



City of Somerville

PLANNING BOARD

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

TO: Planning Board
FROM: OSPCD Staff
SUBJECT: 375 Harold Cohen Way, ZP24-000118 (Site Plan Approval) & ZP25-000034 (Special Permit)
POSTED: ~~March 14, 2025~~ April 11, 2025

RECOMMENDATION: Approve with Conditions (SPA ZP24-000118)
Approve with Conditions (SP ZP25-000034)

Updated staff memo show eliminated/corrected items as struck-through and new information in red and highlighted.

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.

NOTE: The master plan for this development project was permitted as a Planned Unit Development – Preliminary Master Plan (PUD-PMP) under the previous zoning ordinance. As provided by Section 7.4.3.c of the SZO and the Amended PUD-PMP, the project remains governed by the substantive provisions of the 8/1/2019 zoning ordinance. The next step under that ordinance would have been an application for a Special Permit with Site Plan Review–A (SPSR-A), however, as that process no longer exists, this proposal has followed the same procedures, but the process is now “Site Plan Approval with Special Permit” and requires separate applications for the Site Plan Approval and Special Permit.

This memo summarizes the Site Plan Approval and Special Permit applications submitted for 375 Harold Cohen Way, 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 March 3, 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

Street Retail, LLC, seeks a Site Plan Approval with Special Permit to develop an 8-story general building in the Assembly Square Mixed-Use District (ASMD) subject to Assembly Square Planned Unit Development-Preliminary Master Plan, Case # PB 2006-59 (as amended), and is seeking waivers for dimensions of maneuvering aisles,

an updated TIS, a scale model, minimum parking requirements, and the right of first refusal.

SUMMARY OF PROPOSAL

Street Retail, LLC (successor in interest to SRI Assembly Row B9, LLC), on behalf of Federal Realty OP LP (formerly known as Federal Realty Investment Trust) is proposing to construct an 8-story General Building type. The proposed development will produce approximately 12,900 square feet of commercial space, 318 dwelling units of which 63 are affordable units with a payout for 0.6 of a unit, 151 motor vehicle parking spaces, and 151 bicycle parking spaces. The proposed landscape is not required to calculate a Green Score.

BACKGROUND

375 Harold Cohen Way is located in the 0.25mi Transit Area in the Assembly Square Mixed-Use District (ASMD) in the Assembly Square neighborhood represented by Ward 1 Councilor Matt McLaughlin.

The Planned Unit Development Preliminary Master Plan (PUD-PMP), Assembly Square, Somerville, MA was approved by the Planning Board on December 14, 2006, as PB#2006-59, which has been subsequently amended. Pursuant to Section 7.4.3.c of the Somerville Zoning Ordinance (SZO), adopted in December 2019 (the “current SZO”), the project is and will remain governed by the provisions of the previous ordinance in effect on August 1, 2019 (the “former SZO”). Article 16: Planned Unit Development (PUD), Section 16.8.3 of the former SZO provides applications for Final Level Approval of a phase of a PUD-PMP be submitted as an application for Special Permit with Site Plan Review (SPSR-A). As that process is no longer in existence, this project has been reviewed under the current SZO process of a Site Plan Approval with Special Permit. The Planning Board is the decision-making authority for all discretionary or administrative permits required for the ASMD zoning district.

NEIGHBORHOOD MEETINGS

The first neighborhood meeting was hosted by Ward 1 Councilor Matt McLaughlin and the applicant on August 21, 2024, via the virtual Zoom meeting platform. Many of the questions posed to the applicant team were about the larger Assembly Square project but there were no concerns or objections raised.

The second neighborhood meeting was hosted by Ward 1 Councilor Matt McLaughlin and the applicant on November 13, 2024, via the virtual Zoom meeting platform. No questions were raised but support was expressed for the project by the attendees.

DESIGN REVIEW

The proposal was reviewed by the Urban Design Commission via the

Zoom meeting platform on September 5 and 24, 2024. (Note: at that time the project was reviewed it was referred to as 350 Grand Union Boulevard.) The Commission provided its official recommendation on October 1, 2024. The main points from both meetings included a discussion of the bus stop and streetscape near the secondary entrance on Grand Union, moving the transformer alcoves to Auto Workers Way to allow more active uses on Grand Union, and changes to the material palette to eliminate the contrasting green panels.

ANALYSIS

As listed in the attached appendix section of this memo, this proposal is consistent with the PUD, the zoning ordinances, the comprehensive plan, and the previous and current draft plans for the Assembly Square neighborhood.

Building/Land Use

The proposed development is an 8-story (85') General Building type. The massing is very similar to the adjacent existing residential building, Revolution at Assembly Row, at 290 Revolution Drive, due south of Auto Workers Way from this site. The proposed development will produce approximately 12,900 square feet of commercial space on the ground floor with a daycare use anticipated and some retail spaces.

