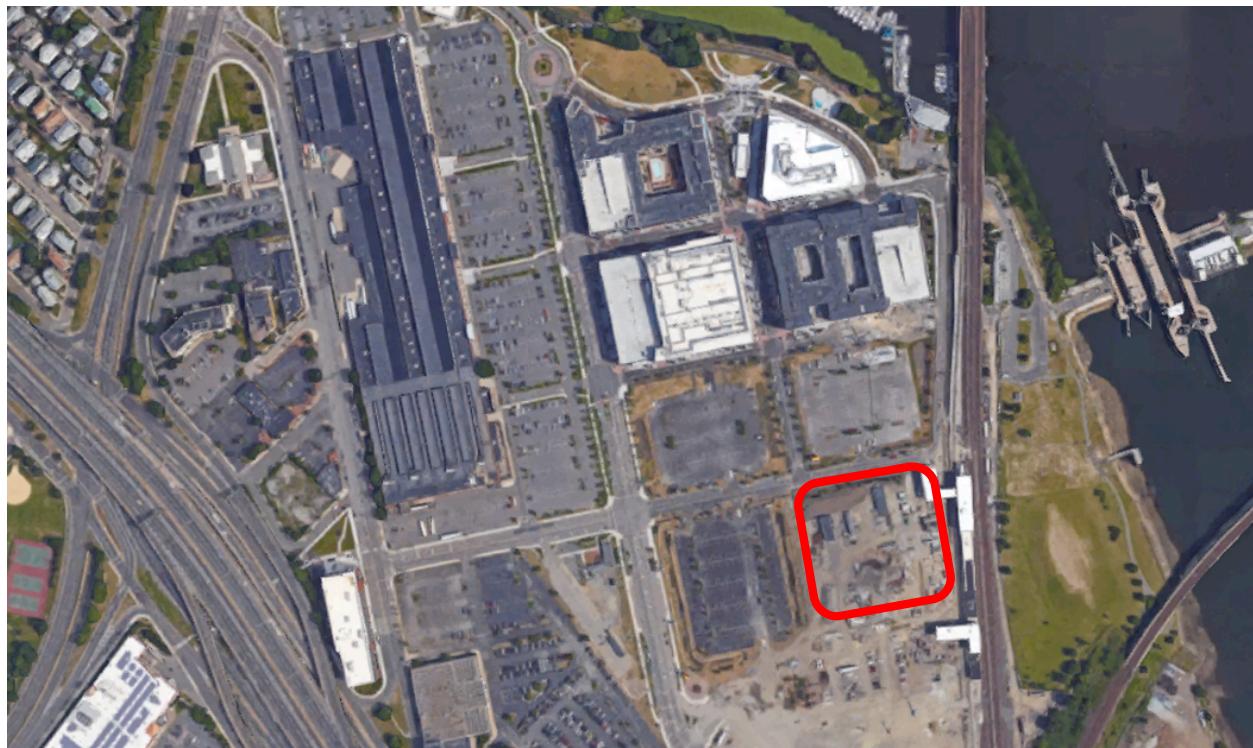
The present report includes the following sections:

- Description of the Property;
- Description of the Proposal;
- Department Comments;
- Public Comments;
- Staff Findings for Special Permit with Site Plan Review–A; and
- Staff Recommendation for Board vote, including recommended conditions of SPSR-A approval.

II. DESCRIPTION OF PROPERTY

A. Site

The total land area of the Master Plan is 2.67 million square feet or 61.3 acres and the area of Block 8 is 98,999 square feet or approximately 2.27 acres. Block 8 is bounded by Assembly Row and Assembly Line Park, Foley Street, Revolution Drive, and Great River Road. The land for Block 8 is currently used as a construction laydown area and material storage area for the mixed-use building at Block 6.



Approximate location of the Block 8 Proposal

B. Surrounding Area

The area surrounding the proposed site contains the Assembly Line Park, Draw 7 Park on the opposite side of the MBTA Orange Line tracks, and the developments of the Assembly Row Blocks 1, 2, 3, 4 and 11 which are at or close to full occupancy. Block 6 is nearing construction completion. Blocks 7 and 9 will continue to be temporary parking lots.

III. DESCRIPTION OF PROPOSAL

A. Overall

The plan for Block 8 is high-rise and mid-rise residential buildings over retail and a multi-story parking garage. This proposal comprises the entire block with approximately 709,300 square feet, including parking. Uses include 500 residential units and 26,500 square feet of retail space. There are 500 structured parking spaces, with 11 handicap spaces, and 171 bicycle parking spaces. The design guideline for Block 8 was approved in the 2017 Master Plan amendment - which was submitted at the same time as the SPSR-A application - and therefore, the building space and placement matches the design guideline.

Compliance with dimensional standards is shown in the table below.

DIMENSIONAL REQUIREMENTS	PUD-A	Approved PUD	Proposed Project *
Minimum lot size	20,000 sf	66.5 acres	98,999 sf (2.27 acres)
Frontage	-	-	373.19 ft
Front yard setback	No minimum	-	8.5 ft
Side yard setback (left)	No minimum	-	8.2 ft
Side yard setback (right)	No minimum	-	11.9 ft
Rear yard setback	No minimum	-	1.3 ft
Maximum Floor area ratio (FAR)	10.0	2.0	7.51 (net)
Maximum height, feet	70 feet up to 250 feet	Varying up to 250 feet	244 ft 0 in / 23 story tower
Minimum lot area/per dwelling unit	No minimum	Approx. 1379	197.9
Total open space (%)	25%	27.8% / 743,568 sf	28.4% / 12,001 sf
Useable open space (%)	12.5%	21.2% / 565,983 sf	22% / 7,609 sf

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

B. Site Design and Access

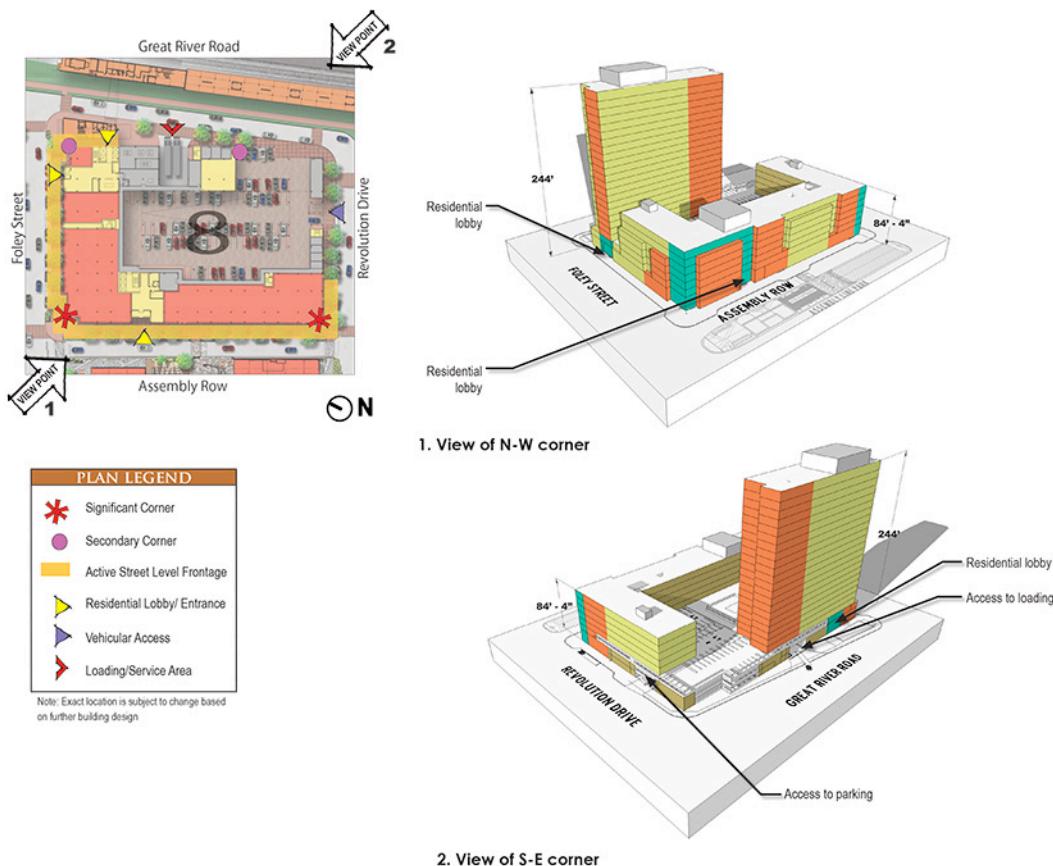
The project area is rectangular in shape. The address for the building will be the 300 block of Assembly Row. When the retail space is subdivided addresses for each occupant will be established. The total gross square footage is approximately 709,300 square feet (525,300 square feet not including parking).

Access to the proposed Block 8 building is provided via Revolution Drive along the south side of the building, Great River Road along the east side of the building, adjacent to the proposed driveway on the south side of the building, and Assembly Row on the West side of the building. Loading and servicing is located in the back of house via the parking garage entrances. Trash is in the middle of the first-floor parking behind the western retail space. There is a mechanical penthouse on the tower roof with equipment screening

Pedestrian access to the retail and residential units are provided along Revolution Drive, Foley Street, Great River Road, and Assembly Row. Access to the structured parking garage is off of Revolution Drive

and Great River Road. Access to the residential space through the garage will be provided in a central core elevator/stairs. Details about ground floor uses will be provided in a future submission for city review. Hours of operation for the ground floor uses will be determined based on tenant selection which is unknown at the moment. The proposed building will create approximately 195 jobs.

