



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
**JOSEPH A. CURTATONE**  
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EXECUTIVE DIRECTOR

**PLANNING DIVISION STAFF**

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**Case #:** PB 2013-02 & PB 2006-59-R0710-AM (1/2013)

**Date:** February 14, 2013

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** Assembly Square Block 2B (74 Foley Street, 100 Foley Street)

**SPSR-A Application**

**Applicant Name:** FR Sturtevant Street LLC, a Delaware Limited Liability Company  
Street Retail Inc, a Maryland Corporation  
SRI Assembly Row B2, LLC, a Delaware Limited Liability Company  
SRI Assembly Row B3, LLC, a Delaware Limited Liability Company  
SRI Assembly Row B5, LLC, a Delaware Limited Liability Company  
SRI Assembly Row B6, LLC, a Delaware Limited Liability Company  
SRI Assembly Row B7, LLC, a Delaware Limited Liability Company  
SRI Assembly Row B8, LLC, a Delaware Limited Liability Company  
SRI Assembly Row B9, LLC, a Delaware Limited Liability Company

**Applicant Address:** 1626 East Jefferson Street, Rockville, MD 20852

**Property Owner Name:** same

**Agent Name:** Goodwin Procter LLP

**Agent Address:** Exchange Place, 53 State Street, Boston, MA 02109

**Alderman:** Maureen Bastardi

**Legal Notice:** Applicant/Owner FR Sturtevant Street LLC, a Delaware Limited Liability Company, Street Retail Inc, a Maryland Corporation, SRI Assembly Row B2, LLC, a Delaware Limited Liability Company, SRI Assembly Row B3, LLC, a Delaware Limited Liability Company, SRI Assembly Row B5, LLC, a Delaware Limited Liability Company, SRI Assembly Row B6, LLC, a Delaware Limited Liability Company, SRI Assembly Row B7, LLC, a Delaware Limited Liability Company, SRI Assembly Row B8, LLC, a Delaware Limited Liability Company, SRI Assembly Row B9, LLC, a Delaware Limited Liability Company seek a Special Permit with Site Plan Review-A, final level approval of "Block 2B" 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. Applicant and owner seek approval under

SZO Article §16.8.3 and §5.2, to construct an approx 132,708 gsf, 4-story building. The building will have a mix of uses consisting of retail, restaurants and office. Parking will be located on the street and on Blocks 3, 4, 5 and 6. The Applicant and Owner also seek a special permit for signage under §5.1 and §6.4.14 to install signs that are over 35 feet from finished grade and larger than the by-right size. A waiver is required under SZO §6.4.12 and §16.5.5 for fewer loading spaces than required under §9.16.3 and §9.7. Applicant/Owner is also seeking a waiver for the location of the building that within the 150 foot setback from the Mystic River bank through a Planned Unit Development – Preliminary Master Plan application.

**PUD Amendment Application**

**Applicant Name:** FR Sturtevant Assembly Square, LLC, a Delaware limited liability company Street Retail, INC, in its individual capacity and under power of attorney on behalf of FR Sturtevant Street, LLC, SRI Assembly Row B2, LLC, SRI Assembly Row B3, LLC, SRI Assembly Row B5, LLC, SRI Assembly Row B6, LLC, SRI Assembly Row B7, LLC, SRI Assembly Row B8, LLC, and SRI Assembly Row B9, LLC and IKEA Property, Inc.

**Applicant Address:** 1626 East Jefferson Street, Rockville, MD 20852

**Property Owner Name:** same

**Agent Name:** Goodwin Procter LLP

**Agent Address:** Exchange Place, 53 State Street, Boston, MA 02109

**Alderman:** Maureen Bastardi

**Legal Notice:** Applicant/Owner FR Sturtevant Assembly Square, LLC, a Delaware limited liability company, Street Retail, INC, in its individual capacity and under power of attorney on behalf of FR Sturtevant Street, LLC, SRI Assembly Row B2, LLC, SRI Assembly Row B3, LLC, SRI Assembly Row B5, LLC, SRI Assembly Row B6, LLC, SRI Assembly Row B7, LLC, SRI Assembly Row B8, LLC, and SRI Assembly Row B9, LLC and IKEA Property, Inc. seek a amendment to 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 under SZO Article §16.11.3. The waiver is to construct a building with in the 150 foot setback of the Mystic River bank.

**Zoning District/Ward:** ASMD / Waterfront Overlay District (WOD) / Ward 1

**Zoning Approval Sought:** Special Permit with Site Plan Review – A & Amendment to Planned Unit Development Preliminary Master Plan (PUD-PMP)

**Date of Application:** Jan 22, 2013

**Dates of Public Hearing:** Planning Board Feb 21, 2013

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## **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. 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. A new scheme for identifying buildings was established.

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, and 3 (in chronological order), and temporary uses for Blocks 5 and 6.

#### ***A. Review Requirements under the Somerville Zoning Ordinance***

This application is for a Special Permit with Site Plan Review-A (SPSR-A) for a development of a portion parcels 85-A-4 and 85-A-3. 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 August 5, 2010. The applicant submitted the current application on January 22, 2013. 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 2B is 47,642 square feet or just over 1 acre. Block 2 is located along the Mystic River and west of the Winter Hill Yacht Club boathouse. The land is currently vacant and contains piles of soil and equipment for the construction of Blocks 1, 3 and 4.

#### ***B. Surrounding Area***

The area surrounding the proposed site contains Draw 7 Park on the opposite side of the MBTA Orange Line tracks and development Blocks 1, 3 and 4 which are under construction. Assembly Square Drive roadwork and landscaping that were part of the Phase IAA approval are complete. The subdivision of land that corresponds to the Blocks approved in the PUD is complete and was recorded on December 28,

2011 and the new streets have names. The street that was previously labeled Main Street is Assembly Row, A- and G-Street are both Great River Road, C-Street is Artisan Way, D-Street is Canal Street, and E-Street/Foley Street will remain as Foley Street.



*Approximate location of the Block 2 Proposal*

### **III. DESCRIPTION OF PROPOSAL**

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

The plan for Block 2 includes two parcels that are divided by a one-way street and each sub-block contains a building: a small approximately 3,605 square foot pavilion building and an approximately 132,708 square foot building, which is the subject of this report, labeled 2A and 2B respectively. Parcel 2A is 20,922 square feet and 2B is just over an acre at 47,642 square feet. There will be a plaza primarily on parcel 2A at the terminus of Assembly Row and the plaza is named “the point”.

Building 2B will be a 4-story, 132,708 gross square foot building, which will house approximately 39,500 gross square feet of retail and restaurant uses on the ground floor, approximately 93,174 gross square feet of office space on the upper stories and two loading bays. It is anticipated that the project will employ 562 people onsite. The hours of operation are estimated to be 7am to 2am.

Compliance with dimensional standards is shown in the table below.

<b>DIMENSIONAL REQUIREMENTS</b>	<b>PUD-A</b>	<b>Approved PUD</b>	<b>Proposed Project</b>
Minimum lot size	20,000 sf	66.5 acres	47,642 sf (1.09 acres)
Frontage	-	-	290 ft
Front yard setback	No minimum	-	9.7 ft
Side yard setback (left)	No minimum	-	5.3 ft
Side yard setback (right)	No minimum	-	2.1 ft
Rear yard setback	No minimum	-	10.1 ft
Maximum Floor area ratio (FAR)	10.0	2.0	2.42*
Maximum height, feet	70 feet up to 250 feet	Varying up to 250 feet	62 & 70 feet <sup>o</sup>

<b>DIMENSIONAL REQUIREMENTS</b>	<b>PUD-A</b>	<b>Approved PUD</b>	<b>Proposed Project</b>
Minimum lot area/per dwelling unit	No minimum	Approx 1379	N/A
Total open space (%)	25%	25.2%	12.7 %*
Useable open space (%)	12.5%	17.7%	3.9 %*

\* 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.

° The Planning Board granted two waivers from requirements of the Somerville Zoning Ordinance during the approval for the PMP-PUD and both were for the development of Block 2. The waivers were to: a) construct a building (underground parking structure) within 150 feet of the Mystic River bank; and, b) allow a building of a height up to 90 feet within the area between 150 and 250 feet of the Mystic River bank. Underground parking is no longer included in the plan for the building on Block 2; however, the proposal does include building within 150 feet of the Mystic River bank. The proposed setback from the River is 141.8 feet. The portion of the building in the 150 foot setback is approximately 850 square feet of the one story portion of the building and 125 square feet of the footprint of the upper floors. The height waiver granted will not be exercised; height of the building will be 70 feet at its tallest at the southwest corner and 62 feet for the rest of the building.

Locating the building within the 150 foot setback will have the following advantages. The building will be able to meet the street with a covered arcade and suspended canopies above the sidewalk. The arcade on Block 2 will be continuation of the arcade on Block 1, creating an interesting pedestrian path for the length of the riverfront park frontage. Having a building in this location does not impact the size of the riverfront park or the way that Great River Road functions.

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

The project area is triangular in shape and the building is framed by sidewalks and a larger open space between Blocks 2A and 2B. This larger open space will be plaza with a 20 foot wide right of way for one-way traffic. The right of way is designed to be incorporated in the plaza and function like a woonerf or a shared pedestrian and vehicular space. The street can be blocked off for special events to create a larger plaza space. The roadways that frame the other sides of the project area are Great River Road and Artisan Way. A subdivision plan has been approved; however, the buildings have not yet been assigned addresses.

Pedestrian access will be via sidewalks around the building with varying widths of roughly 12 to 18 feet. There will be an office lobby entrance on Artisan Way and a small doorway to access a staircase to the upper stories on Assembly Row. The retail entrances will be located off of the sidewalk with separate entrances for each retailer. Access to the two loading areas is off of Great River Road. There is no vehicular parking on this Block.

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

The building was designed to be pedestrian-friendly along all three sides with retail wrapping the ground floor except for the area of the loading dock. The loading dock will be closed by a garage door that will be treated in an attractive way so that the retail connectivity is not interrupted. The form of the building follows the general form anticipated for the Block as part of the Preliminary Master Plan Approval as a podium V-shaped building. This shape allows for significant frontage and views of the water from the upper stories of the building. The acute angle of the building allows for greater views from the street when traveling north on Assembly Row than a typical square shaped building would provide. The PMP contemplated this being a 7-story mixed use building with residential; however, the height of the building

no longer requires a waiver and the uses of the PMP for each block were not established until this SPSR-A phase.

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

The ground floor use of the building is proposed to be restaurant, retail and other commercial uses as approved in the PUD-PMP. 512,000 square feet of retail space including restaurants was permitted through the PUD-PMP and as the blocks of the plan are developed, the total square feet of each use category will be tracked. A list of specific uses in the use table was approved as part of the PUD-PMP and the commercial first floor could contain a mix of those approved uses. The number of storefronts is not yet known and will likely vary as tenants swap in and out of the building in the future.

The upper stories of the building will contain approximately 93,174 gross square feet of office space. 1.75 million square feet of commercial space was permitted through the PUD-PMP. The commercial space include but is not limited to office, research and development, laboratory, medical office, and manufacturing. The upper stories of this building could be any of these uses and the floor plate may be broken up for multiple tenants. The total number of commercial square footage will be tracked.

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

The City, the Somerville Redevelopment Authority, IKEA, and Federal Realty Investment Trust have entered into a development covenant from 2006 that establishes that linkage will be paid after the first 300,000 square feet of space is constructed in the PUD PMP, excluding the existing Mall. Appendix G is a table of the square footage that is built in the PUD to keep track of when linkage payments will be required. Linkage will be required for the square footage of this building.