The upper floors house 318 dwelling units of which 20 % are required to be affordable. There will be 63 affordable units, with a fractional buyout equivalent to 0.6 ADUs, pursuant to Section 12.3 Buyouts & Payments of the current SZO. The exact number and types/sizes of units will be finalized with the Housing Division as part of the Affordable Housing Implementation Plan. A condition of approval has been recommended to ensure the distribution of affordable units meets the ordinance requirements and the needs of the City.

The building will be a high-performance building and is on track to meet the Passive House standard, but additional design decisions will be necessary to become a PHIUS+2021 certified building. The Office of Sustainability and Environment will review this project again as it proceeds to Building Permit.

Landscape and Streetscape

As this project is governed by the PUD under the former SZO, the landscape is not required to calculate a Green Score. The site design does not include any Civic Space but does maximize open space within the streetscape around the building by incorporating planting beds in the frontage zones adjacent to the building, which incorporate seating areas, and at the base of the street trees. Auto Workers Way is a narrower right-of-way that functions as a service street so shade trees cannot be accommodated. A condition of approval has been recommended for further coordination with Public Space & Urban Forestry (PSUF) as the design develops further.

Mobility

The project will continue the separated bicycle facilities that have been constructed on the adjacent blocks. Mobility and Engineering will continue to coordinate the details with

the Applicant along Foley Street and Harold Cohen Way. Coordination with the MBTA for the final location of the bus stop will be ongoing.

The project also proposes 151 motor vehicle parking spaces, which is significantly less than the 349 spaces required by the former SZO and the PUD. A waiver (#4) has been requested, below, and staff are supportive of the reduced parking given the site's proximity to transit – both bus and rail. The Applicant has also proposed 151 long-term bicycle parking spaces to be accommodated in the building, exceeding the 108 required by the former SZO.

Waivers

In accordance with former SZO Section 6.4.12.A. Relief from Requirements which states "... the SPGA may, as part of an application for a SPSR-A, a PUD-A or Site Plan Approval-A grant relief from Development Standards, and any other requirements of the ASMD outlined in Sections 6.4.6 through 6.4.11."

The Applicant is requesting that the Planning Board approve waivers for the following:

1. Sections 6.4.7 - Development Standards and Design Guidelines for Developments in the ASMD; 6.4.8 - Development Standards and Design Guidelines for Large Developments; and 9.11 – Dimensions of Parking Spaces and Maneuvering Aisles.
2. Section 5.2.3.19 and Section 6.4.8. - Traffic Access and Impact Study, including a Transportation Demand Management Plan.
3. Section 6.4.8.B Model.
4. Section 9.16. - Parking Space and Loading Area Requirements in the Assembly Square Mixed-Use District (ASMD) and the PUD-A District.
5. Section 13.3.5 Disposition and SPGA Right of First Refusal/Option to Purchase.

Regarding waiver #1, the Applicant is seeking to reduce the minimum one-way maneuvering width from 20-feet to 12-feet for a short length to provide continuous circulation through the garage. The reduction in aisle width occurs in two sections of the drive aisle that does not need the additional width for parking maneuverability, just vehicle movement. All other aisles adjacent to parking spaces within the structured garage will meet the required minimum widths. Staff believes that the reduction will not be significantly detrimental to the neighborhood or the function of the garage.

Waiver #2 is requested not to provide an updated Traffic Impact Study. Multiple traffic studies have been prepared by VHB for the Assembly Square Mixed-Use District and the PUD-A over the course of the project and all were conducted assuming development scenarios for Block 9 (375 Harold Cohen Way) that are consistent with the current proposal. With the trip generation being consistent, trip distribution remaining unchanged, and the completion of nearby roadway improvements associated with the overall Assembly Square Mixed-Use Redevelopment project, this development will not significantly impact traffic conditions in the area. Additionally, new bicycle facilities and sidewalk amenities being implemented as part of this project will enhance the multi-

modal environment further. The Mobility Management Plan (MMP) also presents multiple Transportation Demand Management (TDM) measures that will be implemented to minimize or lessen the impact of vehicular traffic to an area. The MMP and Transportation Access Plan can be found in Appendices E & F of the application respectively.

The Applicant has requested a waiver (#3) from the requirement to provide a 3D model for the proposal. In lieu of this waiver, Staff have requested that the team provide a digital massing model of existing and permitted projects within the PUD-A area, consistent with the submission requirements adopted by the Planning Board. A condition of approval has been recommended to ensure delivery of the digital model file.