The tower apartments can be accessed from the lobby on Foley Street, adjacent to the MBTA head house, and directly across the street from the secondary apartment entrance of Block 6. The low-rise apartments can be accessed from the lobby on Assembly Row close to Foley Street, one of the most active thoroughfares of the development. The apartments will be open 24/7.



C. Building Shape and Placement

The proposed Block 8 project consists of high-rise apartments, low-rise apartments over retail, and a multi-story parking garage. Massing of the tower is placed along Great River Road adjacent to the T, maintaining the pedestrian scale of Assembly Row. The scale of the tower is further broken down into smaller segments with different roof heights to create interest in the skyline.

The apartments have two pedestrian entrances. Both entrances will be highly visible, accentuated by building massing, transparent materials, entrance canopies and signage. The low-rise apartment building is divided into multiple massing blocks to create a variety of façade expressions. The architecture on the two Assembly Row street corners is emphasized with strong vertical rhythms, intricate brick details, and large window openings. The street walls are further broken up into smaller segments using setbacks and changes in façade materials. Human scale elements, including Juliette balconies, setback terraces, and graphic banners are created an intimate but lively mixed-use environment.

All mechanical and service access locations are tucked away from major pedestrian ways, and these areas are masked with garage doors. Large roof top mechanical equipment is screened, and smaller equipment is placed far away from the edge of the building edges to avoid sightline from streets.

D. Uses

The use of the Block 8 building is proposed to be approximately 26,500 square feet of restaurants and retail, and 500 residential dwelling units. A list of specific uses from the Somerville Zoning Ordinance use table was approved as part of the PUD-PMP and the building could contain a mix of those approved uses. The ground floor is currently broken up into four retail units ranging in size from 750 to 11,570 square feet. The garage occupies the interior of the building's footprint from the below grade level through the second floor and then only partially from floors 3 through 7. There is a rooftop terrace on the third floor with a pool amenity for the residents. Appendix F provides information on the square footage of each use that was permitted through the Master Plan approval and how many square feet of each use has been constructed to date.

E. Linkage

The City, the Somerville Redevelopment Authority, and Federal Realty Investment Trust have entered into a development covenant from 2006 that establishes the schedule for linkage payments. Linkage payments for all developments in Assembly Row, including this project, will be provided according to the schedule.

F. Inclusionary Housing

The Applicant is required to provide inclusionary housing and intends to provide the housing on-site. Inclusionary housing is required to meet the applicable requirements of Article 13 of the SZO.

Pursuant to Section 16.10.2 of the SZO, a developer such as the Applicant subject to an approved Planned Unit Development “may seek waiver of any new zoning regulation through the special permit with site plan review process before the SPGA. In granting any waiver, the SPGA shall ... be fully satisfied that the PUD is in full compliance with the intent of the Ordinance and being developed in a manner at or exceeding the level of compliance effective at the time of PUD preliminary master plan approval.”

The applicant is seeking a waiver from the May 2016 zoning amendments establishing new requirements for affordable housing. With this waiver, the applicant would be required to provide 12.5% affordable housing under the regulation that has essentially been in place from 1990-2016. Without the waiver, the applicant will be required to provide 20% of units as affordable, as adjusted in the May ordinance. The nature of the PUD approval does not permit for the applicant to take advantage of the bonus provisions in the May 2016 ordinance.

G. Landscaping and Open Space

Block 8 will be built out as an urban block and will not contain landscaping beyond planter boxes on the sidewalk. Landscaping across the Assembly Row site is concentrated in publicly accessible well programmed spaces. The usable open space on the site is around the building adding to the width of the sidewalks. Larger areas of usable open space will be on other parcels where they are consolidated to make larger spaces that will connect the Assembly Row development to the waterfront.

The proposed Block 8 building project area is approximately 98,999 square feet. The area of Open Space on the full-build Block 8 building site is anticipated to be approximately 12,001 square feet. The area of Usable Open Space on the full-build Block 8 building site is anticipated to be approximately 7,610 square

feet. Therefore, Open Space is 12.1% of the total proposed Block 8 building project area and Usable Open Space is 7.6% of the total proposed Site.

Across the entire PUD, Assembly Row exceeds the requirements for Useable Open Space.

Under §16.6.1 of the SZO, all usable open space must be permanent, made accessible to the public at a minimum from 9:00 am to 5:00 pm, and protected through a covenant or other appropriate legal instrument.

H. Parking and On-site Circulation

The minimum and maximum parking requirements do not need to be met for each individual SPSR and only need to contribute to the approved PUD (that does comply with the parking requirements). If Block 8 was freestanding, the parking for Block 8 would be as outlined in the table below. Assuming a use mix of 26,500 square feet of retail and restaurant space, and 500 units of residential, the minimum requirement is 527 and maximum is 803. The number of spaces that will be provided, 500, is less than the 536 required by the SZO. Despite the requirement for 1 parking space per unit on average over the PUD, most projects of this type with this proximity to transit do not see a demand for parking beyond 0.7 spaces per unit, and some developments are building near transit at 0.3 spaces per unit.

PARKING REQUIREMENTS	Square Feet	Minimum Requirement	Minimum # Spaces	Maximum Requirement	Maximum # Spaces*
Retail/Restaurant	26,500	1/1000sf	27	1/500sf	53
Residential	500 d.u.	1/d.u.	500	1.5/d.u.	750
Total			527		803

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

The Somerville Zoning Ordinance requires 171 bicycle parking spaces for the proposed Block 8 development. To satisfy this requirement, the project design includes 171 bicycle storage spaces within the inside of the building which will be easily accessible by residents and visitors to the Site.

Based on the Applicant's assumptions of the number and size of the retail and restaurant tenants anticipate 3 loading docks spaces are required. The requirements are: 2 for between 20,001 and 35,000 square feet of retail, and "as needed" for the residential uses. The users of the buildings will be able to share loading docks and will be located mid-block at the rear of ground floor on Great River Road.

I. Form and Design of the Building

The design guidelines lay out the form and key elements of the Blocks of the Preliminary Master Plan (PMP) that were adopted as part of the revised PMP approval. As part of the June 19, 2014 Preliminary Master Plan approval the specific guidelines for Block 8 were approved to be submitted with the SPSR application. The detailed guidelines were reviewed and approved by the Planning Board on April 6th, 2017.

The building on Block 8 is new construction consisting of approximately 500 residential units, approximately 26,500 SF ground floor retail, and approximately 500 parking spaces. The units are estimated to house approximately 950 people. The retail spaces would employ approximately 190 people and could be open from 10AM to 2AM depending on the specific retailer or restaurant.

The materials for Block 8 vary between the low-rise, tower, and garage. The low-rise component consists of brick masonry with metal cornices and decorative accents. The high-rise is clad in precast and metal

panels, windows, storefront glazing and curtain-wall system. The garage is precast concrete with decorative and advertising banners. Retail facades are designed to be variable, pending tenant selection and will be comprised of varied materials including storefront glazing, curtain-wall glass systems, signage and canopies where needed.

J. Signage

The retail signage will be located along the first floor where the retail storefronts exist. Staff will review and approve retail signage based on the Assembly Row Storefront and Signage Design Standards. Plans that are inconsistent with the Standards will require review from the Design Review Committee and approval from the Planning Board. Signage proposed outside of the retail area is not shown on the plans and will require a Special Permit in the future if it does not comply with the signage standards in the ASMD.

K. Waivers & Other Relief Requests

The Applicant requests the following waivers:

- ***Section 5.2.3 Information Required for Special Permits with Site Plan Review***

The Applicant is seeking a waiver from the inclusion of the following items required under Section 5.2.3: 5.3.2.10 (pursuant to Section 10.6) – 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. The Applicant requests that the site landscaping and screening be reviewed and approved by staff based on subsequent detailed design submittals. The finished streetscape, sidewalk design and landscaping, including raised planters and tree pits, will be provided in a future submission for city review. This is a common request for these types of projects, and the high quality design on the Assembly Row site to-date has established that this collaborative design effort has produced effective results.

- ***Section 6.4.14 Signage in the Assembly Square District [pursuant to Section 6.4.12]***

The Applicant is seeking a waiver from the height limit above finished grade. As shown on the architectural elevations, the proposed height limit of the banner signs, parking garage screening signage and signage on upper levels along the Great River Road façade facing the MBTA Orange Line is above 35 feet from finished grade. In order to emphasize the entry features of the residential lobbies, signage at upper levels of the proposed building are proposed.

- ***Section 13.3.5 Disposition and SPGA Right of First Refusal/Option to Purchase***

The Applicant is seeking a waiver of any right of first refusal or option to purchase the Planning Board might have under Section 13.3.5 of the Zoning Ordinance, or otherwise, in connection with the Project. The Applicant requests that the Planning Board's approval of the Project's Special Permit with Site Plan Review execute the Waiver of Right of First Refusal. This step was done on Block 6. It is essentially a technicality. The intent for these waivers was to purchase units to maintain affordable rentals in the event that individual residential units are sold as condominiums. On Block 6, the Board granted a waiver that would remain in place as long as the units are rented. At such time as all or any portion of the residential units are converted to a secondary residential condominium or cooperative form of ownership, and any of the affordable units are to be marketed for individual sale, this waiver shall end.

