



City of Somerville

PLANNING BOARD

City Hall 3rd Floor, 93 Highland Avenue, Somerville MA 02143

TO: Planning Board
FROM: OSPCD Staff
SUBJECT: 120-132 Middlesex Avenue, ZP24-000108
POSTED: February 28, 2025

RECOMMENDATION: Approve with Conditions (Major Amendment)

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

This memo summarizes the Master Plan Special Permit Major Amendment application submitted for 120-132 Middlesex Avenue, identifies any additional discretionary or administrative development review that is required by the Somerville Zoning Ordinance, and provides related analysis or feedback as necessary. The application was deemed complete on January 17, 2025, and is scheduled for a public hearing on March 20, 2025. Any Staff recommended findings, conditions, and decisions in this memo are based on the information available to date prior to any public comment at the scheduled public hearing.

LEGAL NOTICE

DWCH Assembly Row, LLC seeks a Major Amendment to a previously issued Master Plan Special Permit (MPSP2020-0003) in the Assembly Square Mixed-Use (ASMD) district.

SUMMARY OF PROPOSAL

DWCH Assembly Row, LLC is proposing to revise a previously approved Master Plan (MP), which was deemed a major amendment by the Director of Planning, Preservation, and Zoning. The proposed revisions include the following:

- Building height
- Relocation of the building's loading area
- Relocation of parking garage entrance

The applicant has also proposed further Master Plan updates, beyond those indicated above, which fall under the Board's purview for review. The changes are as follows:

- Change of building shape to create open space (the "Triangle") on southwestern portion of the site
- Locate street-facing retail on the northern portion of the eastern façade and active uses along Cumming Street, rather than on the western or northern facades

- Add screening across the loading access drive at the northern edge of the site
- Reduction in motor vehicle parking spaces from 620 to 520 parking spaces

BACKGROUND

120-132 Middlesex Avenue is located in the 0.5mi Transit Area in the Assembly Square Mixed-Use (ASMD) special zoning district in the Assembly Square neighborhood represented by Ward 1 Councilor McLaughlin. A Major Amendment to a previously approved plan requires a revision to the previously issued Master Plan Special Permit (MPSP). The Planning Board is the decision-making authority for all (non-variance) discretionary or administrative permits required for the ASMD zoning district.

On November 30, 2020, the previous applicant applied (via application MP 2020-0003) for a MPSP to construct a 19-story lab building with up to 596,000 square feet of floor area. This application also included requests for concurrent Special Permits to waive certain dimensional standards of the (ASMD district, specifically building height and floor area ratio. Additionally, the applicant sought a Special Permit for authorization of commercial spaces exceeding 10,000 square feet for any permitted use. The applicant received approval for the MPSP and all associated Special Permits on April 30, 2021. Subsequently, on May 1, 2024, the applicant received an extension for this MPSP through application P&Z 23-065.

On November 18, 2020, the Zoning Board of Appeals (ZBA) granted the applicant a Hardship Variance from SZO Article 7.4.6.b.i., exempting them from the requirement to dedicate 25% of the development site to Civic Space, as mandated by zoning. This variance, atypical in its two-year expiration, differed from the typical one-year expiration period for most hardship variances under the Somerville Zoning Ordinance and M.G.L. Ch.40A, Section 10. On November 3, 2021, the current applicant, DWCH Assembly Row, LLC, appeared before the ZBA to confirm the validity of the existing Hardship Variance. The ZBA granted a six-month extension, shifting the expiration date from November 18, 2021, to May 18, 2022. On August 3, 2022, as the previous Hardship Variance could not be extended further, the Applicant requested and received another Hardship Variance from the ZBA, exempting them from the Civic Space requirement as outlined in the Master Plan Standards. This variance was valid from August 17, 2022, to August 17, 2023. On July 19, 2023, the Applicant requested and received a six-month extension to the Hardship Variance, extending its validity from August 17, 2023, to February 17, 2024. Finally, on April 2, 2024, the Applicant received approval for the same Hardship Variance again.