The Applicant has also requested waiver #4 from the minimum parking requirement set by the PUD-A District and the former SZO under which it operates, which would have required a minimum of 349 motor vehicle parking spaces. The proposal provides 149 motor vehicle parking spaces, which, although it will operate as a commercial facility, is functionally intended to serve the commercial and residential uses within the building. Staff notes that recent usage studies have indicated that existing structured parking across the district is currently underutilized, particularly to support restaurant and retail uses, and believes that the reduction can be accommodated by excess capacity in existing structured parking locations and is in keeping with the overall intent to reduce induced demand by providing less motor vehicle parking in the district.

Finally, the Applicant is seeking a waiver of any right of first refusal or option to purchase the Planning Board might have under former SZO Section 13.3.5. The intent of this section was to allow the Planning Board, or their designee, such as the Affordable Housing Trust, to purchase units to maintain affordable rentals where individual residential units are sold as condominiums. The waivers were granted on Blocks 6 and 8, the previous residential projects in the PUD. This form has been reviewed and approved by the Director of Housing in the Mayor's Office of Strategic Planning and Community Development.

CONSIDERATIONS & FINDINGS

Please refer to the Appendices attached to this memo for the required review to items under the approved PUD-PMP.

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.

Site Plan Approval Considerations – ZP24-000118

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

Staff believes that this project supports the goals laid out in SomerVision 2040, the City's Comprehensive Master Plan, including the following:

- Reduce the carbon footprint of Somerville's buildings through green technology and higher energy efficiency.
- 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, and secures Somerville's fiscal self-sufficiency.
- 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.

The proposal will provide new residential units, that are required to meet sustainability standards in the stretch energy code, in a neighborhood that is well-served by transit. As a walkable and bikeable 24-hour neighborhood, Assembly Square provides an opportunity for residents to work where they live, reducing greenhouse gases generated by vehicular commuting, within the existing service and sales industries as well as the growing research & development sector.

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

Staff believes that the proposal will amply support the intent of the Assembly Square Mixed-Use (ASMD) zoning district which is, in part:

- To implement the recommendations of SomerVision for transformational redevelopment.
- To 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.
- To improve utility infrastructure, thoroughfares, off-street pedestrian and bicycle paths, and physical connections to surrounding areas, including East Somerville, Ten Hills, and Sullivan Square.

Block 9 continues the development of the Assembly Square neighborhood and meets the intent of the current zoning district.

3. Mitigation proposed to alleviate any impacts attributable to the proposed development.

The Applicant has made efforts to design beyond the PUD requirements to which the project is held and has closely approached the standards and requirements specified in the current zoning ordinance.

4. ~~Per Section 7.4.5, in~~ In addition to the review criteria for all Site Plan Approvals., the review board shall make findings considering the following:

- a. Consistency with the ASQ Plan.
- b. Conformance with an approved Master Plan Special Permit and any other Special Permits applicable to the subject lot

Staff believe that the proposal will assist in the planning goals set for neighborhood by the October 2000 Assembly Square Planning Study and ongoing work on the Assembly Square Neighborhood to facilitate the ongoing transition from a regional retail, industrial, warehouse/distribution, and rail yard, to a vibrant, walkable and bikeable, 24-hour neighborhood featuring residential, retail, restaurant and entertainment, office, and open space, as well as a regional jobs center for the biotech industry.

Special Permit Considerations – ZP25-000034

Under the former SZO and the PUD, the considerations and required findings are included in a spreadsheet to simplify tracking over the development period. Please see the attached Appendix A: Application Requirements which identifies the required documentation, Appendix B: Required Findings of Fact which demonstrates consistency with the PUD, and Appendix C: Future Requirements for SPA/SP that include the specific requirements for each subsequent submittal of development projects.

PERMIT CONDITIONS

Should the Board approve the required Site Plan Approval with Special Permit for the 8-story general building type, Planning, Preservation & Zoning Staff recommends the following conditions:

Permit Validity:

1. This Decision must be recorded with the Middlesex South Registry of Deeds.

Public Record:

2. One (1) digital copy 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.
3. A digital 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.
4. A written narrative or descriptive checklist identifying the completion or compliance with permit conditions must be to the Inspectional Services Department at least ten (10) working days in advance of a request for a final inspection.

Legal:

5. ~~A public right-of-way or pedestrian access easement must be provided in perpetuity by a covenant or other deed restriction for the full area of the sidewalk provided within the frontage area of the lot. Final easement language must be approved by the City Solicitor.~~ The property owner is held to all pedestrian access easements, covenants or other deed restrictions, and all the regular and long-term maintenance, replacement, insurance, and other applicable costs

associated with all on-site sidewalk improvements that governing the Assembly Row PUD.