- **Section 16.10.2 Change in Zoning / Number of Affordable Units**

The Applicant is requesting a waiver under Section 16.10.2 for the proposed project to be reviewed and governed by the inclusionary housing provisions of the Zoning Ordinance in effect at the time the Planned Unit Development (PUD) Preliminary Master Plan, Assembly Square, Somerville, MA was approved by the Planning Board on December 14, 2006, as amended on August 5, 2010 and again on June 19, 2014 (the “Approved PMP”). The inclusionary housing requirement of Section 13.3.4 of the Zoning Ordinance in effect at the time of the Approved PMP, and upon which the Applicant has relied in planning and financing the overall project, required that 12.5% of the units in any residential development be affordable. In May 2016, this requirement was increased to 20% for residential developments over eighteen units.

Pursuant to Section 16.10.2 of the Zoning Ordinance, a developer such as the Applicant subject to an approved Planned Unit Development “may seek waiver of any new zoning regulation through the special permit with site plan review process before the SPGA. In granting any waiver, the SPGA shall ... be fully satisfied that the PUD is in full compliance with the intent of the Ordinance and being developed in a manner at or exceeding the level of compliance effective at the time of PUD preliminary master plan approval.”

The applicant has requested to have 12.5% of units to be affordable pursuant to Article 13 of the Zoning Ordinance. This percentage of affordable units meets the requirement of the Zoning Ordinance in effect at the time of the Approved PMP. Accordingly, the applicant is authorized by the ordinance to request this waiver since the affordable housing in the proposed project shall be provided in a manner and at the level of compliance in effect at the time of the last amendment to the Approved PMP.

IV. CITY DEPARTMENT COMMENTS

Design Review Committee

The Citywide Design Review Committee (DRC) reviewed the proposal at a public meeting on March 30, 2017. The minutes, as noted by Planning Staff are copied below.

The DRC made the following recommendations on the design.

- The DRC likes the idea of transitioning materials from the traditional Block 6 architecture to the glassiness of the Partners Healthcare building but was concerned that the materials are truncated at the garage/loading area.
- The materials should extend to the ground with careful consideration of the ground floor uses and the view from the T of the Great River Road elevation.
- The elevation and level of detail of the tower should also be revisited as the level of interest does not appear to be commensurate with the adjacent buildings. The DRC challenged the architects to “break the mold and articulate the tower in a clever way materially”.
- It was suggested that perhaps the wrapping and intertwining of the building forms (within the two high-rise sections and between the low-rise and high-rise) and the layering of skins (planes/materials) could achieve more visual depth and interest.

Conditions will be added to the Staff Report to allow the DRC to review design changes prior to application for building permit and then review the materials and colors prior to construction.

Traffic and Parking

Traffic and Parking no comments at this time.

Engineering

The Applicant shall complete the Site Plan Review Checklist and supply the information to the Engineering Office. The plans must comply with the City's Stormwater Management Policy.

Also, a full set of as built plans shall be submitted to the Office prepared and stamped by a Registered Licensed Surveyor in the State of MA prior to final sign off. This Office shall review submitted as builts and at its discretion require additional information if needed.

All sidewalks and handicapped ramps shall be ADA compliant and a letter of compliance prepared by a professional engineer registered in the State of MA shall be submitted to this office prior to final sign off.

Fire Prevention

The Fire Department has no comments at this time. However, on previous submissions required outside fire strobes to be placed in front of each retail space.

The Applicant shall meet with the Fire Prevention regarding radio master boxes, fire alarm panels and sprinkler plans. These systems will require Fire Prevention review and approval prior to the issuance of any construction permits.

Housing

The Applicant will work with the Housing Division on an Affordable Housing Implementation Plan and Marketing Plan, as well as any linkage payments that may be required.

Lights & Lines

Lights & Lines has preliminarily reviewed the plans and may submit comments or conditions prior to the hearing.

Ward Alderman

Alderman McLaughlin testified at the hearing on April 4, 2017, expressing opposition to the affordable housing waiver.

V. PUBLIC COMMENTS

Planning Staff wrote this report after April 6 when the case is first heard, thereby allowing public comments to be incorporated into the report and the conditions, if applicable.

The overwhelming numbers of comments were specific to the proposed waivers. The applicant presented the entire project and their case for the waiver. Wig Zamore spoke in favor of the waivers. Additional speakers, including a number of Aldermen, spoke against affordable housing waiver, in some cases against other waivers, but generally not against the project design or development.

VI. STAFF FINDINGS FOR SPECIAL PERMIT WITH SITE PLAN REVIEW-A

A. General Application Requirements

Application requirements are identified in Section 16.8 of the SZO. Section 16.8.2 and 16.8.3 identifies the general information required for a preliminary PUD PMP approval and final level approval. Section

16.8.2.H and 16.8.3 identifies that the Special Permit with Site Plan Review requirements in Section 5.2 are required for both phases of approval. Staff finds the SPSR-A meets the application submittal requirements in the above listed sections. Detailed findings are contained in Appendix A.

B. Required Findings of Fact for PUD

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

C. Requirements for SPSR (SZO §5.2.5 and 5.1.4), Revisions (§5.3.8) & SP (§9.13)

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

Revisions to Special Permits with Site Plan Review under SZO section 5.3.8 may be sought before the Certificate of Occupancy is issued for a project. The proposed revision is not deemed de minimis because the changes would be noticeable to persons generally familiar with the plans. Revisions that are not de minimis are subject to the full notice and hearing provisions of the Somerville Zoning Ordinance.

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

D. Waiver Standards

Upon written request by the applicant, the SPGA may waive submission of any of the required information for Special Permit with Site Plan Review applications, if the SPGA finds the information is not applicable to the project, per Section 5.2.3, 6.4.12 & 16.5.5. The SPGA may also grant specific waivers per the PUD regulations and/or the regulations of the ASMD district.

This section will address the staff's recommendation on each waiver

Section 5.2.3 Information Required for Special Permits with Site Plan Review

Staff finds that the information provided is adequate to determine the special permit, and this information waiver should be granted. Staff will continue to work with the applicant on the landscape plan for this site.

Section 6.4.14 Signage in the Assembly Square District [pursuant to Section 6.4.12]

Staff find that the requested waiver from the signage height limits (§6.4.14) is acceptable

Section 13.3.5 Disposition and SPGA Right of First Refusal/Option to Purchase

Staff finds that this waiver is acceptable, subject to the conditions of this project approval. In particular the applicant will be expected to sign a waiver agreement with the Board that will void this waiver in the event that individual units in the building are sold as condominiums.

Section 16.10.2 Change in Zoning / Number of Affordable Units

The Applicant is requesting a waiver under Section 16.10.2 for Block 8 to be reviewed and governed by the inclusionary housing provisions of the SZO in effect at the time the PUD-PMP was approved. Section 13.3.4 in effect at the time required that 12.5% of the units in any residential development be affordable. To date, the Assembly Row project is building or has constructed over 1,017 residential units, of which 890 are market rate units and 127 are affordable units.

If the waiver is granted, the applicant will construct the building with 500 units, including 63 affordable units. If the project is approved without the waiver, the applicant has indicated there is uncertainty about their ability to go forward. But, if they were to go forward, the project would include 100 affordable units (37 more than required in the pre-2016 zoning).

A few items to note about both sides of this issue are reviewed below.

Positions against a waiver:

1. The City's need for affordable housing has never been greater. There is no question about that. Inclusionary housing in Somerville is provided with a preference to Somerville residents or those recently displaced from Somerville, and therefore any additional affordable units will benefit those that are most at risk of displacement.
2. We depend upon inclusionary housing to provide affordable housing mixed throughout our neighborhoods. Since the federal government greatly reduced their role in providing affordable housing to communities (a trend that has continued over the past 35 years, and is in even greater threat today), we depend upon using developer-sponsored cross-subsidized inclusionary housing as a primary method for building affordable units.
3. Developers, in general, can afford the cross-subsidy. The work completed since 2016 established that the cross-subsidy is extensive, but can be covered by marketable, financeable developments based upon current rents in Somerville, and there are developers that are proceeding at 20% inclusionary housing.
4. The majority (64%) of the additional units to be provided are at the 80-110% of area median income (AMI) range. This is the range of incomes that has the greatest group of people seeking housing in Somerville and unable to achieve it. At this income range, many working residents are unable to seek new market rate housing, when market rate rents are more in line with individuals making greater than 190% of AMI. These units also require less subsidy than the 50% and 80% units.