NEIGHBORHOOD MEETINGS

One (1) neighborhood meeting was hosted by Ward 1 Councilor McLaughlin and the applicant on September 28, 2022. The following feedback has been summarized from comments made by members of the public at the neighborhood meeting:

- Tenanting of building
- Air pollution

- Light reflectivity of direct sunlight off building surfaces
- Noise mitigation
- Connections to existing and planned walking and bike paths
- Bike lanes
- Participation in the Assembly Transportation Management Association

ANALYSIS

For proposed amendments to previously approved master plans, Staff analyze the proposal based on the requirements of the zoning district where the property is located, consistency with SomerVision 2040, neighborhood plans, and urban design frameworks, as well as planning and urban design principles to achieve the City's objectives.

The site, bounded by Fellsway to the west and Middlesex Avenue to the east, is approximately a 10-minute walk from the MBTA Assembly Square Orange Line Station, providing an important transit connection to downtown Boston and surrounding areas to the north. The site is a short walk from the restaurants, amenities, and employment opportunities associated with Assembly Row and close to the on-going and planned development associated XMBLY at 5 Middlesex, 75 Middlesex Avenue, and 20-23 Cummings Street directly adjacent to the site. The project design intends to integrate into the fabric of the ASMD and the context of the continued buildout of the Assembly square neighborhood.

The 2000 Assembly Square Neighborhood Plan (2000 ASQ Plan) reflects community demands for mixed-use development and transit access. The plan called for the creation of the Assembly Square MBTA Orange Line Station, Assembly Row, and Mass General Brigham, as well as changes to the Assembly Marketplace. With a twenty (20)-year planning horizon, the plan has seen much of its goals realized over the past twenty (20) years. Development has accelerated, with many new developments built in the last ten (10) years and permits still in the development pipeline, including the existing Planned Unit Developments like XMBLY and Assembly Row.

The draft neighborhood plan (<https://voice.somervillema.gov/assemblynp>) addresses market demand changes and the areas in the neighborhood that remain to be developed. The five (5) big ideas the plan calls for includes:

1. Build great places
2. Increase access to nature and build sustainably
3. Demand safe, comfortable, and interesting streets and increased transit availability
4. Grow revenue-generating uses for Somerville
5. Cultivate the Assembly community & reconnect physical and socially to the broader City.

The plan calls for the Middlesex Avenue corridor development to be primarily workplace, commercial, and civic space uses. Taller buildings that abut I-93 are

envision along this corridor. Middlesex Avenue is planned as a complete street with new street trees, cycle tracks, wide sidewalks, and on-street parking. The plan also calls for new connections, especially to extend the neighborhood's east-west streets and better the pedestrian crosswalk at Fellsway West.

Economic Development

Economic Development Division Staff have reviewed the application and determined that the proposed project will enhance the property by:

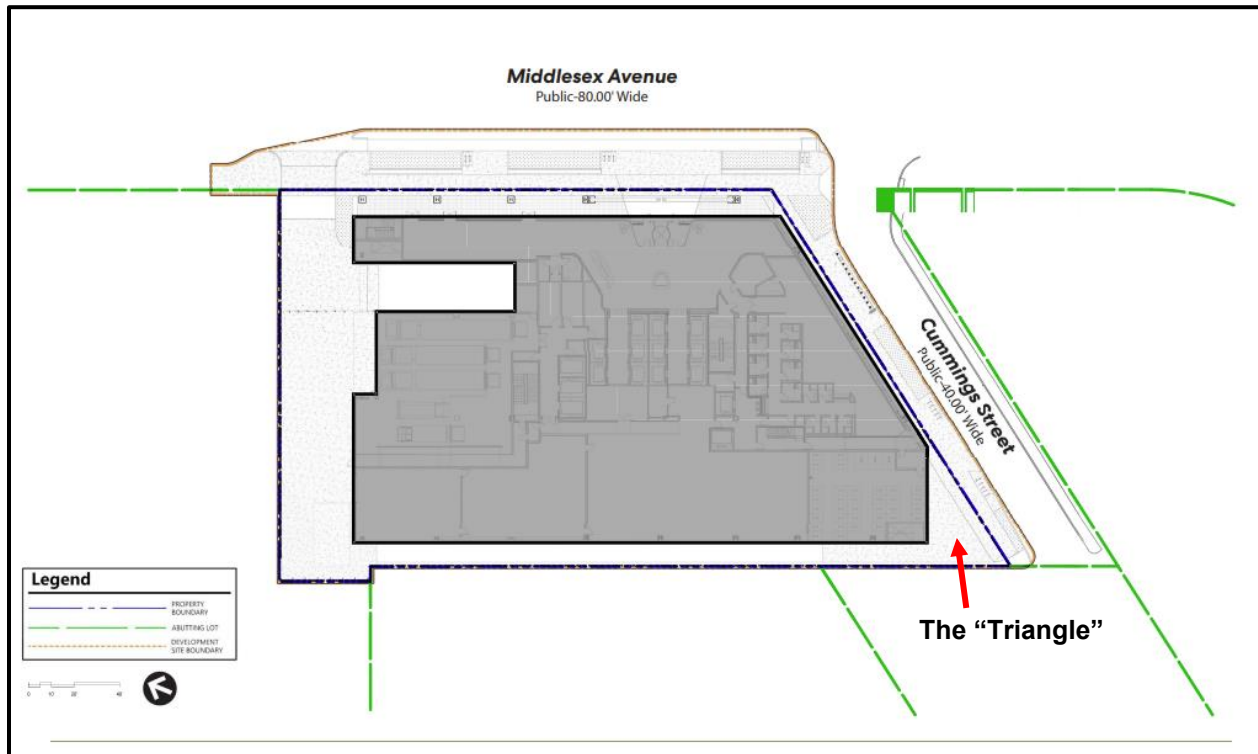
- Activating ground-floor spaces
- Improve the interplay of ground-floor space and outdoor civic space
- Enhance signage and wayfinding
- Increase the potential for outdoor dining and commercial activity
- Improve ground-floor layouts for retail spaces
- Improve access for pedestrians and cyclists

Building & Site changes

The applicant proposes to reduce the height of the highest occupied floor and construct two mechanical penthouses and a mechanical screen. This will increase the overall building height from ground floor to the top of the mechanical penthouse from 299 feet to 317.5 feet. In their narrative, the applicant states that original plan for single mechanical penthouse was inadequate for the project. The building height will be 259.6 feet and the height of two mechanical penthouses will be approximately 58 feet.

During the Major Amendment process, the applicant has worked with Planning Staff to modify the building massing to open up a piece of the development site for open space purposes (see graphic below). This piece of the site is referred to as the "Triangle" in the applicant's application documents. The purpose of this piece of the property is to open up this side of the property to create a line of sight for those walking along Middlesex Ave, looking west towards Fellsway. This open space will connect with the planned civic space 1 proposed at 20-23 Cummings St, directly behind 120-132 Middlesex Ave. The design of the "Triangle" open space will be further fleshed out during the Site Plan Approval process with the Mobility and Public Space & Urban Forestry divisions. Irrespective to working with Planning Staff, the applicant will need to work with the 20-23 Cummings Street project team to coordinate the design of the space.

Staff have no concerns about relocating street-facing retail to the northern portion of the eastern facade and incorporating active uses along Cumming Street, instead of locating them on the western or northern facades. Additionally, staff support the inclusion of screening across the loading access drive at the northern edge of the site.



Above: The proposed lot plan from the applicant's application.

Mobility changes

The Original approved MP for this project required certain transportation improvements via conditions, including a protected bike lane on Middlesex Avenue and safety upgrades at the Middlesex Avenue/Cummings Street intersection. The MP also included plans for loading docks and a garage entrance located off Cummings Street. However, during the permitting and planning process for this project, it became evident that the original loading area location was unsuitable for large delivery trucks due to the narrowness of Cummings Street and the required turning radius. This location would also increase the risk of conflicts between trucks, pedestrians, and cyclists at the intersection.

To address these concerns, the Applicant relocated the loading facilities and garage entrance to a driveway off of Middlesex Avenue. The Applicant conducted a Transportation Impact Study (TIS) and worked closely with the Mobility Division to ensure the revised plan meets transportation and safety requirements.