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

The provisions of SZO section 13.2 do not apply to this proposal because there will not be a residential component to the development.

#### ***G. Landscaping and Open Space***

Landscaping: The open space at the site will be hardscape. This building is in an urban context and the build appropriately meets the street to create a walkable environment. Landscaping across Assembly Row is concentrated in publically accessible well programmed public spaces. Baxter Riverfront Park will be adjacent to the site and this park will provide a large amount of landscaped area.

Usable Open Space: The usable open space on the site is around the building adding to the width of the sidewalks. Under §16.6.1 of the SZO, the usable open space must be permanent, made accessible to the public at a minimum from 9:00 am to 5:00 pm, and protected through a covenant or other appropriate legal instrument. This site has 3.9% (approximately 1,875 square feet) of usable open space that is counted towards Block 2B. There are other areas at the edges of Block 2B that shape the intersections and plazas that are useable open space but are included in the useable open space figure for the entire PUD. Larger areas of usable open space will be on other parcels were they are consolidated to make larger spaces such as on Block 2A that will connect the Assembly Row development to the waterfront. The overall calculation of useable open space in the PUD is 17.7%.

#### ***H. Parking and On-site Circulation***

The minimum parking requirements are 1 per 1,000 square feet of retail space, 1 per 500 net square feet of restaurant space, and 1 per 1,000 square feet of office space. The minimum requirement is between 132 and 172 parking spaces (if the entire ground floor was restaurants) for the commercial use depending on the breakdown of retail, restaurant and offices uses.

There will be no parking on Block 2B. The proposal is for 260 shared parking in the garages in Blocks 3 and 4. Other parking spaces available for the building include on-street spaces; there are 9 parallel parking spaces on Great River Road and 9 parallel parking spaces on Artisan Way adjacent to the building; and shared temporary parking lots on Blocks 5 and 6.

The parking garage on Block 4 will house approximately 469 parking spaces - 142 commercial and 327 residential spaces (1.29 spaces per dwelling unit). The commercial parking requirement for this Block was between 43 and 87. There will be a gate dividing the commercial and residential spaces and the Block 2 users will park in the commercial parking area that will have a controlled entry. 140 spaces will be available for the office workers on Monday through Friday, 7am to 5pm.

The parking garage on Block 3 will house approximately 571 parking spaces, and the requirement for that block was only between 183 and 306 parking spaces depending on the breakdown of retail and restaurant uses. These spaces will have a control gate at the entrance to the garage on the second floor. 120 parking spaces will be available for retail and restaurant patrons of Block 2.

Blocks 5 and 6 will temporarily be surface parking lots with 207 and 228 parking spaces respectively. The parking will be free; however, it will be access controlled to ensure that it is not used as a commuter lot or the residents of Assembly Row.

The number of required loading docks varies depending on the mix of retail and restaurant uses. The Applicant has determined that the maximum number of loading docks that would be required is 4. The requirement for retail is 3 for between 35,001 square feet and 50,000 square feet, and 3 for restaurants between 16,001 and 40,000 square feet. The proposed number is 2.

The non-residential use bicycle parking requirements is one space for every 10 required parking spaces. The requirement is for 17 spaces. There is a bike storage room on the ground floor of the building by the elevators. Bike racks outside of the building could also supply space for the required number of spaces. The floor plan includes three shower rooms, which are an important element to allow biking to an office building feasible.

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

The proposal meets the general form and design guidelines adopted as part of the PMP to address this block. The design of the building was not directly addressed at the PUD-PMP review, as this was left for the more detailed SPSR-A review. The form had a retail podium on the ground floor and a V-shaped building above it with an acute angle. The building was anticipated to be a 7-story mixed-use commercial and residential building with an underground parking garage. The form is similar to the proposed building; except that, the height of the building is 5-stories and no longer requires a height waiver, parking will be shared with garage on other blocks and the uses will be retail, restaurants and office. These details for each block are not established until this SPSR-A phase.

The building conforms to the design guidelines, which ensures that it is built to be consistent with the PUD-PMP. In the design guidelines the facades of the building and corners are assigned hierarchies to help reinforce the importance of a public open space, break down the scale of an elevation and allow for part of the building to be background so that others can be foreground.

The corners of the building were assigned functions to provide a framework of the overall PMP. The northwest corner is supposed to be a significant corner which is highly visible from the plaza on Block 2. It is made up a one-story portion of the building with a roof deck and a trellis structure that terminates the

pedestrian arcade along Great River Road. The southwest corner of the building is supposed to serve as a secondary corner that is less prominent. This corner is fairly prominent as its parapet is taller than rest of the structure and the windows in this area are distinct and reminiscent of large loft/factory building windows. The two corners have switched in importance in the implementation of the design.

The facades of the building were assigned values in the following ways. The first floor along the plaza and Artisan Way is a primary elevation. The first floor of the building will be retail and meet this standard. The PUD-PMP allows for the storefront design to be determined by the retail tenant to reflect the tenant's individual brand identity subject to the Assembly Row Signage and Storefront Standards. The storefronts are not intended to conform to the design of the base building.

The plaza-facing and Artisan Way façades are a primary elevation for the first three floors and a secondary elevation above and the corner of Artisan Way and Assembly Square is a primary elevation for all floors. The façades meet the primary elevation material quality for all 4 stories above the ground floor; they will be hand-laid white brick and large clear glass windows. The plaza-facing façade is also labeled as an iconic building façade. The building, not just along this façade, will be iconic and reminiscent of a loft/factory building. The Great River Road side of the building will also exceed the design guidelines that call for secondary and tertiary elevations. This façade will be primarily a clear glass curtain wall with a mullion pattern that relates to the mullion pattern in the rest of the building.

Access to the building has been altered since the building was designed as a retail and office building. There is no longer a residential entrance off of the plaza. The loading and service entrance is now the entrance for the office building. The plaza will continue to benefit from foot traffic from this building as there will be multiple retail doorways along this side of the building. The office entrance will be in a logical place across the street from the Block 4 parking garage and provide an attractive element to the building on Artisan Way. The loading dock will be on the eastern side of the building and be less prominent than the originally proposed location.

Overall the building has a cohesive identity while providing variety in the street-facing versus the river-facing façade of the building. The ground level detailing will primarily be dictated by the retail tenants, which is allowed in the design guidelines. The pedestrian arcade and second story roof-top terraces allow the building to interact with the river park, which is an asset to the neighborhood that this building should complement.

The building appearance and material choices ensure that it will be distinct from Blocks 1, 2 and 4. The buildings should provide variety in the built environment as is typical and appreciated within an urban context. The Block 2B building will appear as one large building and be comprised of white brick and large windows with simple lines. Blocks 1, 3, and 4 contain a variety of materials and detailing and have the appearance of multiple buildings on the same block. The contrast in the designs will have a positive impact on the neighborhood that is being built around "the point" at Assembly Row.

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

Signage above the first floor is for office tenants and consists of ten possible locations along the parapet of the building and above the office entrance between each floor. The material and technology of the signs is not indicated.

The retail signage will be located along the first floor. Staff will review and approve first floor retail signage based on the Assembly Row Signage Design Standards. Plans that are inconsistent with the Standards will required review from the Design Review Committee and approval from the Planning Board.

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

The Applicant is requesting four waivers from the requirements of the Zoning Ordinance for signage height and size, the number of loading docks, building within the 150 foot setback from the River, and the submission requirement for providing a 3-D model of the site.

The Applicants are seeking a special permit in order to waive the signage requirements related to the 35-foot height limit from finished grade. The type of signage that would be above the 35-foot height limit would be signage for the office tenants along the parapet of the building and above the office entrance between each floor.

The office signs also exceed the size allowance under Section 12.4.4 on all sides. The two office signs on the Assembly Row side of the building total 856 square feet and the allowance is for 420 square feet of signage. The sign at the corner of Assembly Row and Artisan Way is 240 square feet and the allowance is for 60 square feet. The five signs on the Artisan Way side are a total of 1143 square feet and the allowance is for 480 square feet. The two signs on the Great River Road elevations total 1056 square feet and the total allowance is estimated to be 520 square feet.

The second waiver is for the number of required loading docks is dependent on the breakdown of retail versus restaurant space. Since the breakdown has not yet been determined, the Applicant calculated that the maximum number of loading docks required is 4 and 2 will be provided. The rationale for providing less than the maximum number of loading spaces is that allocating less ground floor space to loading results in more square footage for retail and restaurant uses that enliven the district. Moreover, two loading spaces will be sufficient for the proposed uses. Several of the tenants will likely use vans for deliveries and two vans can fit in a loading area designated for a larger truck. Most of the retail and restaurant deliveries will occur in the weekday morning. The site will be managed to minimize conflicts.

The third waiver is related to building within 150 feet of the Mystic River bank. An amendment to the PUD-PMP to waive the dimensional control of construction within this setback is part of this application. A description can be found in the overall description of the proposal section of this report.

The final waiver is for a submission requirement to provide a 3-D model of the site. The renderings submitted give context to the proposal and achieve a similar purpose as a 3-D model. Also, the proposed building is consistent with the conceptual 3-D model that was constructed for the entire PUD. Therefore, the model is waived unless the Planning Board requests it.

**IV. CITY DEPARTMENT/COMMITTEE COMMENTS****Design Review Committee**

The Citywide Design Review Committee (DRC) held a public meeting on January 31, 2013 at which they reviewed this proposal. The minutes, as noted by Planning Staff are copied below:

The DRC reviewed a preliminary plan and made the following comments and recommendations.

Overall they liked the composition of the building and called the design a refined historicism that appropriately integrated modern materials. They felt that the corner of the building at Artisan Way and Assembly Square Drive was successful; however, moving down the building to the plaza-side, since the second story terrace in the middle of the building is no longer part of the plan they wanted to see an

element along this façade that created some symmetry with the entrance on Artisan Way. On the opposite side of the building the drawings portrayed the transition between the masonry and glass curtainwall as jarring. The architect should show the inside turn of where these materials meet. The DRC also discussed ways of bringing some of the nuance that is on the masonry side of the building to the glass curtain wall. Some ideas were increasing the mullion size and having consistency in the mullion pattern or bringing some masonry to this side of the building. The DRC did not request to see a redesign in another meeting; however, they did request to see material samples for the building before they were purchased.

The architect made the following changes or comments to respond to the DRC.

The double mullion pattern of the curtainwall was increased from 10' to 30' to reflect the rest of the building. Also, the curtainwall height was reduced and a metal panel band was added along the top to that reflects the datum of the adjacent brick.

The design intent is for the building to be asymmetrical in order to identify and emphasize the entrance to the office on Artisan Way. These are two different facades intended to address two distinct urban conditions and therefore an element was not added to the plaza-side of the building.

A two-story “monumental façade” on northwestern corner of building at Assembly Row and Great River Road, which was included in the design guidelines for the block was excluded two reasons; a monumental façade does not complement the design, and the revised intention is for the focal point of the building to be the southwest corner at the intersections of Artisan Way and Assembly Row.

## **Traffic and Parking**

Traffic and Parking has reviewed the Proposed Block 2 Development Program within Assembly Square. The developer’s Transportation Consultant, Vanasse, Hangen, Brustlin, Inc (VHB) has submitted a Transportation Memorandum relative to a traffic assessment of both proposed developments. This submittal is a professional well prepared document.