	Total Units	Market Rate Units	Inclusionary Units (Total)	Units for <50% AMI	Units for 50-80% AMI	Units for 80-110% AMI
Pre 2016 zoning	500	437	63	32	31	n/a
Post 2016 zoning	500	400	100	38	38	24
Difference	-	-37	+37	+6	+7	+24

Positions in favor of the waiver:

1. The project site was purchased, financed and designed based upon a multi-phase multi-year buildout, and the 2016 zoning changes the ground rules in the middle of this process. The project remains essentially unchanged from the 2010 plan, with the exception of the replacement of IKEA with a commercial office building housing over 4500 jobs. FRIT funded extensive community benefits (which they have outlined in a recent letter to the Board). They are operating a successful project that is covering its DIF bonds and contributing to our tax base. With the opening of Blocks 5A and 6, additional property taxes, hotel room tax and meals tax will be generated from this project. Block 2 has provided 100,000sf of office space, and the development of Block 5B will bring additional jobs to the neighborhood. The project requires the up-front purchase of land, including, in this case, land that was purchased from Central Steel, Spaulding Brick and Green Cab as part of a partnership to complete this mixed-use transit-oriented development. The purchase price of this land was based upon the ability to complete the PUD program with the zoning in place at that time. FRIT continues to advance the approved PUD, and is building under the overall allowance of uses under the PUD as established in 2006 and 2010 decisions. The original PUD zoning anticipated this sort of circumstance and established the waiver to be provided in cases such as this, where new rules should not apply to ongoing projects.
2. FRIT has indicated that with the funds invested in this project to date, including land costs and public benefits, plus the cost of construction, the development may not work with 20% affordable housing. If Block 8 is delayed or cancelled, the City will lose the net tax revenue generated by the project, and the region will lose 500 units of housing at a time when new housing construction in the region is at less than half of what is needed to meet current demand. Somerville remains focused on doing our part to meet regional housing needs and to mix residential with commercial development as we create new neighborhoods. Despite some statements to the contrary, it would not be any benefit for the City if an action causes this project to be unable to go forward.
3. Assembly Row is the only project in the region that the staff is aware of where zoning amendments impact an in-progress multi-phase project. The provisions that the applicant is seeking in this waiver are, fundamentally, granted automatically in projects such as Cambridge's NorthPoint, because special permits are granted at the start of the project, when community benefits are addressed. This permits the project to proceed towards completion under a single set of rules. The nature of our PUD rules do not allow this. Instead, the project requires the waiver. When the 2016 zoning was first approved, both the staff and the Planning Board presented language that would put Assembly Row in the same position as North Point, where they would be exempt from such a zoning change. The Board of Aldermen chose to remove those provisions, at the time a number of members of the Board of Aldermen focused on the waiver as a more appropriate tool to address this issue.
4. The 2016 amendments permitted more affordable units but also anticipated housing bonuses. The bonus allows developers to provide additional market-rate units as a part of the project, thereby adjusting the overall project finances to help the cross-subsidy. But, those bonuses are designed for individual projects that are regulated for density based upon the 'lot area per dwelling unit'

metric. The analysis of the 2016 amendments was based upon assuming these bonuses as a part of the total unit calculation. The nature of the PUD (with an overall unit cap across multiple buildings) does not permit bonus units to be incorporated in the project and therefore limits the ability for the applicant to afford the cross-subsidy.

Findings

The Staff finds that projects submitted for SPSR-A under this PMP meets the findings required as identified in Appendix D.

VII. STAFF RECOMMENDATION

Based on the materials submitted by the Applicant and the attached findings, the Planning Staff finds that the application for the revision to the Special Permit with Site Plan Review-A for final level approval of a planned unit development under the Preliminary Master Plan approved by the Planning Board on December 14, 2006 and as amended on August 5, 2010, June 19, 2014 and February 18, 2016 meets the goals of the City for this site, the purposes of the district, and the provisions and purposes of the Ordinance. Therefore, the Staff recommends **CONDITIONAL APPROVAL** of the requested revision to the Special Permit with Site Plan Review-A. Approval constitutes an approval of 525,300 net square foot building including 26,500 square feet of retail/restaurants and 500 residential units with 500 structured parking spaces.

Staff find that the requested waiver from the signage height limits (§6.4.14), and from providing a landscape and screening plan §5.2.3, acceptable and recommend **APPROVAL**.

Staff finds that the requested waiver for a right of first refusal per §13.3.5, is acceptable, subject to the parameters established with the Block 6 approval. Therefore staff recommends **CONDITIONAL APPROVAL** of this waiver, subject to an agreement with the same conditions applied for Block 6.

Staff **MAKES NO RECOMMENDATION** on the waiver per §16.10.2 on the change in zoning, and urges the Board to consider all of the evidence submitted by the applicant, provided in public testimony and described in this report, before determining if this waiver should or should not be approved.

To mitigate any potential negative impacts and to provide the best project possible, the Staff recommends attaching to the SPSR-A the CONDITIONS in Appendix E. In order to complete this project, the attached PMP-PUD conditions in the Appendices need to be satisfied within the designated timeframe for compliance.

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

This recommendation is based upon the Special Permit with Site Plan Review-A Application stamped in at the City Clerk's Office on February 22, 2017, including plans dated February 22, 2017

- C-1 Legend and General Notes
- C-2.1 & C-2.2 Neighborhood Context Map 1 & 2
- C-3.1 & C-3.2 Overall Site & Key Plan 1 & 2
- C-4 Layout and Materials Plan

- C-5 Grading, Drainage, and Erosion Control Plan
- C-6 Utility Plan
- C-7.1 – 7.3 Site Detail
- Architectural Block 8 Plans & Elevations – Ground Floor Plan, Mezzanine Floor Plan, 2nd Floor Plan through 7th Floor Plan, 8th-22nd Floor Plan, 23rd Floor Plan, North Elevation (Foley Street), East Elevation (Great River Road), West Elevation (Assembly Row), and South Elevation (Revolution Drive).

The recommendation is also based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

Appendix A: Application Requirements

<u>A.1: Procedures for PUD Applications - Supportive Information (SZO 16.8)</u>					
Section	Required Finding	Met in PUD	Not Met	Met 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		X	Included in application submission
16.8.2.B	A conceptual site plan drawn to a scale of not less than one (1) inch equaling fifty (50) feet, or series of drawings at the same scale, and any necessary supporting information	X		X	Included in application submission
16.8.2.C	Analysis of compliance with regulations as to dwelling units per square feet of lot area, height, building coverage, floor area ratio (FAR) and parking requirements	X		X	See Overall Site Plan (C-3.1-3.2)
16.8.2.D	Names of all property owners within five hundred (500) feet of the PUD boundary	X		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 Supplemental Memo. A detailed Stormwater O&M program has been prepared for the Project.
16.8.2.F	A traffic analysis and recommendations prepared by a registered professional engineer qualified to conduct such studies, including current traffic counts for streets surrounding the project, analysis of the existing capacity of those streets, projections of the amount of traffic that will be generated by the proposed development, and the ability of the thoroughfare system to absorb the increased traffic without decreasing the level of service below an acceptable level . . .	X		X	A traffic analysis of the full build-out of Assembly Row has been conducted and the latest version for Block 11A included the proposed build-out of Block 8. With the analysis complete, roadway improvements complete and MBTA station open, Block 8 will not significantly impact traffic conditions in the area.

Section	Required Finding	Met in PUD	Not Met	Met 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		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 architectural plans and elevations, architectural renderings, and a shadow studies.
<u>A.2: General Information Required for SPSR Applications (SZO 5.2)</u>					
Section	Required Finding	Met in PUD	Not Met	Met 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		X	Included in application submission
5.2.3.2	plot plan certified by land surveyor indicating total land area, boundaries, angles, and dimensions of the site and a north arrow	X		X	See Existing Conditions Plan SV1-17. The Layout and Materials Plan, certified by Dale Horsman, PE, depicts boundaries, angles and dimensions for the proposed Block 8 project area.
5.2.3.3	scaled site plans certified by a registered land surveyor, architect, landscape architect or engineer showing present and proposed use of land and existing buildings, if any; dimensions of existing and proposed structures; location and dimensions of any easements and public or private rights of way; and at grade parking and loading areas.	X		X	The proposed Block 8 building and its associated site improvements, are shown on the Overall Site Plan, Layout and Materials Plan, Grading and Drainage Plan, and the Utility Plan, all certified by Dale Horsman, PE. The existing easements and rights of way are shown on the Existing Conditions Plan of Land.
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 D of the application.
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.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
5.2.3.6	front, side, and rear elevations	X		X	See Design Guidelines for general development strategy and the Architectural Elevations in Section F of the application.
5.2.3.7	existing and proposed contour elevations in two foot increments	X		X	See Grading, Drainage, and Erosion Control Plan. Existing contour elevations are shown in one foot increments and with spot grade elevations.
5.2.3.8	provisions for vehicular and pedestrian circulation	X		X	See Overall Site Plan and Design Guidelines for basic information and the Transportation Evaluation for detailed information on pedestrian and vehicle circulation for review by the City Engineer and Traffic Engineer.
5.2.3.9	color, materials, and exterior features of proposed structures	X		X	See Design Guidelines, Architectural Elevations, and Renderings.
5.2.3.10	landscaping and screening, including trees, stones, walls, fences, and other features to be retained and removed, as well as color, size, and type of landscaped surface materials	X		X	The proposed lot area is currently a construction staging and material storage area. In the fullbuild condition, the Block 8 building will be laid out along the lot line. The Project will include landscaping in the form of street trees and raised planting beds. Parking and service areas will be entirely within the proposed building, screening of such elements from the public way will be achieved.
5.2.3.11	measures taken to preserve and protect natural resources	X		X	There are no unspoiled natural resources located within the Site. Remediation of several current Brownfield areas by virtue of this Project is a clear environmental benefit of the Project.
5.2.3.12	outdoor lighting, including location and intensity of lighting facilities	X		X	Outdoor lighting associated with the Project is proposed as street lighting along the four perimeter streets and lighting the exterior of the building facade. Details of street lighting were approved in a previous submission to the city staff. Lighting along the exterior of the building façade will include wall wash lighting elements strategically placed for a variety of functions such as to accent key monument features, cornices, entries, walkways and loading and service areas.
5.2.3.13	dimensions and locations of signs, proposed and existing			X	There is no existing signage at the site. Retail signage will be dictated by the tenants and be in conformance with the Assembly Row Signage Standards. The directional parking signage and garage screening signage are being reviewed at this time. The roof and signs at the top of the tower are not because the materials and technology for these large signs are not yet defined.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
5.2.3.14	location and significance of historic structures	X			Based on a Historical Survey conducted by Vanasse Hangen Brustlin in 2005, no properties included in the State or National Registers of Historic Places are located within the Project limits.
5.2.3.15	method for handling solid waste disposal, and for screening of disposal facilities			X	Solid waste disposal will be handled by licensed private contractors, presenting no additional burden to the City. Disposal facilities (dumpsters and compactors) will be located within the proposed building and screened from public view.
5.2.3.16	description and location of all proposed mechanical and electrical system components, including exhaust and ventilation system, transformers, and satellite dishes			X	The electrical transformer will be located in an enclosed vault within the 1st floor loading area - service areas are interior to the building. Most of the mechanical equipment such as air handlers, energy recovery units, generators, exhaust fans and cooling towers, will be located on rooftops and mostly screened.
5.2.3.17	locations of and adequacy of existing and proposed on-site public utilities, facilities, and conditions (water, sewerage, and drainage), showing size and direction of flows	X		X	The existing utilities are shown on the Existing Conditions Plan of Land. The proposed utilities and drainage systems for the Project are shown on the Grading, Drainage and Erosion Control Plan and on the Utility Plan. The utility infrastructure improvements (water, sewer, drainage) within Revolution Drive, Assembly Row, Great River Road, and Foley Street have been designed to accommodate the full build out of the Master Plan and have been constructed under previous local and state approvals. The constructed utility infrastructure is sufficient to service the proposed Block 8 building. The design information for utilities is contained in the "Utility Design & Management" section of this application.
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	The Project does not involve any building demolition. The estimated completion date for the project is Fall 2018.
5.2.3.19	a traffic study including estimated peak hour traffic volumes generated by the proposed use in relation to existing volumes and projected future conditions or, if the project is twenty-five thousand (25,000) square feet or more, a traffic impact analysis which is prepared by a professional traffic engineer	X		X	This application contains a section titled "Transportation". Multiple traffic studies previously prepared by VHB for the Assembly Square Mixed-Use Redevelopment project all were conducted assuming development scenarios for Block 8 that are entirely consistent with that currently proposed. This includes the recently prepared 2014 Traffic Impact and Access Study for the nearby Block 11A development. That evaluation contained analysis of the full build-out of the Assembly Square Mixed-Use Redevelopment, including the current Block 8 proposal, which considered changes planned at key locations on Grand Union Boulevard.
5.2.3.20	general summary of existing and proposed easements or other burdens now existing or to be placed on the property	X		X	The existing easements and rights of way are shown on the Existing Conditions Plan of Land and the Layout and Materials plan.
5.2.3.21	wetlands, ponds, and surface water bodies, as defined under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, and rules promulgated thereunder, 310 CMR 10.00	X		X	Existing resource areas are shown on the Existing Conditions Plan of Land. There are no wetlands or lands subject to flooding on the project area.
5.2.3.22	photographs of at least eight (8) by ten (10) inches, showing the development site and surrounding parcels	X		X	Included in application submission
5.2.3.23	names and addresses of all property owners within three hundred (300) feet of site boundaries	X		X	Included in application submission