The Mobility Division supports relocating the loading facility and garage entrances to a driveway off of Middlesex Avenue. The development of adjacent sites, their proposed open spaces, and the City's vision for a low-traffic Cumming Street with strong bicycle and pedestrian connections would have made a rear loading alley and a Cumming Street garage entrance incompatible. Mobility also appreciates the development team's

flexibility in moving both the loading facility and the garage entrance. Furthermore, dedicating "The Triangle" portion of the site to public use will ensure seamless bicycle and pedestrian circulation from Middlesex Avenue through this site, adjacent sites, and onto Fellsway. These changes will improve connectivity between the Assembly Square neighborhood and nearby Somerville neighborhoods like Ten Hills, Winter Hill, and East Somerville.

Along with the relocation for the loading and parking garage entrance, the applicant has revised their total number of underground parking spaces from 629 to 520 parking spaces. While Mobility appreciates the efforts to reduce the parking supply from the original application, Staff believe the proposed 520 parking spaces, or approximately 0.89 spaces per 1000 square feet, are excessive given the project's proximity to rapid transit and the abundance of publicly available parking in the Assembly Square neighborhood. An oversupply of parking may hinder the achievement of non-automobile mode share goals outlined in SomerVision, emissions reduction targets set forth in Somerville Climate Forward, and the safety outcomes envisioned in Somerville's Vision Zero Action Plan. A 0.89 spaces per 1000sf ratio is significantly higher than recently approved parking ratios for similar projects. Staff have recommended a condition to address this concern.

CONSIDERATIONS & FINDINGS

The Planning Board is required by the Somerville Zoning Ordinance to deliberate each of the following considerations at the public hearing. The Board must discuss and draw conclusions for each consideration but may make additional findings beyond this minimum statutory requirement. When considering a revision to a previously approved development review application that required a Master Plan Special Permit, the Planning Board shall limit their review to the proposed changes to the previously approved application.

Master Plan Special Permit Considerations

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

Information relating to the required considerations is provided below:

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

Staff believes that the proposal will help achieve the following from SomerVision 2040 which is, the comprehensive Master Plan for the City of Somerville:

- Promote a dynamic urban streetscape that embraces public transportation, reduces car dependence, and is accessible, inviting, and safe for all pedestrians, bicyclists, and transit riders.
- Invest in the growth of a resilient economic base that is centered around transit, generates a wide variety of job opportunities, creates an active daytime population, supports independent local businesses, and secures fiscal self-sufficiency.
- Minimize the overall land use in Somerville dedicated to personal vehicles while encouraging alternative modes.

2. The intent of the zoning district where the property is located.

Staff believes that the proposed Master Plan is consistent with the Assembly Square Mixed-Use (ASMD) special zoning district which, is in, part “[T]o redevelop underutilized areas within close walking distance to the Assembly Square T-station with mixed-use, mid-rise and high-rise, transit-oriented development that will support the transformation of Assembly Square into an urban commerce center.

3. The proposed alignment and connectivity of the thoroughfare network.

The applicant is not proposing any new thoroughfares as part of their Master Plan revision. Further, staff believe that the streetscape and thoroughfare improvements proposed as part of this Major Amendment will contribute towards implementation of the planned future street network of this portion of the Assembly Square neighborhood.

4. The gross floor area allocated to different use categories.

Staff believe that the allocation of gross floor area to various uses above the ground level to be appropriate to the planned future development of Assembly Square as a regional employment center and research & development cluster, and at the ground level, to contribute to an engaging street experience for pedestrians on Middlesex Avenue and Cummings Street.

5. Mitigation proposed to alleviate any adverse impacts on utility infrastructure.

Staff believe that the proposed Major Amendment does not create any adverse impacts on existing utilities and that the proposed improvements are in accordance with all City Standards and will be reviewed further via subsequent permitting processes.

6. Proposed development phasing.

The proposal consists of a single building and that phasing considerations are not relevant to this approval.