6. ~~The property owner is responsible for all the regular and long term maintenance, replacement, insurance, and other applicable costs associated with all on-site sidewalk improvements. Maintenance Agreement must be executed by City Council prior to issuance of Certificate of Occupancy.~~

Housing:

7. ~~All 3-bedroom affordable dwelling units must comply with the Director of Housing's quality standards for 3-bedroom ADU's.~~
8. A deed restriction limiting the sale or rental of all affordable dwelling units to eligible households in perpetuity must be executed and recorded with the Middlesex South Registry of Deeds.
9. An affordable housing implementation plan (AHIP) must be submitted to the Director of Housing prior to applying for a Building Permit.

Building Materials:

10. Construction documents must be substantially equivalent to the approved plans and other materials submitted for development review.
11. The Applicant must provide details for architectural treatment and art installation possibilities at the transformer alcove doors for pedestrian comfort/safety and visual interest **to the Director of Planning, Preservation, & Zoning** prior to vertical building permit approval.
12. ~~Material specifications from suppliers must be submitted to confirm fenestration glazing is compliant with the VLT and VLR ratings required by the Somerville Zoning Ordinance.~~
13. An outdoor lighting plan and supplier cut sheet specifications of chosen lighting fixtures must be submitted to **the Director of Planning, Preservation, & Zoning prior to vertical building permit approval** ~~confirm compliance with Section 10.7 Outdoor Lighting of the Somerville Zoning Ordinance.~~ The site photometric plan must include a keyed site plan identifying the location of all luminaires; total site lumen limit table ~~(calculations from the SZO)~~; lighting fixture schedule indicating the fixture type, description, lamp type, lumens, color temperature, color rendering index, BUG rating, mounting height, and wattage of all luminaires; and notation of any timing devices used to control the hours set for illumination.
14. Provide a material palette and samples of all building, site, and plant materials to PSUF and UDC for review and approval prior to Building Permit.
15. Build an on-site mock-up prior to vertical construction, especially to show the integration of the windows and HVAC vents/louvers for review by the UDC.

Parking:

16. ~~The commercial parking facility must have a parking access and revenue control system to manage vehicular access and collect parking revenues from patrons.~~ **The parking facility shall be operated for the use of tenants with leasing for parking unbundles from residential leases in compliance with the Mobility**

Management Plan dated November 25, 2024, as approved and conditioned by the Director of Mobility.

17. The property owner and applicable future tenants shall comply with the Mobility Management Plan ~~submitted December 12, 2024~~ **dated November 25, 2024**, as approved and conditioned by the Director of Mobility.
18. ~~An annual report, including documentation of any changes to the layout plan or operations plan of the parking facility, must be submitted to the Mobility Division to validate continued compliance with the Somerville Zoning Ordinance, this Decision, and the Director of Mobility's standards for monitoring and annual reporting.~~
19. ~~A sign must be provided near the vehicular entrance to the parking structure or lot that identifies, at minimum, the number of spaces available in real time.~~
20. ~~A layout plan identifying all parking access and revenue control features for the parking facility must be submitted to the Director of Mobility for approval prior to applying for a Building Permit.~~
21. Applicant shall install signage indicating location of long-term bicycle parking as detailed in SZO 11.1.1.g.

Site Design

22. Grading changes along Grand Union Boulevard may cause drainage and ADA compliance issues on proposed sidewalk. Provide additional grading detail in this area during Streetscape Construction Permit application.
23. The Applicant shall submit final sidewalk design and easement plans to Engineering and Mobility providing the City and general public 24/7/365 access to a sidewalk on private property where the sidewalk, at least 5' clear width cementitious concrete pathway for ADA/MAAB access on all building frontages, is not provided solely in the public right of way.
24. Final design of the frontage areas along Grand Union Boulevard, Foley Street, and Harold Cohen Way must be designed and paved to properly correspond with any sidewalk improvements approved within the public right-of-way and must be approved by relevant City Departments prior to main Building Permit approval.
25. The Applicant shall work with PSUF to review and approve all trees and plantings in accordance with the Tree Warden and the Somerville Pollinator Action Plan to use high value species outlined in the document.
26. The Applicant must use Silva Cells or other structural tree root systems for all trees within the bike path and sidewalk.

Engineering:

27. The Applicant shall submit supporting documents for abandoning 42" RCP cross-country drain line **via an ES/ESC Permit** prior to building permit submission.
28. The Applicant shall work with Engineering and PSUF to move two utility connections along Grand Union Boulevard for coordination with the bus drop-off and any tree plantings.
29. The Applicant will review the curb ramp design at Harold Cohen Way and Auto Workers Way intersection with Mobility and Engineering Departments during

Streetscape Construction Permit review. Re-design may be required to mimic curb ramp geometry on the south side of Harold Cohen Way.

30. The Applicant's Engineer will work with the Engineering Department as necessary to review the final design and location of sub-slab drainage infrastructure for compliance and continuity with Engineering's Site Construction Large Project Requirements, MS4 requirements, and Assembly Row masterplan stormwater design.