Section	Required Finding	Met in PUD	Not Met	Met 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
A.3: Denial Letter Requirement (SZO 16.12)					
Section	Required Finding	Met in PUD	Not Met	Met 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			After submission of the initial Preliminary Master Plan application, no further denial letter shall be required for modifications to, or phases of, the Master plan, or for any permit application (including an SPSR-A) related to the PUD.

Appendix B: Required Findings of Fact

<u>B.1: General Findings under Section 16 (SZO 16.9 and 16.1)</u>					
Section	Required Finding	Met in PUD	Not Met	Met 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.
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 benefited from an additional years of work by the applicant in collaboration with the City and community stakeholders since the original 2006 PMP. The result is a plan for a vibrant, mixed use, urban neighborhood and commercial center providing more than 4,500 new jobs, increased tax revenues, improved access to transportation, improvements to regional stormwater systems and enhanced open space amenities. The project mixes uses, provides urban densities, develops according to environmental constraints and opportunities on the site, while creating a group of urban blocks that concentrate development with the highest densities near the transit station, mid-rise buildings fronting on the Mystic River parks, and expanded open space. The project meets this finding.
<u>B.2: Consistency Findings (SZO Section 6.4)</u>					
Section	Required Finding	Met in PUD	Not Met	Met 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.

Section	Required Finding	Met in PUD	Not Met	Met 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 Planning Study</u> dated October 2000	X			The Assembly Square Revitalization Plan is an approved Urban Renewal Plan under MGL 121B. The 2002 plan is a Major Plan Change to the 1980 Assembly Square Revitalization Plan -- the City's urban renewal plan for Assembly Square. The Major Plan Change built on the foundation of the Cecil Group's Planning Study. The Major Plan Change envisioned a mixed use district with office, retail, residential, cinema, hotel, and restaurant uses – a vibrant 24-hour district with a density somewhere between Boston's density and level of density in nearby suburbs. The Major Plan Change also envisioned the redevelopment of the Assembly Square Mall and a new IKEA store. The removal of the IKEA store allows for a larger mixed use district and the revised PMP is consistent with the overall vision of the Revitalization Plan. Upon approval of this revised Master Plan, the Redevelopment Authority intends to amend the Revitalization Plan to reflect the latest redevelopment plan as outlined in this PMP and the FEIR.
6.4.4	The ASD Plan describes the physical characteristics of the ASMD. The ASD plan establishes a comprehensive plan for development in the ASMD. The ASD plan includes the <u>Assembly Square 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.
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 6.4.4 phase and during streetscape design.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
					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 Assembly Square Transportation Plan 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 and removal of IKEA, but the overall transportation strategy in the PMP meets the spirit of the original Transportation Plan.
B.3: General Requirements of a PUD (SZO Section 16.4)					
Section	Required Finding	Met in PUD	Not Met	Met 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 2.67 million square feet or approximately 61.3 acres. This exceeds the 20,000 SF minimum lot size required for the PUD-A in the ASMD.
16.4b	developed in a comprehensive, design-integrated manner, according to an overall master plan, with two (2) or more types of use	X			The Applicant has submitted a revised Master Plan with supporting plans showing buildings and roadways prepared by the architectural firm of Streetworks, Inc. and the engineering firm of Vanasse Hangen Brustlin, Inc. The PUD includes the following uses: retail (including restaurant and cinema), commercial (including office, R&D, and other commercial uses), residential, hotel, and parking.
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 these documents. The previous PUD approval in 2006 met the goals and objectives of these documents and continued through revisions approved by April 6, 2017. 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 in PUD	Not Met	Met 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.
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.
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.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
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).
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 in PUD	Not Met	Met 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.
<u>B.4: PUD Design Guidelines (SZO Section 16.7)</u>					
Section	Required Finding	Met in PUD	Not Met	Met 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	The building has a cohesive identity while providing variety in the façade to break up the massing of the building. The building conforms to the design guidelines, which ensures that it is built to be consistent with the PUD-PMP. Details of how the building conforms to the guidelines can be found in the form and design section of the staff report.
16.7b	Buildings adjacent to usable open space should generally be oriented to that space, with access to the building opening onto the open space			x	The usable open space on Block 8 is located around the building and on the sidewalks. The entrances to the retail spaces will be on the northern, western, and southern sides of the building along the usable open space. The larger usable open space area is between the Block 8 and 7 at Assembly Line Park. There is also a large usable open space on Block 11 at the Partners Healthcare building.
16.7c	When a building is proposed to exceed the base district height limit, it is intended that buildings be of slender proportions emphasizing the vertical dimension			x	The Design Guidelines submitted in the application adhere to the height requirements outlined in the ASMD dimensional requirements with specific height limits based on the distance from the Mystic River bank and the MBTA station. There is a tower portion of the building that has slender proportions. The tower is 23 stories and 244 feet tall.
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

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
16.7e	It is intended that no non-residential structure cause a casting of any shadow on any residential lands between 10:00 AM and 2:00 PM, solar time, on the vernal equinox (March 21); and that any shadow cast by a PUD structure on public usable open space be of minimal impact on the desired functional use of said open space, particularly in the period from March 21 to September 21			X	Shadow studies were submitted for the block for 10am and 2pm on Mar 21, Jun 21, Sept 21, Dec 21. In March, September and December in the morning and afternoon there will be some shadowing of different sections of Block 6, which has residential on the upper floors. Shadows do not impact residential structures at these times in June. From the extent of the shadow studies it appears no open spaces will be shadowed by Block 8 but Block 8 will be impacted by Block 11 in the winter months. The tall buildings envisioned for
16.7f	Vehicular access to and from public roads is intended to be consolidated. Vehicular access to PUD lands from a public roadway shall generally be limited to one (1) access point, particularly when PUD frontage along said roadway is three hundred (300) feet or less. When a PUD has more than six hundred (600) feet of frontage on a public road, separation between existing, approved, and proposed curb cuts, whether on or off-site, shall average a minimum of two hundred (200) feet. Consolidation to a minimal number of access points is strongly encouraged	X			This was achieved in the master plan approval.
16.7g	Internal PUD streets shall consist of local and collector roadways, designed in accordance with standard traffic engineering practice. Any street proposed for public dedication shall meet the standards of the City's Director of Traffic and Parking.	X			The internal street layout is 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 in PUD	Not Met	Met 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 offset the negative effects of the above average block sizes and provide a scale appropriate for pedestrians. The reason for the proposed building footprint and portal design to achieve this findings can be
16.7i	The PUD design should preserve and enhance natural features such as topography, waterways, vegetation, and drainage ways.	X			The natural features of the site have been substantially altered over the years as an industrial and commercial site. This proposal would expand and improve vegetation on the site as well as expand the open space existing along the Mystic River.
16.7j	The PUD design should minimize impervious surfaces and incorporate other design features to minimize storm water runoff.			X	The development must comply with the City's Stormwater Management policy.
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 in PUD	Not Met	Met 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 in PUD	Not Met	Met 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	The number of parking spaces is between the minimum and maximum allowed.
6.4.7.A.3	<i>Landscaping Requirements.</i> Developments shall conform to the applicable landscaping requirements set forth in Article 10. Open spaces shall be contiguous to the extent practical, in the opinion of the SPGA.			X	This Block does not contain substantial landscaping because it is going to be an urban block. Other portions of the site will have lush landscaping that will meet the landscaping requirement for the PUD.
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 in PUD	Not Met	Met in SPSR-A	Comment
Note: The applicant has provided, of its own volition, additional Design Review Guidelines to address the design and massing of the proposed blocks and buildings. While the plans and images 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.					