Traffic and Parking concurs with the conclusion of both proposed developments that Block 2A and 2B buildings will readily be able to accommodate the traffic generated by this use, as well as the other planned uses of the overall PUD project site.

Another concern was the number of loading bays calculated by VHB for this phase of the project. Traffic and Parking concurs with SPCD staff that a reduction in the number of loading bays is required.

Traffic and Parking has no objections to the submitted proposals concerning the Block 2A and 2B Assembly Square Mixed Used Redevelopment Project.

## **Office of Sustainability and Environment**

Office of Sustainability and Environment has not yet provided comments.

## **City Engineer**

The City Engineer has preliminarily reviewed the plans and does not have concerns at this time.

## **Fire Prevention**

At this time, Fire Prevention's requirements for Block 2B include complete fire sprinkler and standpipe systems, an approved fire alarm system, a radio master box, and 24 hour monitoring by an approved central station company for each building. All of which must be 100% complete before any occupancy is allowed. There maybe additional requirements attached to the permits pending review of more specific information that will need to be submitted before Fire Prevention's approval.

## **Lights & Lines**

Lights & Lines has preliminarily reviewed the plans and does not have concerns at this time.

## **Bicycle Commission Staff**

There should be at least one bike rack on each side of the building, especially where there are multiple entrances on each side of the building. In particular, there should be a bike rack at the southern side of the parcel where there is an entrance on Artisan Way.

Seventeen bicycle parking spaces are required based on city code. This would require a minimum square footage of 377 square feet. The plans indicate a bicycle storage room on the first floor of the office building with dimensions of approximately 15' by 12' or 180 square feet. Therefore, this room appears to be undersized for the number of spaces needed and we need additional information on how they will be accommodated.

## **Conservation Commission Staff**

The Applicants have submitted a Notice of Intent (NOI) to the Conservation Commission for the construction of Blocks 2A and 2B because these buildings will drain directly into the 72 inch outfall pipe. The Commission will review the NOI at their meeting on February 26, 2013. The other reason why a NOI would be submitted to the Commission is if work is done within the 100 foot protected buffer of the river, which is not affected by this proposal.

## **Ward Alderman**

Alderman Bastardi is aware of the proposal. She has not submitted comments for the report.

## **V. PUBLIC COMMENTS**

Planning Staff will edit the report to provide any updated public comments should the Planning Board chose not to act on this case on February 21, 2013, thereby allowing public comments to be incorporated into the report and the conditions, if applicable. As of February 14, 2013, the Planning Staff has not received any comments on this project.

## **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 and SP (SZO §5.2.5 and 5.1.4)***

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

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

### ***D. Requirements for Waterfront Overlay District (SZO §6.1.15)***

Section 6.1.15 identifies specific standards that are required in the Waterfront Overlay District. Staff finds that the SPSR-A meets these findings, and they are contained in Appendix D.

### ***E. Waiver Standards (SZO §6.4.12, 16.5.4 and 16.5.5)***

Section 6.4.12 identifies specific standards that are required for relief from requirements in the ASMD. Section 16.5.4 identifies standards that are required for issuing waivers of dimension standards such as locating within 150 feet with the Mystic River bank. Section 16.5.5 identifies a specific standard that is required for waiver of standards of Article 9 (Off-Street Parking and Loading) and Article 12 (Signs) (Section 6.4.14 also addresses signage in the ASMD). Staff finds that the SPSR-A meets these findings, and they are contained in Appendix E.

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. Staff find that the requested waiver from the requirement in Section 6.4.8B for a three-dimensional model is reasonable given the extent of the three-dimensional computer graphic images provided by the Applicant.

## **VII. STAFF RECOMMENDATION**

Based on the materials submitted by the Applicant and the above findings, the Planning Staff finds that

the application for Special Permit with Site Plan Review–A for final level approval of a planned unit development under the Planned Unit Development Preliminary Master Plan approved by the Planning Board on December 14, 2006 and as amended on August 5, 2010 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 Special Permit with Site Plan Review-A.

Planning staff recommend that the Planning Board grant **APPROVAL** of the Special Permit for signage height and size, the number of loading docks, and constructing within 150 feet of the Mystic River bank based upon the findings in Appendix E. Planning staff recommend that the three-dimensional model is not required.

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 F. In order to complete this project, the attached PMP-PUD conditions in Appendix H need to be satisfied within the designated timeframe for compliance.

This recommendation is based upon the Special Permit with Site Plan Review-A Application stamped in at the City Clerk's Office on January 22, 2013, including plans:

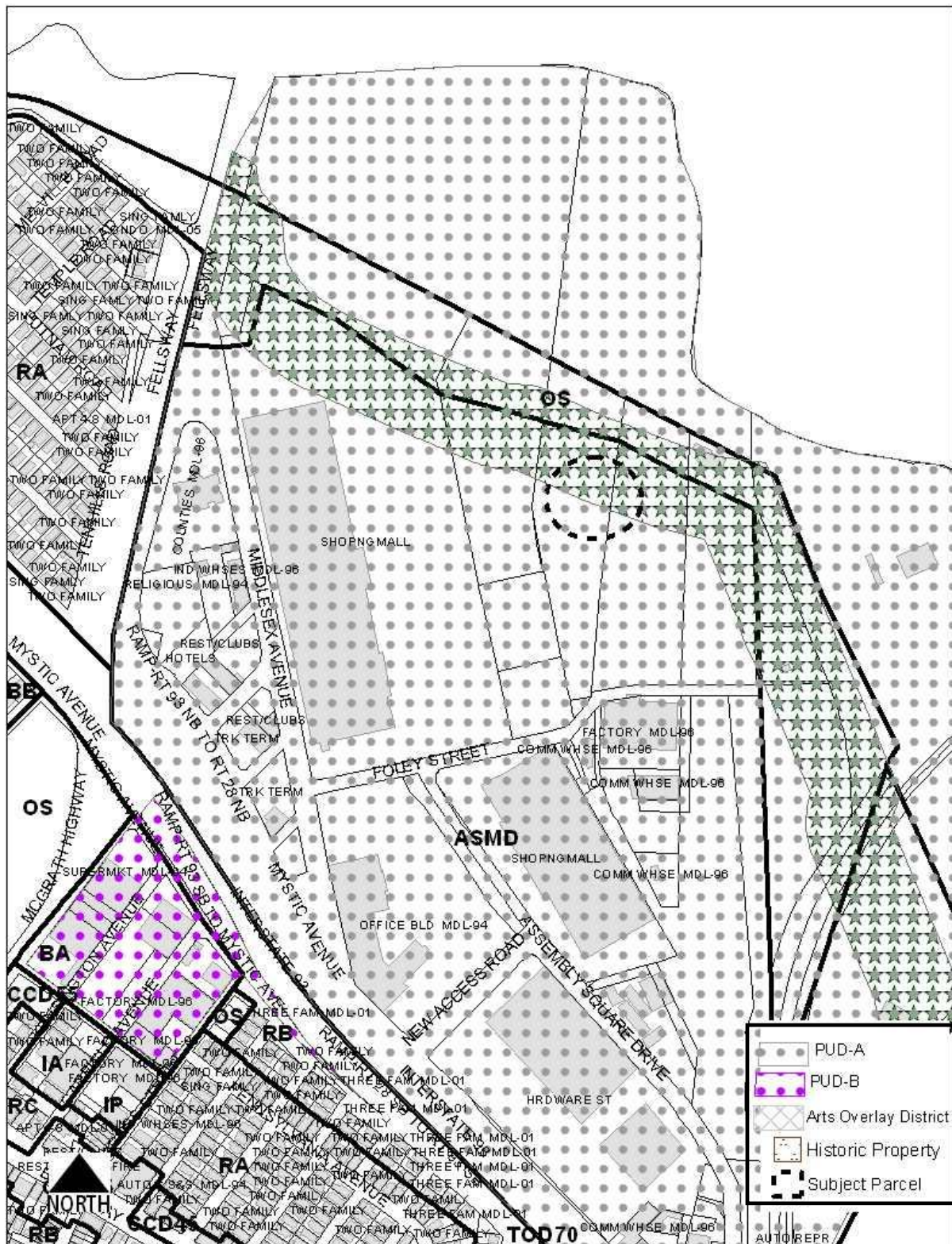
- *Updated* P-100 Perspectives: View from Great River Road, View from Assembly Row and Artisan Way dated Jan 14, 2013 (OSPCD Stamp date Feb 14, 2013)
- *Updated* P-101 Elevations: Artisan Way Elevation, Assembly Row Elevation (OSPCD Stamp date Feb 14, 2013)
- A-010 3D Building Views dated Jan 14, 2013 (as revised by P-100 & P-101)
- A-101 – A-105 floor and roof plans all dated Jan 14, 2013
- A-201 & A-202 elevations dated Jan 14, 2013 (as revised by P-100 & P-101)
- C-2, C-3 Neighborhood Context Map 1 and 2; C-4 Overall Site Plan 1; C-5 Overall Site Plan 2; C-6 Layout and Materials Plan; C-7 Grading, Drainage Plan; C-8 Utility Plan; C-9 Turning Template Plan; all dated Jan 22, 2013;
- Open space Summary for the PUD dated January 22, 2013.

Approval constitutes an approval of the final site plans and building design details for a 4-story, approximately 132,708 gross square foot building, which will house approximately 39,500 gross square feet of retail, restaurant and other commercial uses and approximately 93,174 gross square feet of office space, two loading bays, and service areas. Parking for the uses in this building will be supplied in Blocks 3 and 4, on the street, and temporarily on Blocks 5 and 6.

Appendix G addresses the PUD-PMP thresholds that will adjust as the Assembly Row project is built out.

Approval is also for office signage that is indicated on the elevations. 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.