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

Staff believe that, while the proposal will not provide additional on-street parking, the amount of on-street parking in the area is sufficient and appropriate for the needs of ground floor commercial space.

8. Consistency with the ASQ Plan.

Staff believes that the proposed Master Plan revision is consistent with the ASQ Plan specifically related to the plan's goal of generating a high amount of commercial office and research and development uses.

Staff also believes that this proposed Master Plan revision is consistent with the publicly available draft ASQ Plan update including but not limited to the plans goals to make Middlesex Avenue a "research corridor" and developing taller buildings close to I-93 and away from the core of the neighborhood.

PERMIT CONDITIONS

Should the Board approve the Major Amendment to the previously approved Master Plan, Planning, Preservation & Zoning Staff recommend the following conditions:

Permit Validity

1. This Decision must be recorded with the Middlesex South Registry of Deeds.
2. This Decision supersedes the previously issued Master Plan Special Permit Decision (MPSP 2020-0003) dated April 30, 2021.
3. Applying for any discretionary or administrative permit necessary for the identified building type identified in the approved Master Plan constitutes substantial use of the MPSP for the purpose of subsequent development entitlement.

Public Record

4. Digital copies of all required application materials reflecting any physical changes required by the Board, if applicable, must be submitted to the Planning, Preservation, & Zoning Division for the public record. Materials must be submitted in accordance with the document format standards of relevant Submittal Requirements.
5. A copy of the recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted to the Planning, Preservation, & Zoning Division for the public record.

Plan Revisions

6. Changes to the number or general configuration of lots; the types of thoroughfares, civic spaces, or building types; development phasing; and the commercial GFA is a major amendment to the approved Master Plan.

Legal Agreements

7. The property owner and all applicable future tenants must comply with the Master Mobility Management Plan dated May 2023, as approved and conditioned by the Director of Mobility's final approval dated September 22, 2024.

Development Permitting

8. A written narrative or descriptive checklist identifying the completion or compliance with these conditions must be submitted to the Inspectional Services Department at least ten (10) working days in advance of a request for a final inspection.

Building and Site Design

9. The applicant shall submit detailed information on the design and landscaping for the "Triangle" open space during Site Plan Approval.
10. The applicant must identify the location for the proposed Bluebikes station required by their approved Mobility Management Plan on a site plan during Site Plan Approval.

Parking

11. The applicant shall demonstrate that parking levels in the garage have been designed to allow for future conversion to habitable area, in the event that the need for parking is reduced. Additional detailed floor plans, including parking layouts, are required as part of the application for Site Plan Approval.
12. The underground parking garage must be operated as a Commercial Parking facility principal use.
13. A maximum of 417 or 0.7 per 1000 square feet (whichever is fewer) below-grade motor-vehicle parking spaces are permitted.

Sustainability

14. The applicant shall provide updated information to demonstrate LEED Platinum certifiability, detailing efforts to utilize building systems technology, to every extent practicable, to reduce the building's energy use intensity and support a potential future transition to net zero capability.
15. The applicant shall provide updated information detailing potential flood risk on the site (due to both sea level rise and as a result of precipitation) and documenting how the potential for flooding will be managed within the underground parking structure, including how electric vehicle charging equipment and other electrical infrastructure will be protected from damage.

Transportation Mitigation

16. To mitigate transportation impacts, the entire site frontage along Middlesex Avenue must be improved with a southbound curb separated protected bikeway

or substantial equivalent. The final design must be approved by relevant City departments.

17. To mitigate transportation impacts, the intersection of Middlesex Avenue and Cummings Street must be improved with pedestrian and bicycle safety improvements that square off the intersection, reduce crossing distance, and slow turning vehicles. The final intersection design must be approved by relevant City departments.
18. To mitigate transportation impacts, the applicant shall construct a 12-foot multi-use path on Cummings Street along the frontage of the site and in the area of the site referred to as the 'Triangle'. The design and alignment of the multi-use path must be reviewed by relevant City departments during Site Plan Approval.
19. To mitigate transportation impacts, the applicant shall reconstruct Cummings Street from the edge of the site to the centerline of the roadway.