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
6.4.7.B.1	<i>Street and Sidewalk Design.</i> Street and sidewalk design shall be based on the Assembly Square Public Realm Design Guidelines and applicable engineering standards, provided that any street shown in such Guidelines as running through an existing Building is not required to be constructed until such Building is demolished.			X	The Project does not include construction of any new street. Streets were previously designed, approved and constructed. The sidewalks proposed as part of the Project match previously designed, approved and constructed sidewalks at Assembly Square. Details regarding the new sidewalks surrounding Block 8 are included in the application.
6.4.7.B.2	<i>Building Design.</i> Buildings shall be designed to the highest architectural standards and shall be sited appropriately on the Lot.			X	The design has been reviewed by the Design Review Committee and Planning Board and it complies with the design guidelines as detailed in the decision.
6.4.7.B.2a	Buildings should be located to create a presence on existing street edges or along major internal circulation routes and have maximum building setbacks of five feet except in special circumstances, where greater setbacks would enhance the pedestrian friendly experience of the ASMD, such as dedicated open space; and buildings should be located to reinforce both existing and future circulation patterns that may serve more than one Site.			X	The proposed Block 8 project consists of a high-rise apartment building along Great River Road, as well as low-rise apartment buildings and retail storefront along Foley Street, Assembly Row and Revolution Drive. Maximum setback of 5 feet is provided along all major pedestrian walks to hold existing street edges. Retail storefronts are located in close proximity to other retails and open spaces in the development to support the overall activities of the streetscape.
6.4.7.B.2b	Buildings should have interesting entrance areas that are visible and directly accessible from major public access points, streets and circulation patterns. Extensive areas of glass and window, providing visual access to interior uses, should be part of all street facades and accompany building entrances. Multiple and frequent entrances oriented to streets are encouraged. Building entrances should be clearly defined, through the use of elements such as canopies, porticos, overhangs, peaked roof forms, arches. Entries set back from the street should have outdoor patios, tile work, moldings, integral planters or wing walls with landscaped areas, or places for sitting.			X	Retail storefronts that must meet the Assembly Row Storefront Standards will line the sidewalks. The main entrance to the residential portion of the buidng will be clearly defined with glazing and a canopy.
6.4.7.B.2c	There should be a clearly defined pattern of bays, rhythms, and dimensions that create continuous visual interest and variety in the design of all facades.			X	The facades of the building are broken up into sections with different treatment to create an interesting building.
6.4.7.B.2d	The overall scale of development should be broken down to respond to the pedestrian scale use of open space.			X	The base of the building is seven stories, which is an appropriate pedestrian scale for the width of the Assembly Row right of way. The tower is setback so that it is not imposing to pedestrians.
6.4.7.B.2e	Materials and colors shall be consistent with traditional buildings in the area with historic merit.			X	Two buildings in the Assembly Square area were inventoried by the Massachusetts Historical Commission and were not deemed to have historic merit. Two buildings were previously demolished.
6.4.7.B.2f	Building equipment and service areas should be located away from public streets or major interior circulation routes and provide screening. All storage of items for sale or related inventory should be enclosed unless completely screened from public view with architectural elements meeting the §6.4.7 guidelines.			X	All mechanical and service access locations are tucked away from major pedestrian ways, and these areas are masked with garage doors. Large roof top mechanical equipment is screened, and smaller equipment is placed far away from the edge of the building edges to avoid sightline from streets.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
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	Ground Floor street frontage is almost entirely devoted to Retail uses. The low rise apartments can be access from lobby on Assembly Row close to Foley Street, one of the most active thoroughfares of the development. Massing of the tower is placed along Great River Rd to maintain the pedestrian scale of Assembly Row
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	The low-rise apartment building is divided into multiple massing blocks to create a variety of façade expressions. The architecture on the two Assembly Row street corners is emphasized with strong vertical rhythms, intricate brick details, and large window openings. The street walls are further broken up into smaller segments using setbacks and changes in façade materials. The scale of the tower is further broken down into smaller segments with different roof heights to create interest in the skyline.
6.4.7.B.2i	All Ground Floor facades that face public ways or the Mystic River should have windows providing visual access to the interior of a space, arcades, display windows, entry areas, awnings, or other such features along no less than seventy percent (70%) of their horizontal length. Forty percent (40%) of this activated facade area+ on the ground floor of building walls along primary and secondary streets shall consist of windows or doors meant for public entry and exit.			X	This guideline is met. Storefronts will line the building along Assembly Row, Foley Street, and Revolution Drive and have windows and displays that will accomplish this goal.
6.4.7.B.3	<i>Parking Lot Design.</i> Refer to Section 9.15 for parking requirements. Parking Lots shall avoid large expanses that are unbroken by Buildings or substantial landscaped Open Spaces, as set forth in Section 10.4 of this Ordinance.			X	The Project does not propose any surface parking lots. All parking spaces located on the Site are located within an enclosed parking garage.
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			The Project does not propose any surface parking, therefore there are no landscaping strips.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
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			The Applicant completed a LEED worksheet and included the worksheet in the application booklet. The LEED worksheet reflects current design assumptions and may be revised slightly as design progresses.
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			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.

Section	Required Finding	Met in PUD	Not Met	Met 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			Loading spaces proposed for the Block 8 building are located within the building and not visible from major Public ways. As such, negative visual impacts from the loading are not anticipated.

B.7: ASMD Large Project Development Standards (SZO Section 6.4.8.D)

Section	Required Finding	Met in PUD	Not Met	Met 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.		X		As noted in the Transportation narrative provided as part of this application, the trip generation for Block 8 is expected to be comparable to that which was estimated during the original PUD approval process. Other prior traffic studies, including the recent 2014 evaluation for the nearby Block 11A development, all were conducted assuming similar trip generation levels for Block 8. With no notable changes, and recent roadway improvements, the Block 8 development should not significantly impact traffic conditions. The new MBTA Assembly Square Orange Line Station, opened in September 2014, should help to further reduce the burden on the roadway network. A TDM Plan has not yet been provided but is conditioned in Appendix E to be required prior to Building Permit.
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	The proposed Block 8 building does not contain a Large Retail Project. Details regarding design of ground floor retail uses will be included in a future submission for city review.
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	The Preliminary Master Plan approved by the Planning Board provides that the Open Space and Usable Open Space requirements (25% and 12.5%) may be met in the aggregate over the entire PUD area. The amount of Open Space and Usable Open Space within the Master Plan has increased from the previously reviewed PUD to 28.4%, and the Usable Open Space at 22.1%. The area of Open Space on the full-build Block 8 building site is anticipated to be approximately 12,001 square feet. The area of Usable Open Space on the full-build Block 8 building site is anticipated to be approximately 7,609 square feet.

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

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
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Section	Required Finding	Met in PUD	Not Met	Met 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		X	All vehicular parking at Block 8 is located within the 7 story parking garage. Storage for a the 171 bicycles are located within the garage. Additional bicycle racks may be distributed on site around the perimeter of the retail areas. The Applicant will coordinate with the City the locations of these perimeter located bicycle racks at a later date.

Appendix C: Requirements for SPSR-A

C1: Requirements for SPSR-A					
Section	Required Finding	Met in PUD	Not Met	Met 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	Traffic analysis of the full build-out of Assembly Row has been conducted and the latest version for Block 11A included the proposed build-out of Block 8. With the analysis complete, roadway improvements complete and MBTA station open, Block 8 will not significantly impact traffic conditions in the area.
6.4.9.C.2	The application (should) reflect an overall consistency with the intent and purpose of any applicable Design Guidelines set forth in this Section 6.4			X	The applicant has provided proposed Design Guidelines as part of the PUD-PMP. See Appendix B for assessment of the guidelines for consistency with the Design Guidelines set out in 6.4.7B and 6.4.8E of the SZO. Projects developed in accordance with the submitted Design Guidelines should be able to meet the general provisions of these sections and this project complies with the design guidelines for the master plan.
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 usits and project mitigation contribution; view corridors to the Mystic River; enhanced and activated Open Space' creation of new Open Space or enhancement of existing Open Space; and, . . . support transit service at (the MBTA Station).			X	The retail, restaurant and upper floor apartments will provide a mix of uses. Pedestrian and bicycle access will be provided via sidewalks. Project mitigation payment will be required that will go to the Affordable Housing Trust fund and onsite affordable units will be provided. The creation of usable open space on the Block will not be substantial but will contribute to the active open spaces in the PUD. The building will provide active uses immediately adjacent to the MBTA station.
6.4.9.C.4	Additional Findings and Determinations: Prior to granting a Special Permit with Site Plan Review-A, the SPGA shall make findings and determinations as noted in 6.4.9.C.4			X	These additional findings address submittal requirements, criteria for review, impact on public services, site surface drainage, access to buildings, utilities, signage, transformers, screening, and shadow impacts. These materials were submitted as part of the application for the Block.
5.2.5.a	<i>Information supplied.</i> Complies with the information requirements of Section 5.2.3			X	Applicants submitted all required information for SPSR-A applications.
5.2.5.b	<i>Compliance with standards.</i> Complies with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit with site plan review			X	Applicants meet individual SPSR-A findings as identified in this Appendix C.
5.2.5.c	<i>Purpose of district.</i> Is consistent with the intent of the specific zoning district as specified in Article 6			X	The overall plan is consistent with the intent of the specific zoning district and this project is consistent with the PMP. The project advances the district's goals of development a mix of uses including high density commercial, residential and retail and does not preclude the other mix of uses planned for the area to locate near the site. The project will also greatly increases the number of residences located in the area.