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

<b><u>A.1: Procedures for PUD Applications - Supportive Information (SZO 16.8)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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)	<b>x</b>		<b>x</b>	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	<b>x</b>		<b>x</b>	
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	<b>x</b>		<b>x</b>	See Overall Site Plan

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<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.8.2.D	Names of all property owners within five hundred (500) feet of the PUD boundary	x		x	Boston abutters list was included, Somerville abutters are determined by Planning Dept.
16.8.2.E	Explanation of provisions for the landscaping and maintenance of all open space and drainage areas	x		x	See Stormwater Management section in Utility Analysis for maintenance of drainage areas. There is a condition relative to preparation of Maintenance Agreement for the PUD.
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 transportation study was completed with 2006 plan. The amended PMP provides current traffic data for 2010, certifying that baseline conditions have not significantly changed since the existing plan was completed, and therefore establishing that the 2006 report remains valid.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.8.2.G	A utilities analysis and recommendations prepared by a registered professional engineer qualified to conduct such studies. Said analysis shall contain an inventory of existing utilities including, but not limited to, storm sewers and drains, sanitary sewers, electrical lines, fire alarm boxes and lines, gas lines/mains, water mains, lighting, curb and gutter, etc. Said inventory shall illustrate utility locations, sizes, diameters, carrying capacity and present load on the system. The engineer's report shall state if the current system is capable of adequately serving the proposed development. If the current utility system is found to be inadequate for the proposed development, the report shall confirm the deficiencies and make recommendation(s) as to the infrastructure improvements necessary to properly service the proposed development and maintain the existing service. The report shall also present a formal plan for infrastructure improvements, documenting timing, funding mechanisms and coordination with the City	x		x	See Utility Analysis

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.8.2.H	All applicable information required for special permit with site plan review (See Article 5 of this Ordinance). This information may be submitted at a preliminary level, in consideration that PUD approval is a preliminary approval	x		x	See section A2, below
16.8.2.I	Any other supportive information the applicant feels may be beneficial to the City of Somerville in the evaluation of the request	x			Additional information provided includes design guidelines and supplemental detail on individual plans to later be submitted for SPSR-A review
<b><u>A.2: General Information Required for SPSR Applications (SZO 5.2)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
5.2.3.1	names, addresses, and telephone numbers of the applicant, the owner if other than the applicant, and other agents for the applicant, such as the architect, engineer and/or attorney, and the name and address of the proposed project	x		x	Included in application submission
5.2.3.2	plot plan certified by land surveyor indicating total land area, boundaries, angles, and dimensions of the site and a north arrow	x		x	The Layout and Materials Plan, certified by Hugh Hahn, PE depicts boundaries, angles and dimensions for the proposed Block 2 project area.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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.	<b>x</b>		<b>x</b>	See Overall Site Plan, Layout and Materials Plan, Grading and Drainage Plan, Utility Plan, Building Elevations. The footprint is shown on the Layout and Materials Plan. The existing easements and rights of way are shown on the Existing Conditions Plan. The elevations submitted were prepared by KlingStubbins.
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	<b>x</b>		<b>x</b>	The proposal is for a 132,708 square foot building with ground floor retail space and office space on other floors. The uses in the building will create approximately 562 new jobs. The hours of operation will be between 7am and 2am.
5.2.3.5	the total floor area and ground coverage ratio of each proposed building and structure	<b>x</b>		<b>x</b>	The total floor area is 115,408 nsf on a site that is 47,642 for a total FAR of 2.42. The amount of open space is 12.7%, which contributes to the 25.2% of open space for the PUD
5.2.3.6	front, side, and rear elevations			<b>x</b>	See P-100 & P-101 dated with a stamp date of February 14, 2013; and A-201 & A-202 dated Jan 14, 2013 (as revised by P-100 & P-101)
5.2.3.7	existing and proposed contour elevations in two foot increments	<b>x</b>		<b>x</b>	The ground elevations are shown in one-foot intervals on the Drainage and Grading Plan. The project is generally flat with elevations ranging from 10 feet to 12 feet. The site is at the same relative elevation as the surrounding area.

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<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
5.2.3.8	provisions for vehicular and pedestrian circulation	x		x	Pedestrian access to the site is via sidewalks along the perimeter of the project on Great River Road, Artisan Way, and Assembly Row. The design of the sidewalks and streets has been reviewed and approved by the City. The loading docks will be the only vehicular access onto the Block 2B site.
5.2.3.9	color, materials, and exterior features of proposed structures	x		x	Block 2 façade materials include hand-laid white brick, precast concrete panels and trim and metal ribbed cladding. All four corners of the building will be brick walls and piers, decorative cornice lines and fascia. The retail portion of the building will vary and must comply with the Assembly Row Signage and Storefront Standards.
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 lot is currently vacant. The building will address the sidewalks and there will be no landscaping on the site.
5.2.3.11	measures taken to preserve and protect natural resources	x		x	There are no unspoiled natural resources to preserve. Remediation of the brownfields is an environmental benefit. A LEED checklist was submitted for this site.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
5.2.3.12	outdoor lighting, including location and intensity of lighting facilities			x	The lighting will be on the City streets along all three sides of the building. Details of street lights have been provided in the roadway and streetscape plan set submitted to the City. Lighting on the exterior of the building could 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. The retail signage below 12 to 16 feet above the sidewalk will be dictated by the tenants and must comply with the Assembly Row Storefront and Signage Standards. A waiver is being sought for the office tenant signage as shown on the elevations for height and size.
5.2.3.14	location and significance of historic structures	x		x	Based on a Historical Survey conducted by Vanasse Hangen Brustlin in 2005, no properties included in the State or National Restiers 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	A licensed private contractor will pick up solid waste disposal and recycling. Dumpsters and compactors will be located within the building and will not be visible from public view.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
5.2.3.16	description and location of all proposed mechanical and electrical system components, including exhaust and ventilation system, transformers, and satellite dishes			x	Major electrical system components such as the transformers and switch gear will be located on surface mounted pads in an easement adjacent to the Winter Hill Yacht Club boat launch and will be screened with landscape plantings. The major mechanical equipment such as condensing units will be on the roof behind enclosures. Retail kitchen exhaust, if required, will terminate on the roof top. Retail fresh air makeup will be strategically integrated into the building elevation.
5.2.3.17	locations of and adequacy of existing and proposed on-site public utilities, facilities, and conditions (water, sewerage, and drainage), showing size and direction of flows	x		x	See Existing Conditions Plan; Utility Analysis; Layout and Materials Plans. The utility infrastructure improvements (water, sewer, drainage) within the streets have been designed to accommodate the full build out of the Master Plan and have been constructed under previous local and state approvals.
5.2.3.18	demolition and construction procedures including impact mitigation measures; an estimate of the time period required for completion of the development			x	There are no buildings to demolish. The estimated completion date for the project is late 2014.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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	<b>x</b>			The transportation study was completed with 2006 plan. The amended PMP provides current traffic data for 2010, certifying that baseline conditions have not significantly changed since the existing plan was completed, and therefore establishing that the 2006 report remains valid. The development plan for Block 2B is consistent with the past plan for the area and an updated traffic analysis is not required. The improved roadway infrastructure within Assembly Square can handle the traffic generated from Block 2B and the overall redevelopment plan. The new MBTA Orange Line Station is expected to be operational in late 2014.
5.2.3.20	general summary of existing and proposed easements or other burdens now existing or to be placed on the property	<b>x</b>		<b>x</b>	There is an 8-foot wide existing utility easement within the limits of Block 2 along Artisan Way. The existing easements and rights of way are shown on the Existing Conditions Plan of Land.
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	<b>x</b>			See Existing Conditions Plan. There are no wetlands or land 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	<b>x</b>		<b>x</b>	Included in application submission
5.2.3.23	names and addresses of all property owners within three hundred (300) feet of site boundaries	<b>x</b>		<b>x</b>	Included in application submission. Staff generated a current list.

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<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
5.2.3.24	such other information as will aid the SPGA in judging the application and in determining special conditions and safeguards, and as the SPGA should deem necessary, in its determination of completeness of said application as provided in Section 5.3.1 and the SPGA Rules and Regulations	n/a			n/a

## Appendix B: Required Findings of Fact for PUD

<b><u>B.1: General Findings under Section 16 (SZO 16.9 and 16.1)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.9	The SPGA shall review and determine whether a PUD application is complete and place special emphasis in its review as to PUD compliance with provisions of Article 16 herein, including compliance with the purpose and general requirements/features of a PUD	x			See Appendix A. Applicant has provided a complete application. See the remainder of Appendix B which establishes that Applicant has provided an application that is in compliance with the provisions of Article 16 and complies with the purpose, general requirements and features of a PUD.
16.9	The SPGA shall . . . determine whether the proposal is consistent with the most suitable development of the City, and conduct a review in accordance with the requirements for special permit with site plan review as set forth in Article 5 of this Ordinance. The PUD shall comply with all requirements of this Ordinance unless a deviation from these strict requirements is authorized herein in Article 16	x			The proposal to reuse a brownfield next to the Orange Line for a transit-oriented mixed-use, green development is consistent with the most suitable development in the City. It is based upon a long-term set of principles established by the City for redevelopment of the Assembly Square area in the ASD Plan. The applicant requested a waiver to build a portion of a building within the 150 foot setback of the Mystic River bank so that the building addresses the street and provides for interaction with the riverfront park. The building will be less than the 70 foot height limit.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.1	<p>The purpose of a Planned Unit Development, or PUD, is to provide for a mixture of land usage at designated locations at greater variety, density and intensity than would normally be allowed . . . to achieve, to the greatest possible degree, land development responsive to an analysis of the environmental assets and liabilities of a site, both natural and man-made. A PUD should be a well-integrated development in terms of land uses, functional activities, and major design elements such as buildings, roads, utilities, drainage systems and open space. A PUD is allowed greater design flexibility so that larger-scale site and master planning for a development may protect natural features and consider most fully the surrounding land use and development context . .</p> <p>.Development should be concentrated in the most suitable and least environmentally sensitive areas of the landscape. Preservation and enhancement of open space is strongly promoted.</p>	x			<p>The proposed project has benefited from an additional 4 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 9,000 new jobs, increased tax revenues, market rate and affordable housing, improved access to transportation, improvements to regional stormwater systems and enhanced open space amenities. The project mixes uses, provides urban densities, develops according to environmental constraints and opportunities on the site, while creating a group of urban blocks that concentrate development with the highest densities near the transit station, mid-rise buildings fronting on the Mystic River parks, and expanded open space. The project meets this finding.</p>

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
<b><u>B.2: Consistency Findings (SZO Section 6.4)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.1	Purpose. The Assembly Square Mixed-Use District (ASMD) has been enacted to encourage the best use of Assembly Square physically, economically, environmentally and socially while promoting the best interests of residents of the City. The ASMD is intended to fulfill the goals and objectives contained in the Assembly Square District Plan (the ASD Plan, as hereinafter defined). The ASMD zoning is designed to allow the district to reach these goals.	x			See comments under Section 6.4.4 below.
6.4.4	The ASD Plan describes the physical characteristics of the ASMD. The ASD plan establishes a comprehensive plan for development in the ASMD. The ASD plan includes the <u>Assembly Square Planning Study</u> dated October 2000	x			The Assembly Square Planning Study prepared by the Cecil Group in 2000 created a framework for development in the Assembly Square area over the next twenty years and beyond. This Planning Study encouraged mixed- use development, but also recognized that a certain amount of big box retail would be the most feasible use in Assembly Square in the immediate future. The Planning Study specifically supported the redevelopment of the Assembly Square Mall and the proposed new IKEA store to improve Assembly Square's visibility and image, helping to pave the way for more intensive office development in the future. While the ASD Plan's site layout was based upon the ownership arrangement before the IKEA land swap, the general principles and concepts of the plan are supported by the proposed PMP amendment, and this PMP includes all of the physical characteristics, values and goals that were addressed in the Planning Study.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.4	The ASD Plan describes the physical characteristics of the ASMD. The ASD plan establishes a comprehensive plan for development in the ASMD. The ASD plan includes the <u>Assembly Square Revitalization Plan</u> dated 2002	x			The Assembly Square Revitalization Plan is an approved Urban Renewal Plan under MGL 121B. The 2002 plan is a Major Plan Change to the 1980 Assembly Square Revitalization Plan -- the City's urban renewal plan for Assembly Square. The Major Plan Change built on the foundation of the Cecil Group's Planning Study. The Major Plan Change envisioned a mixed use district with office, retail, residential, cinema, hotel, and restaurant uses – a vibrant 24-hour district with a density somewhere between Boston's density and level of density in nearby suburbs. The Major Plan Change also envisioned the redevelopment of the Assembly Square Mall and a new IKEA store. The PMP revision is consistent with the overall vision of the Revitalization Plan. Upon approval of this revised Master Plan, the Redevelopment Authority intends to amend the Revitalization Plan to reflect the latest redevelopment plan as outlined in this PMP and the FEIR.
6.4.4	The ASD Plan describes the physical characteristics of the ASMD. The ASD plan establishes a comprehensive plan for development in the ASMD. The ASD plan includes the <u>Assembly Square Design Guidelines for the Public Realm</u> dated 2002	x			Overall, the revised PUD PMP is consistent with the Public Realm Guidelines. The PUD's four key principles closely align with the goals of the Public Realm Guidelines; both encourage design that supports the PUD's public spaces and achieves sense of place, multi-modal functionality, and 24-hour activity. Both documents give streetscapes and public spaces high priority, stressing the role these spaces play in the framework of the PUD. Both establish street hierarchies and district gateways for orientation. The PUD PMP is also consistent in its recognition of the Mystic River as a regional amenity, maximizing pedestrian accessibility to the waterfront. The Public Realm Guidelines generally include a greater level of streetscape and building detail, while the PUD PMP establishes complementary detailed design guidelines to drive decisions made at the SPSR-A phase and during streetscape design.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
					For example, the Public Realm Guidelines call for a unified signage system that considers elements like sign character, placement, materials, and typestyle. This issue is addressed through inclusion of a condition that a sign design guideline be established. The Public Realm Guidelines also place emphasis on creating physical and visual connections between the PUD and its surrounding neighborhoods. The Applicant is undertaking several significant transportation improvements to enhance multi-modal access to the site. These efforts are especially important along the PUD's outer edges.
6.4.4	The ASD Plan describes the physical characteristics of the ASMD. The ASD plan establishes a comprehensive plan for development in the ASMD. The ASD plan includes the <u>Assembly Square Transportation Plan</u> dated 2003	x			The Assembly Square Transportation Plan generally calls out for development of a street grid within the mixed-use area. That grid has changed with the relocation of IKEA, but the overall transportation strategy in the PMP meets the spirit of the original Transportation Plan.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
<b><u>B.3: General Requirements of a PUD (SZO Section 16.4)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.4a	a designated tract of land meeting the minimum lot size requirements of Section 16.5.1.a for the PUD district	x			The parcel size is 2,896,740 s.f., or approximately 66.5 acres. This exceeds the 20,000 SF minimum lot size required for the PUD-A in the ASMD.
16.4b	developed in a comprehensive, design-integrated manner, according to an overall master plan, with two (2) or more types of use	x			The Applicant has submitted a revised Master Plan with supporting plans showing buildings and roadways prepared by the architectural firm of Streetworks, Inc. and the engineering firm of Vanasse Hangen Brustlin, Inc. The PUD includes the following uses: retail (including restaurant and cinema), commercial (including office, R&D, and other commercial uses), residential, hotel, and parking. This revision to the Preliminary Master Plan is addressing the third phase of the development with the IKEA site and the Marketplace having received prior SPSR-A approval. The two prior phases have been approved based on the original Master Plan which has allowed the project to be developed in a comprehensive, design-integrated manner and this current application would improve the original plan and provide further clarity and regarding the Assembly Row development.
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, IKEA 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.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.4d	consistent with the goals, objectives and plans of the City for the general subject area	x			The goals, objectives, and plans of the City for Assembly Square have been expressed in various public documents. Section B2 of these findings identifies in more detail how the proposed PUD is consistent with the these documents. The previous PUD approval in 2006 met the goals and objectives of these documents and this revision is a refinement of the original PUD approval. Recently, 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.
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. Main Street 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 new, expanded park will serve as an anchor to the north end of Main Street. The new park will be lined with a cluster of residential/retail buildings to give it an active edge and it is expected to serve as a place for public enjoyment of the river. Throughout the site, the Applicant proposes to construct a series of additional passive pocket parks for residents, shoppers, office workers, and visitors. Other than the riverfront, Assembly Square does not have any important natural or historic features to be preserved. During SPSR-A review for each component of the Master Plan, the provision of usable open space and the preservation of views will continue to be monitored by the Planning Board, and this Decision includes conditions regarding the Applicant's obligation to submit detailed information for each Special Permit application.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.4f	an efficient use of land which properly considers topography and protects significant natural features including, but not limited to, waterways, wetlands, floodplains and wildlife	x			The existing site is relatively flat, except for the area near the water, where the land slopes to the river. Although there are some former tidelands in Assembly Square (which will subject the project to Chapter 91 review), there are no significant wetlands, floodplains, or wildlife. The most important natural feature is the Mystic River, and the PUD will enhance passive recreational elements of the DCR park, as expanded, with landscaping, public artwork, and associated improvements consistent with a first-class commercial standard for urban public space. Finally, the PUD has been designed to locate the tallest buildings furthest away from the Mystic River.
16.4g	an efficient use of land demonstrating full coordination of its own site development including, but not limited to, the land uses and functions contemplated, architecture, open space and pedestrian networks, vehicular access and circulation, and all other infrastructure	x			The Master Plan demonstrates that full consideration has been given to site development as a whole. The project has been phased such that the proposed uses and their associated roadways, parking, and infrastructure are developed in a coordinated manner. During the Special Permit process for developments within Assembly Row, the architecture, open space and pedestrian networks, vehicular access and circulation, roadways, and infrastructure will be reviewed in appropriate detail, and this Decision includes conditions to ensure that these issues are more fully addressed during the Special Permit process.
16.4h	linked and coordinated with surrounding land uses, off-site public facilities, infrastructure and roadway access where appropriate, in a manner that is safe, efficient and non-injurious to the public, and an improvement or benefit to the public where possible	x			The Applicant has linked the residential buildings with the existing parkland that abuts the site and has designed a network of roadways and sidewalks which constitute an improvement to the existing conditions and a benefit to the public. During the special permit process links with surrounding land uses, off-site public facilities, infrastructure, and roadway access will be reviewed in appropriate detail. Conditions have been attached to this Decision to ensure that these issues will be fully addressed.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.4i	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. The applicant is claiming that neither the underlying traffic conditions near Assembly Square nor the Project itself have changed to the degree that a new Traffic Impact and Access Study is required. 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 that must be developed as a condition of this approval.
16.4k	inclusive of appropriate deed restrictions or covenants requiring compliance of all development with the PUD master plan, and any architectural or other guidelines or standards			x	No deed restrictions or additional covenants beyond the maintenance and open space covenants are required for this site. The existing covenant from December 2006 remains in effect.
16.4l	when inclusive of a proposed use allowable under this Ordinance only within a PUD setting, that said use is integrated into the proposed development in terms of function and service to other users of the PUD site and/or to the immediately surrounding area	n/a			<u>Not applicable.</u> This finding is not applicable in the ASMD District because all uses in the PUD align with the underlying district.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
<b><u>B.4: PUD Design Guidelines (SZO Section 16.7)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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 variation in the street and river sides of the building. The building conforms to the design guidelines for the massing of the building except that the building is two-stories shorter than the guideline. The building no longer needs a waiver for height. Details of how the building conforms to the guidelines can be found in the Form and Design section of the report. Conformance with the guidelines ensures that the site is built to be consistent with the PUD-PMP.
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 will be the plaza on Block 2A. Retail will line the building along the plaza and there will be entrances to the individual retailers along the 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 building will be just less than the 70 foot height limit within 150 and 250 feet from the river bank.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.7d	It is strongly encouraged that landscaped space, and particularly usable open space, be designed and located to connect as a network throughout the PUD. It is also generally intended that said space be designed and located to connect with existing off-site usable open space, and provide potential for connection with future open space by extending to the perimeter of the PUD, particularly when a plan exists for the location and networking of such future open space	<b>x</b>			see 6.4.7.A.4
16.7e	It is intended that no non-residential structure cause a casting of any shadow on any residential lands between 10:00 AM and 2:00 PM, solar time, on the vernal equinox (March 21); and that any shadow cast by a PUD structure on public usable open space be of minimal impact on the desired functional use of said open space, particularly in the period from March 21 to September 21			<b>x</b>	Shadow studies were submitted for the block for 10am and 2pm on Mar 21, Sept 21, Dec 21. The majority of the shadow at 10am will cast a shadow on a small portion of the plaza and Great River Road, except that the Dec 21 10am timeframe casts a shadow that covers half of plaza. The majority of the shadow at 2pm will be on the street. The Dec 21 2pm shadow projects over the street and onto the Riverfront park. The shadows are minimal to the open space between March 21 and Sept 21.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.7f	Vehicular access to and from public roads is intended to be consolidated. Vehicular access to PUD lands from a public roadway shall generally be limited to one (1) access point, particularly when PUD frontage along said roadway is three hundred (300) feet or less. When a PUD has more than six hundred (600) feet of frontage on a public road, separation between existing, approved, and proposed curb cuts, whether on or off-site, shall average a minimum of two hundred (200) feet. Consolidation to a minimal number of access points is strongly encouraged	x			Vehicular access to this area is primarily provided through Assembly Square Drive, but also through New Road/IKEA Way and Foley Street by way of Middlesex Avenue. The PUD guidelines encourage consolidation of access points to and from PUD lands and a minimum of 200 feet between access points. This proposal meets this guideline while still offering optimal transportation access to the site, and a robust street grid to handle traffic within the site.