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
5.2.5.d	<i>Site and area compatibility.</i> Is designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area, and that the scale, massing and detailing of buildings are compatible with those prevalent in the surrounding area			X	The overall plan is compatible with natural features and character of the surrounding area. The project is consistent with the PMP and therefore meets this finding. The adjacency of the MTBA station, solar orientation, and existing street grid and were considered when designing the site.
5.2.5.e	<i>Functional design.</i> Meets accepted standards and criteria for the functional design of facilities, structures, and site construction			X	The building and site meets functional standards of the SZO.
5.2.5.f	<i>Impact on Public Systems.</i> Will not create adverse impacts on the public services and facilities serving the development, such as the sanitary sewer system, the storm drainage system, the public water supply, the recreational system, the street system for vehicular traffic, and the sidewalks and footpaths for pedestrian traffic			X	The applicant has adequately addressed that the overall project, with agreed-upon public service upgrades, will have adequate public services. 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.
5.2.5.h	<i>Consistency with purposes.</i> Is consistent with: 1) the purposes of this Ordinance, particularly those set forth in Article 1 and Article 5; and 2) the purposes, provisions, and specific objectives applicable to the requested special permit with site plan review which may be set forth elsewhere in this Ordinance, such as, but not limited to, those at the beginning of the various sections			X	The project meets the purpose of the Ordinance in encouraging the most appropriate use of the land and increasing the amenities of the municipality. The project also meets the purpose of Article 5 for the Board to evaluate the findings and determinations and provisions of the Ordinance and attach conditions to mitigate concerns.
5.2.5.v	<i>Housing Impact:</i> Will not create adverse impacts on the stock of existing affordable housing			X	The project will comply with Article 15 requirements for project mitigation payments to the Affordable Housing Trust Fund. The funds will help to establish and support affordable units in the City. The project will also include permanently affordable units and an Affordable Housing Implementation Plan.
5.2.5.w	<i>SomerVision Plan:</i> Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville's neighborhoods, Transform key opportunity areas, Preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs.			X	The proposal complies with the applicable goals, policies and actions of SomerVision. The Plan calls for all of Assembly Square to share 29% of the City's growth, increase the number of jobs by 8,500, and develop 3 million square feet of commercial space. The Assembly Row Master Plan area makes up approximately half of the Assembly Square area. Phase 1 of this Block will achieve more than half of the number of jobs planned for this area. The Block will also contribute 6.7 acres of open space towards the goal of creating 125 acres of new open space across the transformational areas in the City.
C2: Requirements for SP for Signage					
Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
5.1.4.a	<i>Information supplied.</i>			X	Complies with the information requirements of Section 5.1.2 x Applicants submitted all required information for SP for signage

Section	Required Finding	Met in PUD	Not Met	Met in SPSR-A	Comment
5.1.4.b	<i>Compliance with standards.</i> Complies with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit			X	Section 6.4.14 allows for the SPGA to waive signage requirements based on the findings in 16.5.4 & 16.5.5. See Appendix D for findings.
5.1.4.c	<i>Consistency with purposes.</i> Is consistent with: (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles			X	The signage plan is consistent with the purpose of the Ordinance in encouraging the most appropriate use of the land. This is a large building that meets the mixed use and redevelopment goals of the district. The large signs that are taller than 35' are strategically placed to provide direction to parking areas and to screen parking garages.
5.1.4.d	<i>Site and area compatibility.</i> Is designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the built and unbuilt surrounding area, including land uses.			X	The signage was designed to be integral with the design of the building. The signs will have unique designs and are strategically located to be visible to provide direction to the parking garages. The garage screening signs will be a mesh material that, as conditioned, would only contain retail signage tenants in the building or for Assembly Row.

Appendix D: Standards for Waivers

D.1 Information Required for Special Permits with Site Plan Review				
Section	Required Finding	Met	Not Met	Comment
16.5.4 & 16.5.5	<i>Waiver of dimensional standards.</i> In order to maximize flexibility in the application of design standards to PUD projects, the SPGA may waive strict compliance with the standards of Section 16.5 upon making a determination that: (a) such a waiver would result in a better site plan than strict compliance with the stated standards; (b) the proposed PUD design furthers the Purpose and PUD Design Guidelines of this section; and (c) the granting of such a waiver will not cause detriment to the surrounding neighborhood.	X		The Applicant is seeking a waiver from the inclusion of the following items required under Section 5.2.3: 5.3.2.10 (pursuant to Section 10.6) – 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. The Applicant requests that the site landscaping and screening be reviewed and approved by staff based on subsequent detailed design submittals. The finished streetscape, sidewalk design and landscaping, including raised planters and tree pits, will be provided in a future submission for city review.
6.4.12.a.1	Strict enforcement of such standards or requirements would run counter to achieving the objectives of the ASD Plan;	X		This is a common request for these types of projects, and the high quality design on the Assembly Row site to-date has established that this collaborative design effort has produced effective results. The Applicant requests that the site landscaping and screening be reviewed and approved by
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.

D.2 Signage in the Assembly Square District				
Section	Required Finding	Met	Not Met	Comment
16.5.4 & 16.5.5	<i>Waiver of dimensional standards.</i> In order to maximize flexibility in the application of design standards to PUD projects, the SPGA may waive strict compliance with the standards of Section 16.5 upon making a determination that: (a) such a waiver would result in a better site plan than strict compliance with the stated standards; (b) the proposed PUD design furthers the Purpose and PUD Design Guidelines of this section; and (c) the granting of such a waiver will not cause detriment to the surrounding neighborhood.	X		The Applicant is seeking a waiver from the height limit above finished grade. As shown on the architectural elevations, the proposed height limit of the banner signs, parking garage screening signage and signage on upper levels along the Great River Road façade facing the MBTA Orange Line is above 35 feet from finished grade. In order to emphasize the entry features of the residential lobbies, signage at upper levels of the proposed building are proposed.
6.4.12.a.1	Strict enforcement of such standards or requirements would run counter to achieving the objectives of the ASD Plan;	X		The ASD Plan encourages a variety of block and building scales oriented to pedestrians, with a mid rise building environment and high quality open spaces. Limiting strategically place and well designed signage on large scale, mixed use building would impede upon the success of the uses within the building and would be counter to the objectives of the ASD Plan.

Section	Required Finding	Met	Not Met	Comment
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.

D.3 Disposition and SPGA Right of First Refusal/Option to Purchase

Section	Required Finding	Met	Not Met	Comment
16.5.4 & 16.5.5	<i>Waiver of dimensional standards.</i> In order to maximize flexibility in the application of design standards to PUD projects, the SPGA may waive strict compliance with the standards of Section 16.5 upon making a determination that: (a) such a waiver would result in a better site plan than strict compliance with the stated standards; (b) the proposed PUD design furthers the Purpose and PUD Design Guidelines of this section; and (c) the granting of such a waiver will not cause detriment to the surrounding neighborhood.	X		The Applicant is seeking a waiver of any right of first refusal or option to purchase the Planning Board might have under Section 13.3.5 of the Zoning Ordinance, or otherwise, in connection with the Project. The Applicant requests that the Planning Board's approval of the Project's Special Permit with Site Plan Review execute the Waiver of Right of First Refusal. This step was done on Block 6. It is essentially a technicality. The intent for these waivers was to purchase units to maintain affordable rentals in the event that individual residential units are sold as condominiums.
6.4.12.a.1	Strict enforcement of such standards or requirements would run counter to achieving the objectives of the ASD Plan;	X		On Block 6, the Board granted a waiver that would remain in place as long as the units are rented. At such time as all or any portion of the residential units are converted to a secondary residential condominium or cooperative form of ownership, and any of the affordable units are to be marketed for individual sale, this waiver shall end.
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.