16.7g	Internal PUD streets shall consist of local and collector roadways, designed in accordance with standard traffic engineering practice. Any street proposed for public dedication shall meet the standards of the City's Director of Traffic and Parking.	x			The internal street layout is proposed in a grid pattern with local and collector streets. The main retail street travels north/south through the center of the Assembly Row development between IKEA Way 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 Assembly Square Drive, 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.
16.7h	PUD block sides should reflect average city block size of Somerville, to maximize a pedestrian-friendly scale in the street grid. Alight streets to give building energy-efficient orientations.	x			Block sizes are larger than typically found in Somerville to accommodate buildings much larger than are typical in the City. Though the blocks are larger, the ground floor retail uses proposed and pedestrian friendly architectural elements and designs that would be required during the Special Permit review process will offset the negative effects of the above average block sizes and provide a scale appropriate for pedestrians.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
16.7i	The PUD design should preserve and enhance natural features such as topography, waterways, vegetation, and drainage ways.	<b>x</b>			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.			<b>x</b>	Stormwater runoff from the rooftop will receive water quality treatment in conformance with the Best Management Standards and is described in the FEIR and Roadway Notice of Intent. Runoff from the roof and sidewalk surrounding the building will discharge directly to the roadway stormwater management system.
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.	<b>x</b>			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 and street trees. Pedestrians and bicyclists have alternative networks to access the project without travel on the high volume streets and can bypass the entire project on a dedicated bike/pedestrian path around the perimeter of the site. The highest intensity development will be proximate to the MBTA station which will promote rapid transit ridership and is in line with ideals of Transit Oriented Development.
16.7l	Make shopping centers and business parks into all-purpose activity centers.	<b>x</b>			The proposal calls for a wide array of uses that would create a vibrant and sustainable community with amenities and activities that will serve the residents of the development and the surrounding areas. This project is much more integrated than a typical shopping center or business park, allowing for a new community to be developed adjacent to the new T station.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
<b><u>B.5: ASMD Development Standards (SZO Section 6.4.7.A)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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. The applicant has provided data indicating that neither the underlying traffic conditions near Assembly Square nor the Project itself have changed to the degree that a new Traffic Impact and Access Study is required. The Traffic Engineer indicated 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 minimum requirement is between 132 and 172 parking spaces (if the entire ground floor was restaurants). There will be no parking on Block 2B but the parking requirement will be met with 260 shared parking in the garages in Blocks 3 and 4. Other parking spaces available for the building include on-street spaces and the shared temporary parking lots on Blocks 5 and 6.  The parking garage on Block 4 will have 140 spaces available for the office workers on Monday through Friday, 7am to 5pm. The parking garage on Block 3 will have 120 parking spaces will be available for retail and restaurant patrons of Block 2.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.7.A.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	There will be no landscaping on Block 2B. Landscaping across the Assembly Row site is concentrated in publically accessible well programmed public space.
6.4.7.A.4	<i>Pedestrian Connections.</i> Continuous pedestrian connections shall be supported between all major points of pedestrian activity on the Development Site, including, but not limited to, connections to the Mystic River waterfront, connections to all public and private ways abutting the Development Site, and any transit stops. Developments shall support improved access between the ASMD and the Ten Hills and East Broadway neighborhoods by means of sidewalk connections, crosswalks, landscaping, traffic signalization and traffic calming methods as appropriate.	x			The project incorporates sidewalks throughout, connecting all parts of the development including to and from the proposed MBTA T stop, the Mystic River and the Assembly Square Marketplace. In addition, a shared use path is planned along the Orange Line right of way that will connect pedestrians along the length of the project to the riverfront. The enhanced riverfront park also provides enhanced and new pedestrian connections to Draw 7 Park and to points within the site. The Proponent has previously provided \$100,000 to the City for the design of a new Mystic River pedestrian/bicycle walkway underneath Route 28 connecting Assembly Square and the Ten Hills neighborhood. The Proponent has also committed to fund construction of the new Mystic River pedestrian/bicycle walkway underneath Route 28 as part of an up to \$2 million commitment to fund pedestrian/bicycle/riverfront park enhancements on DCR land, in addition to other mitigation being constructed by the Proponent in conjunction with the Project.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
<b><u>B.6: ASMD Design Guidelines (SZO Section 6.4.7.B)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
Note: The applicant has provided, of its own volition, additional Design Review Guidelines to address the design and massing of the proposed blocks 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					
6.4.7.B.1	<i>Street and Sidewalk Design.</i> Street and sidewalk design shall be based on the Assembly Square Public Realm Design Guidelines and applicable engineering standards, provided that any street shown in such Guidelines as running through an existing Building is not required to be constructed until such Building is demolished.			x	The design of streets and sidewalks will respond appropriately to the Street and Sidewalk design criteria. To the extent that is known at this time, the streets and sidewalks appear to be designed to meet the expectations of the Design Guidelines. There are not existing buildings that need to be demolished to construct the streets around the site.
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 it complies with the design guidelines as detailed in the decision.
6.4.7.B.2a	Buildings should be located to create a presence on existing street edges or along major internal circulation routes and have maximum building setbacks of five feet except in special circumstances, where greater setbacks would enhance the pedestrian friendly experience of the ASMD, such as dedicated open space; and buildings should be located to reinforce both existing and future circulation patterns that may serve more than one Site.			x	The building will have a presence on the street. The building is between 12 to 18 feet from the property line to create wide sidewalks around the building. The building is pulled back at the corner of Assembly Row and Artisan Street to create a prominent corner of the building.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.7.B.2b	Buildings should have interesting entrance areas that are visible and directly accessible from major public access points, streets and circulation patterns. Extensive areas of glass and window, providing visual access to interior uses, should be part of all street facades and accompany building entrances. Multiple and frequent entrances oriented to streets are encouraged. Building entrances should be clearly defined, through the use of elements such as canopies, porticos, overhangs, peaked roof forms, arches. Entries set back from the street should have outdoor patios, tile work, moldings, integral planters or wing walls with landscaped areas, or places for sitting.			x	The street level on the buildings is mostly dedicated to retail with storefronts. The retailers will create unique storefront designs and signage that will contribute to the street level interest. There is also an arcade along Great River Road that will create an interesting pedestrian oriented element and signal that retailers are along this facade. The office entrance will have a large canopy over it that will make it visible.
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 loft style of building creates visual interest with the large windows and regular bay pattern. On the other side of the building is a glass curtainwall with the same mullion design as the front. The regular rhythm provides sufficient interest and contrast to surrounding buildings.
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 4 story building has a pedestrian scale. There is an active ground floor with retail uses and an office entrance and lobby.
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. One of the buildings was demolished for the IKEA store and the other will be demolished.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.7.B.2f	Building equipment and service areas should be located away from public streets or major interior circulation routes and provide screening. All storage of items for sale or related inventory should be enclosed unless completely screened from public view with architectural elements meeting the §6.4.7 guidelines.			x	The major mechanical systems at grade will be screened by landscaping. The rooftop equipment will be screened with an enclosure.
6.4.7.B.2g	Preference should be shown for vertical integration of uses. Developments should ensure that development patterns provide active uses on the ground floor that take advantage of the waterfront views and open spaces, and that add presence to public ways and sidewalks.			x	The uses in the building have been vertically integrated. There will be retail use on the ground floor, which is an active use with a lot of windows that provide views the sidewalks and open spaces. There will be second story terraces for the office tenants and possibly restaurant tenants that will add presence to the sidewalks and plaza.
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	No part of the proposed building has uninterrupted or unfenestrated length of façade exceeding 35 horizontal feet. There are large windows along all side of the building. The building has wall plane recesses that are appropriate for a loft-style building and sufficiently break down the massing of the building.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.7.B.2i	All Ground Floor facades that face public ways or the Mystic River should have windows providing visual access to the interior of a space, arcades, display windows, entry areas, awnings, or other such features along no less than seventy percent (70%) of their horizontal length. Forty percent (40%) of this activated facade area+ on the ground floor of building walls along primary and secondary streets shall consist of windows or doors meant for public entry and exit.			x	This guideline will be met with the retail storefronts along most of the ground floor of the building that will provide large expanses of window and doors meant for public entry and exit and the arcade that will run the length of the building along the River.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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	No parking will be located on Block 2.
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	Block 2B will have minimal open space and no landscaping. Block 2A will have a large amount of open space that will contribute to the vibrancy of the neighborhood and creates a connection between the riverfront park and Assembly Row.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.7.B.5	<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 Application included a LEED worksheet. A condition of approval is that the Applicant make best faith efforts to achieve LEED certification for the building and LEED-ND for the neighborhood.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.7.B.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.	<b>x</b>		<b>x</b>	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.
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.			<b>x</b>	The loading areas are located within the building and are not visible from the major public ways.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
<b><u>B.7: ASMD Large Project Development Standards (SZO Section 6.4.8.D)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.8.D.1	Transportation Analysis. Large Developments shall provide a Transportation Access and Impact Study. The Director of Traffic and Parking shall approve the geographic scope and content of the study in consultation with the Executive Director of the Planning Department and the Traffic Commission. In addition, the Applicant shall submit a Transportation Demand Management (TDM) plan tailored to the specific uses and the geographic location of the Development Site. If the Transportation Access and Impact Study indicates a significant impact to the transportation network in the specified study area, the Applicant shall include in the study proposed mitigation measures to address those impacts.	x		x	A full Traffic Impact and Access Study was prepared for the project and was included in the original submission package. The applicant has provided data indicating that neither the underlying traffic conditions near Assembly Square nor the Project impact itself, have changed to the degree that a new Traffic Impact and Access Study is required. The Traffic Engineer indicated that all facets of intersections and roadways illustrated on the revised Master Plan are consistent with proper Traffic Engineering design practice. Therefore, additional transportation analysis data is not necessary. The Assembly Square roadway improvements will be readily available to accommodate traffic generated by Block 2 and future development. The new Orange Line Station is under construction and the station is expected to be operational in 2014. The station will reduce the burden on the roadways by providing an alternative to vehicular transportation.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.8.D.2	<p><i>Large Retail Projects.</i> Any Large Development in which any single Retail Use is more than fifty thousand (50,000) square feet of gross floor area shall also be deemed a Large Retail Project. A). Nonretail Component --“No Large Retail Project ... shall be permitted in the ASMD unless permitted as part of a PUD-A which includes 1.5 net square feet of non-retail uses for every square foot over 50,000 net square feet of Retail Use in the Large Retail Project.” B). Ground Level Retail Size Cap-- “In a Large Retail Project, not more than 50,000 square feet of Gross Floor area of any single Retail Use shall be located on the Ground Floor of any Building included in the PUD-A.”</p>			x	<p>Section A) The proposed PUD meets this requirement as indicated in the Overall Site Plan breakdown of the proposed uses. Section B) The Applicant received a waiver from this requirement with the 2006 approval of the PMP for the TJ Maxx Store and the Christmas Tree Shop. Otherwise, the proposed PUD meets this requirement and no additional waivers from this provision are requested at this time. Block 2 will contain 39,500 sf of retail and therefore it does not considered a large retail project.</p>

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.8.D.3	<i>Landscaping.</i> A minimum of fifty (50) percent of the Landscaped Area in a new Large Development shall be Usable Open Space. The SPGA shall have final discretion in deciding if land constitutes Open Space for the purposes of determining whether this requirement has been met. The Open Space requirement may be met with land that is part of the Large Development, or with land that is outside of the Large Development area but is located within the ASMD that was not already Useable Open Space, provided that the conditions of paragraph 2 of Section 16.6.1 of the Ordinance relating to public dedication of such Usable Open Space are met.			x	As required, the proposed PMP includes greater than 15% usable open space. This project contributes to the usable open space for the development; however, as a whole the development will exceed the requirement and locate usable open space in strategic locations.
<b><u>B.8: ASMD Large Project Design Guidelines (SZO Section 6.4.8.E)</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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	There will be no parking on Block2.

## Appendix C: Requirements for SPSR-A and SP for Signage

<b><u>C1: Requirements for SPSR-A</u></b>					
<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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	There will be no additional traffic impacts created, above and beyond what was anticipated in the original traffic study.
6.4.9.C.2	The application (should) reflect an overall consistency with the intent and purpose of any applicable Design Guidelines set forth in this Section 6.4			x	The applicant has provided proposed Design Guidelines as part of the PUD-PMP. See Appendix B for assessment of the guidelines for consistency with the Design Guidelines set out in 6.4.7B and 6.4.8E of the SZO. Projects developed in accordance with the submitted Design Guidelines should be able to meet the general provisions of these sections and this project complies with the design guidelines for the master plan.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
6.4.9.C.3	The application (should) promote the following objectives: mix of residential, office, research and development, retail, hotels, places of assembly and institutional uses' economic benefits and employment opportunities' structured parking; pedestrian and bicycle access; affordable housing units and project mitigation contribution; view corridors to the Mystic River; enhanced and activated Open Space' creation of new Open Space or enhancement of existing Open Space; and, . . . support transit service at (the MBTA Station).			x	The building will be comprised of a mix of retail, restaurant and one ore more office tenant. Pedestrian and bicycle access will be provided via sidewalks surrounding the site. Project mitigation contributions will be required for the commercial space. The building as designed in the design guidelines will allow for views of the Mystic from Assembly Row and the building. The building will front and provide a pedestrian scale to the open space proposed on Block 2.
6.4.9.C.4	Additional Findings and Determinations: Prior to granting a Special Permit with Site Plan Review-A, the SPGA shall make findings and determinations as noted in 6.4.9.C.4			x	These additional findings address submittal requirements, criteria for review, impact on public services, site surface drainage, access to buildings, utilities, signage, transformers, screening, and shadow impacts. These materials were submitted as part of the application for the Block.
5.2.5.a	<i>Information supplied.</i> Complies with the information requirements of Section 5.2.3			x	Applicants submitted all required information for SPSR-A applications.
5.2.5.b	<i>Compliance with standards.</i> Complies with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit with site plan review			x	Applicants meet individual SPSR-A findings as identified in this Appendix C.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
5.2.5.c	<i>Purpose of district.</i> Is consistent with the intent of the specific zoning district as specified in Article 6			x	The overall plan is consistent with the intent of the specific zoning district and this project is consistent with the PMP. The project advances the district's goals of development a mix of uses including office and retail and does not preclude the other mix of uses planned for the area to locate near the site. The project will also increase the fund to supply of affordable housing units within the City and creates new jobs.
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 surrounding proposed open spaces, street layout and proposed development sites 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.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
5.2.5.f	<i>Impact on Public Systems.</i> Will not create adverse impacts on the public services and facilities serving the development, such as the sanitary sewer system, the storm drainage system, the public water supply, the recreational system, the street system for vehicular traffic, and the sidewalks and footpaths for pedestrian traffic			x	The applicant has adequately addressed that the overall project, with agreed-upon public service upgrades, will have adequate public services. The proposed project is consistent with the uses anticipated in the public services and facilities impact assessment that was created for the PMP and does not have any adverse impacts within the development site.
5.2.5.g	<i>Environmental impacts.</i> Will not create adverse environmental impacts, including those that may occur off the site, or such potential adverse impacts will be mitigated in connection with the proposed development, so that the development will be compatible with the surrounding area			x	The applicant has adequately addressed that the overall project mitigates adverse environmental impacts, cleans an existing brownfield and redevelops a waterfront site with future transit access. Furthermore, upgrades to DCR parkland will provide off-site open space for the project as well as the surrounding neighborhood. No unanticipated environmental impacts have arisen since the PMP approval that would cause concern for the development of the Block.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
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.
<b><u>C2: Requirements for SP for Signage</u></b>					
5.1.4.a	<i>Information supplied.</i> Complies with the information requirements of Section 5.1.2			x	Applicants submitted all required information for SP for signage
5.1.4.b	<i>Compliance with standards.</i> Complies with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit			x	Section 6.4.14 allows for the SPGA to waive signage requirements based on the findings in 16.5.4 & 16.5.5. See Appendix E 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 the office building and an identity to the tenants in the building.

<b>Section</b>	<b>Required Finding</b>	<b>Met in PUD</b>	<b>Not Met</b>	<b>Met in SPSR-A</b>	<b>Comment</b>
5.1.4.d	<i>Site and area compatibility.</i> Is designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the built and inbuilt surrounding area, including land uses.			x	The signage was designed to be integral with the design of the building. The location of the office signs will be where typical signage bands are located on similar buildings such as above the doors and at the corners of the building along the parapet. The signage shall not project above the parapet or beyond the main wall of the building because that location would not be compatible with signage traditionally on a loft-style building.

## Appendix D: Standards and Guidelines for Waterfront Overlay District

<b><i>D: Specific District Standards and Guidelines under Section 6.1.15.B</i></b>				
<b><i>Section</i></b>	<b><i>Required Finding</i></b>	<b><i>Met</i></b>	<b><i>Not Met</i></b>	<b><i>Comment</i></b>
6.1.15.B.1	All development should be designed to complement and harmonize with adjacent land uses (existing and proposed) with respect to architecture, landscaping and screening. Building materials of masonry brickwork, stone, wood, and glass are encouraged, to reflect the natural setting of the Mystic River. Pre-cast concrete panels and large expanses of glass facade are generally discouraged.	<b>X</b>		The development is consistent in form with the PMP which was designed to create a cohesive neighborhood where each building and use complements each other. The buildings materials will include encouraged materials of brick and glass. There will be large expanses of glass on the riverfront side of the building, which is generally discouraged. The glass curtainwall will contain mullions that will match the loft-style building on the other side, making it tie into the more traditional design.

<b>Section</b>	<b>Required Finding</b>	<b>Met</b>	<b>Not Met</b>	<b>Comment</b>
6.1.15.B.2	New structures and additions to existing structures within the Waterfront Overlay District shall be reviewed by the SPGA for effects of wind shadows, and other conditions at ground level insofar as they affect the users of the Mystic River and adjoining parkland. In this review, the SPGA shall determine if the public benefits provided by enhancements and activation of the Open Space in the Waterfront Overlay District outweigh the public detriments associated with ground level effects due to the proposed Development.	<b>X</b>		Shadow studies were submitted for the block for 10am and 2pm on Mar 21, Sept 21, Dec 21. The majority of the shadow at 10am will cast a shadow on a small portion of the plaza and Great River Road, except that the Dec 21 10am timeframe casts a shadow that covers half of the plaza. The majority of the shadow at 2pm will be on the street. The Dec 21 2pm shadow projects over the street and onto the Riverfront park. The shadows are minimal to the open space between March 21 and Sept 21. The building will help to frame the riverfront park and bring more people to it.

<b>Section</b>	<b>Required Finding</b>	<b>Met</b>	<b>Not Met</b>	<b>Comment</b>
6.1.15.B.3	No structures, with the exception of park buildings in the waterfront parkland which provide direct support of public access and use of that parkland, shall be located within one hundred fifty (150) feet of the bank of the Mystic River as defined in 310 CMR 10.54.2.(c). Construction of new surface parking facilities within two hundred (200) feet of the bank of the Mystic River shall not be allowed.	<b>X</b>		A waiver is being required from this requirement. The proposed setback from the River is 141.8 feet. The portion of the building in the 150 foot setback is approximately 850 square feet of the one story portion of the building and 125 square feet of the footprint of the upper floors. Locating the building within the 150 foot setback will have the following advantages. The building will be able to meet the street with a covered arcade and suspended canopies above the sidewalk. The arcade on Block 2 will be continuation of the arcade on Block 1, creating an interesting pedestrian path for the length of the riverfront park frontage. Having a building in this location does not impact the size of the riverfront park or the way that Great River Road functions.
6.1.15.B.4	Street and roadways will be allowed but must include sidewalks and landscaping to provide an attractive connection for pedestrian use, and to complement adjacent parkland.	<b>X</b>		Sidewalks will be constructed so that pedestrians will have access around the site. There will be street trees and other amenities that will be attractive to pedestrians as outlined in the design guidelines.

<b>Section</b>	<b>Required Finding</b>	<b>Met</b>	<b>Not Met</b>	<b>Comment</b>
6.1.15.B.5	A detailed landscape plan shall be submitted as a part of site plan approval for development in the Waterfront Overlay District, at the same scale as the submitted site plan. Special emphasis shall be given to designing and implementing landscape improvements and Usable Open Space along the Mystic River side of the property. It is intended that landscaping soften the impact of buildings and paved areas as seen from the river, adjacent public open space, and adjacent vehicular thoroughfares. Landscaping utilizing indigenous or naturalized plant materials is encouraged.	<b>X</b>		Block 2 does not contain landscaped area; however, the building was designed with an arcade along the riverfront park that gives it a soft edge.
6.1.15.B.6	There shall be at least one (1) pedestrian sidewalk connection between any parcel in the ASMD and the adjacent Mystic River Reservation and public open space. The sidewalk shall be a minimum eight (8) feet in width, be of concrete or other all-weather paved surface, and have minimal slope, changes in grade level, or stairs, so as to be accessible and usable to the greatest number of people. Other pedestrian ways, small plazas and gazebos, sitting areas and like improvements are strongly encouraged.	<b>X</b>		Sidewalks will be provided around the project area and will connect with the Mystic river Reservation. The sidewalks will be varying widths between 8 feet and 12 feet. The plaza on Block 2 will provide a connection between the river and Assembly Square Drive.

<b>Section</b>	<b>Required Finding</b>	<b>Met</b>	<b>Not Met</b>	<b>Comment</b>
6.1.15.B.7	It is intended to encourage buildings with an orientation to the Mystic River, with ingress/egress to the structure opening onto the site's landscaped area and Mystic River Reservation. In addition, it is intended that new buildings have a visual and functional orientation to other like buildings. Developers are strongly encouraged to place major points of entry to their buildings in a manner facing and visible to the points of entry of nearby buildings, affording opportunity for the space between such buildings to be developed as useable open space and/or pedestrian connections.	<b>X</b>		There will be an arcade along the entire façade along the river. Under the arcade will be storefronts that will have individual entrances. The arcade will lead to a plaza and the riverfront park.

<b>Section</b>	<b>Required Finding</b>	<b>Met</b>	<b>Not Met</b>	<b>Comment</b>
6.1.15.B.8	Where practical, grade levels of parking structures should be used for purposes other than vehicle storage. Retail, restaurant and other uses generating pedestrian traffic are encouraged. This is expected to be most applicable to those portions of a garage immediately adjacent to and facing usable open space — particularly when facing the Mystic River reservation or landscaped corridors leading to the reservation — or when facing a public street with retail uses located on parcels fronting and oriented to said street and adjacent to the Development in question. Views into parking structures should be screened if possible, and in all cases at least softened through use of landscaping and/or an architectural/ornamental treatment approved by the SPGA. Lighting within a parking garage shall not be directed towards the exterior of the structure, and shall not cause glare or excessive reflection beyond the structure itself.	<b>X</b>		Retail and restaurant uses will be the primary use on the ground floor and there will be no parking on this block.

<b>Section</b>	<b>Required Finding</b>	<b>Met</b>	<b>Not Met</b>	<b>Comment</b>
6.1.15.B.9	Structures should be oriented so that a visual wall is not created along the Mystic River, and designed so that views to the river from other nearby properties are maintained. As an aid to satisfying this intent, landscaped area and/or usable open space corridors of a minimum fifty (50) feet in width shall be provided on all lots within the Waterfront Overlay District, and shall extend through the full three hundred (300) foot width of the District. A developer or applicant may deviate from these strict standards if he/she can demonstrate to the SPGA full compliance with the intent herein to preserve river views and open space, and that an alternative plan will fulfill this intent in a manner at or exceeding these standards.	<b>X</b>		The building was designed with a V-shape with an acute angle to provide a view of the river from Assembly Row. There is a plaza with a one-story building at the terminus of Assembly Row that provides views of the river from many angles in the heart of the development and achieves the goal of this finding.

## Appendix E: Standards for Waivers

E.1 Loading Waiver				
Section	Required Finding	Met	Not Met	Comment
16.5.4 & 16.5.5	<i>Waiver of dimensional standards.</i> In order to maximize flexibility in the application of design standards to PUD projects, the SPGA may waive strict compliance with the standards of Section 16.5 upon making a determination that: (a) such a waiver would result in a better site plan than strict compliance with the stated standards; (b) the proposed PUD design furthers the Purpose and PUD Design Guidelines of this section; and (c) the granting of such a waiver will not cause detriment to the surrounding neighborhood.	x		The applicant is requesting one waiver from the loading standard in Section 9.7 as referenced in Section 9.16.3 . The waiver would allow for 2 loading areas on the site instead of the 4 that may be required depending on the mix of retail and restaurant uses. The waiver meets the required findings as follows: a) removing the loading area would result in a better site plan by being able to provide more retail space on the ground floor to enliven the Assembly Square neighborhood; b) the waiver furthers the design and purpose of the PUD by locating the loading in the middle of the block and away from major Public Ways, the Mystic River and other highly visible locations and achieves the goal of making every effort to incorporate creative design to reduce the negative visual impacts of loading spaces; and (c) the granting of such a waiver will not cause detriment to the surrounding neighborhood as loading will be coordinated to be staggered and some tenants will have van delivers that take up half the loading area required for a truck.
6.4.12.a.1	Strict enforcement of such standards or requirements would run counter to achieving the objectives of the ASD Plan;	x		The ASD Plan encourages below ground parking and discourages surface parking. Reducing the footprint of the ground floor of the building to build more loading space that is not practically needed for loading to this building would be counter to the objectives of the ASD Plan.