D.4 Change in Zoning / Number of Affordable Units

Section	Required Finding	Met	Not Met	Comment
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Section	Required Finding	Met	Not Met	Comment
16.5.4 & 16.5.5	<i>Waiver of dimensional standards.</i> In order to maximize flexibility in the application of design standards to PUD projects, the SPGA may waive strict compliance with the standards of Section 16.5 upon making a determination that: (a) such a waiver would result in a better site plan than strict compliance with the stated standards; (b) the proposed PUD design furthers the Purpose and PUD Design Guidelines of this section; and (c) the granting of such a waiver will not cause detriment to the surrounding neighborhood.			The Applicant is requesting a waiver under Section 16.10.2 for the proposed project to be reviewed and governed by the inclusionary housing provisions of the Zoning Ordinance in effect at the time the Planned Unit Development (PUD) Preliminary Master Plan, Assembly Square, Somerville, MA was approved by the Planning Board on December 14, 2006, as amended on August 5, 2010 and again on June 19, 2014 (the "Approved PMP"). The inclusionary housing requirement of Section 13.3.4 of the Zoning Ordinance in effect at the time of the Approved PMP, and upon which the Applicant has relied in planning and financing the overall project, required that 12.5% of the units in any residential development be affordable. In May 2016, this requirement was increased to 20% for residential developments over eighteen units.
6.4.12.a.1	Strict enforcement of such standards or requirements would run counter to achieving the objectives of the ASD Plan;			The applicant has requested to have 12.5% of units to be affordable pursuant to Article 13 of the Zoning Ordinance. This percentage of affordable units meets the requirement of the Zoning Ordinance in effect at the time of the Approved PMP. Accordingly, the applicant is authorized by the ordinance to request this waiver since the affordable housing in the proposed project shall be provided in a manner and at the level of compliance in effect at the time of the last amendment to the Approved PMP.
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.

Appendix E: Assembly Square Block 8 2017: Conditions

#	Condition	Complete	Timeframe for Compliance	To Be Evaluated By:	Verified (initial)	Notes
<i>This list of conditions includes the conditions that were part of the PUD PMP that relate to this SPSR phase.</i>						
A. General						
1	Approval is based upon the Block 8 application submitted by Vanasse Hangen Brustlin, Inc. stamped in at the City Clerk's office on February 22, 2017, including C-1 Legend and General Notes, C-2.1 & C-2.2 Neighborhood Context Map 1 & 2, C-3.1 & C-3.2 Overall Site & Key Plan 1 & 2, C-4 Layout and Materials Plan, C-5 Grading, Drainage, and Erosion Control Plan, C-6 Utility Plan, C-7.1 – 7.3 Site Detail dated February 22, 2017, Sv-1 through Sv-17 dated November 6, 2014, Open Space Plan dated February 22, 2017, and Architectural Block 8 Plans & Elevations – Ground Floor Plan, Mezzanine Floor Plan, 2nd Floor Plan through 7th Floor Plan, 8th-22nd Floor Plan, 23rd Floor Plan, North Elevation (Foley Street), East Elevation (Great River Road), West Elevation (Assembly Row), and South Elevation (Revolution Drive). 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.	-	Continuous	Planning Director		
B. Transportation / Traffic Circulation						
2	Applicant shall participate in the review of parking supply to be completed annually by the developer of Assembly Row, providing parking utilization data to the Traffic and Parking Division and Planning Division staff on an annual basis. Based on the data, the Applicant shall work with the Planning Division staff in circumstances where parking is not being used, to encourage shared parking in Assembly Square	-	1 year after CO and annually thereafter	Planning Director / Traffic and Parking Director		
3	Applicant will supply a minimum of 168 bicycle parking spaces that should be within the building and on the sidewalk. Less than 50% of the racks supplied may be for hanging bikes. The applicant shall provide a plan of bike parking locations on the sidewalk to Planning Staff for review and approval.	-	Plans - prior to BP for vertical construction /installation of parking -CO	Planning Director		
4	Prior to building permit for the project, the Applicanat shall have selected the manager for the TDM plan that is identified in previous case approvals at Assembly Row, and begin implementation of the TDB plan requirements. An executed TDM Plan agreement in accordance with MEPA requirements must be presented to the Planning Director for approval at the time of Building Permit application - ISD will not grant the Building Permit without a letter from the Planning Director confirming receipt and execution of the agreement. Any waiver of this condition requires separate Planning Board approval.	-	Addressed with each SPSR-A application	Planning Director & T&P	SL	
C. Design						
5	All storefronts and retail signage shall be consistent with the Assembly Row Storefronts and Signage Design Standards. Storefronts or retail signage that is inconsistent with the guidelines shall be provided to DRC and Planning Board for review and approval.	-	Building Permit for retail unit and retail signage	Planning Director		
6	This approval does not constitute approval for any signage on the building above the retail level except for the garage directional and garage screening signage in the size and location as shown on the signage elevation plans (N, S, E, W). The design of these signs shall be submitted to Planning Staff for review and approval. This approval does not constitue approval for any of the roof signs or signs at the top of the residential tower that are on the plans.	-	Building Permit for Signage	Planning Director		

#	Condition	Complete	Timeframe for Compliance	To Be Evaluated By:	Verified (initial)	Notes
7	Off premises advertising is not permitted on this site and is subject to all applicable state and local permit requirements.	-	Continuous	Planning Director		
8	The rooftop screening design shall be submitted to Planning Staff for review and approval. Screening shall be made as least visible and possible and it should tie into the design and color scheme of the building.	-	Building Permit	Planning Director		
9	Applicant shall make design revisions based on the initial DRC meeting and review the changes with the Planning Staff. A second DRC meeting to review the revised design will be required prior to Building Permit application. The third, and final, DRC meeting will be required to review the materials and colors prior to construction.		Prior to BP/construction for Block 8	Planning Director /DRC		
10	Applicant shall provide information regarding the final material and colors for siding, trim, windows and doors and an onsite mockup of each building segment for DRC review and Planning Staff review and approval prior to construction.	-	Completion of Steel Erection	Planning Director		
11	The further refinement of the design of the façade of the building at the tower on Foley Street shall be reviewed by the DRC and reviewed and approved by Planning Staff.	-	Completion of Steel Erection	Planning Director		
12	Per section 6.4.8.D.2.b of the SZO, not more than 50,000 square feet of Gross Floor area of any single Retail Use shall be located on the Ground Floor of the building.	-	CO for retail	Planning Director		
D. Trash and Recycling						
13	Trash and recycling storage shall be contained in the designated areas that are internal to the block. The Applicant shall provide convenient recycling to commercial and residential tenants.	-	Continuous	Planning Director /DPW		
E. Maintenance of Facilities						
14	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, publicly assessable open space, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	-	Continuous	Planning Director		
15	Applicant shall submit a new or amended Usable Open Space Agreement to be reviewed and approved by Planning Staff for the open space on Block 8.	-	CO	Planning Director		
16	To the extent possible, all exterior lighting must be confined to the subject property, cast light downward (except for uplit trees) and must not intrude, interfere or spill onto neighboring properties.	-	Continuous	Planning Director		
F. Linkage and Inclusionary Zoning						
17	Affordable Housing Implementation Plan (AHIP) should be approved by the OSPCD Housing Division and executed prior to issuance of Building Permit. Affordable units shall be provided onsite.	-	CO	Planning Director / Housing Director		
18	Written certification of the creation of affordable housing units, any fractional payment required, or alternative methods of compliance, must be obtained from the OSPCD Housing Division before the issuance of a Certificate of Occupancy (C.O.). No C.O. shall be issued until the OSPCD Housing Division has confirmed that the Affordable Housing Restriction has been approved and recorded and the developer has provided the promised affordable units on-site.	-	CO	Planning Director / Housing Director		
19	No Certificate of Occupancy shall be issued until the OSPCD Housing Division has confirmed that: (for Condominium Projects) the Condominium Documents have been approved and the Developer has agreed to a form of Deed Rider for the Affordable Unit(s), or (for Rental Projects) the Developer has agreed to and executed a Memorandum of Understanding for Monitoring of the Affordable Unit(s).	-	CO	Planning Director / Housing Director		

#	Condition	Complete	Timeframe for Compliance	To Be Evaluated By:	Verified (initial)	Notes
20	The applicant shall meet the obligations required by Article 15 of the SZO. All covenants, contractual agreements and other documents necessary to ensure compliance with this Article shall be executed prior to the issuance of a building permit beyond the foundation permit.	-	Building Permit / CO	Planning Director / Housing Director		
G. Demolition/Construction						
21	The Applicant shall at his expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard	-	CO	Planning Director / Housing Director		
22	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	-	During construction	Traffic & Parking		
23	The Applicant shall provide notice of intent to strictly comply with applicable State and Federal regulations regarding air quality including without limitation continuous dust control during demolition and construction.	-	CO	Planning /OSE		
H. Site Plan/Utilities						
24	Applicant shall submit the Site Plan Review Checklist and submit it along with the applicable documents to Engineering Staff for review and approval. The plans must comply with the City's Stormwater Management Policy.	-	BP	City Engineer		
25	A full set of as built plans shall be submitted to Engineering Office prepared and stamped by a Registered Licensed Surveyor in the State of MA prior to final sign off. This office shall review submitted as built and at its discretion require additional information if needed.	-	CO	City Engineer		
26	All sidewalks and handicapped ramps shall be ADA compliant and a letter of compliance prepared by a professional engineer registered in the State of MA shall be submitted to this office prior to final sign off.	-	CO	City Engineer		
27	If alterations are to be made to existing site utilities, a full review and approval by the City Engineer must be made prior to construction.	-	BP	City Engineer		
I. Fire Prevention						
28	Outside fire strobes shall be placed in front of each retail space. The Applicant shall meet with the Fire Prevention regarding radio master boxes, fire alarm panels and sprinkler plans. Plans for these systems shall be provided to Fire Prevention for review and approval prior to the issuance of any construction permits.	-	Building Permit for vertical construction	City Engineer		
J. Fire Prevention						
29	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	-	Sign-off	Planning Director		