<b>Section</b>	<b>Required Finding</b>	<b>Met</b>	<b>Not Met</b>	<b>Comment</b>
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;	<b>x</b>		The waivers create a development on Block 2 that is part of a mixed-use program that creates pedestrian oriented streets on all three sides that are only minimally disrupted by access to loading areas. The waiver to retain this nature of the building and not create a need to have large expanses of the facade devoted to loading is consistent with the objectives of the ASD Plan.
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	<b>n/a</b>		This finding does not apply in this case.
<b>E.2 Signage Waiver</b>				
16.5.4 & 16.5.5	<i>Waiver of dimensional standards.</i> In order to maximize flexibility in the application of design standards to PUD projects, the SPGA may waive strict compliance with the standards of Section 16.5 upon making a determination that: (a) such a waiver would result in a better site plan than strict compliance with the stated standards; (b) the proposed PUD design furthers the Purpose and PUD Design Guidelines of this section; and (c) the granting of such a waiver will not cause detriment to the surrounding neighborhood.	<b>x</b>		The applicant is requesting a waiver for the 35' height limit for signage and the amount of signage allowed at the site. The waiver meets the required findings as follows: a) the signage will be on the building and will not impact the site plan; b) the waiver furthers the design and purpose of the PUD by allowing for advertisement for office tenants in the building; and (c) the granting of such a waiver will not cause detriment to the surrounding neighborhood as the sign design is integral with the design of the building.

<b>Section</b>	<b>Required Finding</b>	<b>Met</b>	<b>Not Met</b>	<b>Comment</b>
6.4.12.a.1	Strict enforcement of such standards or requirements would run counter to achieving the objectives of the ASD Plan;	<b>x</b>		The ASD Plan encourages a variety of block and building scales oriented to pedestrians, with a mid rise building environment and high quality open spaces. Limiting strategically place and well designed signage on large scale, mixed use building would impede upon the success of the uses within the building and would be counter to the objectives of the ASD Plan.
6.4.12.a.2	The application is substantially consistent with the objectives of the ASD Plan and advances the objectives of the ASD Plan;	<b>x</b>		The signage is located in appropriate locations along the parapet and above the main entrance. Also the scale of the signs match the scale of the building and provides direction to office tenants. The result is consistent with the objectives of the ASD Plan in creating a functional mixed-use building.
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	<b>n/a</b>		This finding does not apply in this case.

## Appendix F: Block 2B Conditions

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
<b>A. General</b>						
1	<p>Approval is based upon the application stamped in at the City Clerk's office on Jan 22, 2013, including updated plans:</p> <ul style="list-style-type: none"> <li>• Updated P-100 Perspectives: View from Great River Road, View from Assembly Row and Artisan Way dated Jan 14, 2013 (OSPCD Stamp date Feb 14, 2013)</li> <li>• Updated P-101 Elevations: Artisan Way Elevation, Assembly Row Elevation (OSPCD Stamp date Feb 14, 2013)</li> <li>• A-010 3D Building Views dated Jan 14, 2013 (as revised in P-100 &amp; P-101)</li> <li>• A-101 – A-105 floor and roof plans all dated Jan 14, 2013</li> <li>• A-201 &amp; A-202 elevations dated Jan 14, 2013 (as revised in P-100 &amp; P-101)</li> <li>• C-2, C-3 Neighborhood Context Map 1 and 2; C-4 Overall Site Plan 1; C-5 Overall Site Plan 2; C-6 Layout and Materials Plan; C-7 Grading, Drainage Plan; C-8 Utility Plan; C-9 Turning Template Plan; all dated Jan 22, 2013;</li> <li>• Open space Summary for the PUD dated January 22, 2013 Any changes to the approved plans that are not de minimis must receive SPGA approval.</li> </ul>	-	Planning Director	Continuous		

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
<b>B. Transportation / Traffic Circulation</b>						
2	Applicant will supply 17 bicycle parking spaces. The Applicants shall submit information on how these spaces will fit into the designated bike storage area or designate another location to accommodate all of the required bike parking spaces.	-	Planning Director	CO		
<b>C. Urban Design and Design Guidelines</b>						
3	All storefronts and retail signage shall be consistent with the Assembly Row Storefront and Signage Standards. Storefronts or retail signage that is inconsistent with the guidelines shall be provided to DRC and Planning Board for review and approval.	-	Planning Director	Building Permit for retail unit and retail signage		
4	The office signs shall not project above the parapet or beyond the main wall of the building.	-	Planning Director	Building Permit for Signage		
5	The Applicant shall submit information regarding the material and lighting for the proposed office signage to Planning Staff for review and approval.	-	Planning Director	Building Permit for Signage		
6	The windows on the building shall be made of clear glass.	-	Planning Director	CO		
7	The garage door shall contain a graphic subject to Planning Staff review and approval that conforms to the design guideline for loading areas. Loading areas should be considered in a similar regard as the parking garage elevations. It needs to be integrated in a manner that minimizes its function.	-	Planning Director	CO		
8	Applicant shall provide material samples of the final material and colors for siding, trim, windows, doors, canopies and rooftop mechanical screening for DRC review and Planning Staff review and approval prior to construction.	-	Planning Director	Vertical Construction		

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#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
9	Transformers and switch gear located at grade should be adequately screened from view by landscaping.	-	Planning Director	CO		
<b>D. Trash and Recycling</b>						
10	Trash and recycling storage shall be contained in the designated areas that are internal to the block. The Applicant shall provide recycling for tenants.	-	Planning Director / DPW	Continuous		
<b>E. Maintenance of Facilities</b>						
11	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, publicly assessable open space, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	-	Planning Director	Continuous		
12	To the extent possible, all exterior lighting must be confined to the subject property, cast light downward and must not intrude, interfere or spill onto neighboring properties.	-	Planning Director	Continuous		
<b>F. Demolition/Construction</b>						
13	The Applicant shall at his expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard.	-	Planning Director	Certificate of Occupancy		
14	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	-	Traffic & Parking	During Construction		

Block 2B

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#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
15	The Applicant shall provide notice of intent to strictly comply with applicable State and Federal regulations regarding air quality including without limitation continuous dust control during demolition and construction.	-	Plng/OSE	CO		
<b>G. Fire Prevention</b>						
16	A complete fire sprinkler and standpipe systems, an approved fire alarm system, a radio master box, and 24 hour monitoring by an approved central station company shall be installed. The systems must be 100% complete before any occupancy is allowed. There may be additional requirements attached to the permits pending review of more specific information that will need to be submitted before Fire Prevention's approval.	-	Fire Prevention	Certificate of Occupancy		
<b>H. Linkage</b>						
17	The applicant shall meet the obligations required by Article 13 and Article 15 of the SZO, as modified by a certain Amended and Restated Assembly Square Development Covenant dated December 14, 2006 by and between Federal Realty Investment Trust, IKEA Property, Inc., the City of Somerville, and the Somerville Redevelopment Authority, as amended by First, Second and Third Amendments, and as further amended from time to time.	-	Planning Director	Certificate of Occupancy		
<b>I. Final Planning Signoff</b>						
18	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	-	Planning Director	Sign-off		

## Appendix G: Use/Linkage/Usable Open Space/Parking Space Tracker

<i>Date</i>	<i>Project Description</i>	<i>Land Area</i>	<i>Square Footage</i>	<i>Commercial Space</i>	<i>Retail Space</i>	<i>Residential Units</i>	<i>Hotel</i>	<i>Linkage SF Exemption Tracker - to be paid after first 300,000 constructed for FRIT's buildings*</i>	<i>Square Footage to which Linkage Applies</i>	<i>SF of Open Space</i>	<i>SF of Usable Open Space</i>	<i># parking spaces</i>
Oct-07	IKEA (Phase IAA) - kept as placeholder	513,159	TBD - 340000	-	TBD - 340000	-	-		TBD - 340000	TBD - 221272	TBD - 163239	1,287
Dec-09	Marketplace (Phase 1AAA)	1,122,202	328,806	-	328,806	-	-	-	-	105,255	55,073	1,123
Jun-11	Block 10	32,059	4,500	-	4,500	-	-	4,500	-	15,646	11,325	28
Oct-11	Block 1	107,219	437,840	-	67,530	195	-	0	67,530	18,520	2,839	367
Oct-11	Block 4	122,219	439,660	-	43,975	253	-	0	43,975	22,040	13,096	469
Oct-11	Block 3	113,138	417,204	-	182,967	-	-	295,500	121,704	7,602	1,964	571
Feb-13	Block 2A	20,922	3,605	-	3,605	-	-	0	3,605	13,437	13,437	0
Feb-13	Block 2B	47,642	132,708	93,174	39,500	-	-	0	132,674	6,029	1,875	0
Total		2,078,560	1,764,323	93,174	342,077	448	-	300,000		188,529	99,609	3,845
Total Approved		2,671,884	5,000,000	1,750,000	512,000	2,100	200-rooms			675,531	481,674	10,066

## Appendix H: Applicable PUD-PMP Conditions

Some of the timeframes for compliance of the conditions of the PUD-PMP have been changed from those approved in the August 2010 decision by minor amendment approval. When the timeline of the development became further defined, the timeframe for compliance for some of the conditions of the PMP needed to be altered to reflect the appropriate sequence of events. The Assembly Square Drive roadwork began and the trench permit, which was the trigger for satisfying conditions, was required before it was originally anticipated. The Owner is also working with the City on conditions such as the maintenance of elements of the public rights of way, the design of these elements, and other related conditions. Therefore, the timeline of events will require that some of the conditions have a different timeframe for compliance.

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	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>						

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
<b>A. Transportation / Traffic Circulation</b>						
1	Applicant shall work with the MBTA and the City of Somerville to identify a bus route through the site and to provide appropriate bus stops that provide safe and convenient access to the MBTA Station, Main Street, IKEA, and the Marketplace. Any change to the roadway plans to provide bus stops, including the removal of on-street parking spaces, shall require the approval of the City Engineer and Planning Director.	-	Planning Director / City Engineer	Prior to opening of any new public street in the project (other than Assembly Square Dr)		
2	Applicant shall be required to submit proposed names for all streets for the review pursuant to Section 12.1 and 2-309.5 of the Code of Ordinances. The applicant should note that street names that are the same or similar to names already used in Somerville shall not be permitted.	Yes	Planning Director	Prior to opening of any new street		Streets have been named. Have they been officially adopted?
3	The applicant shall include conduits for parking kiosks in street construction plans as required by the Director of Traffic and Parking with review and approval by the City Engineer.	-	T&P Director / City Engineer	Prior to approval of plans by Director of Traffic and Parking with review and approval by the City Engineer		
<b>B. Water Systems</b>						

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
4	Applicant shall ensure that all materials shall be in accordance with the City of Somerville Water and Sewer Division's Specifications and/or Rules and Regulations, latest issue.	-	City Engineer	Prior to trench permit for roadway construction		This is complete within Assembly Square Drive, but review will be required for streets in the mixed-use area.
5	Applicant shall provide individual calculations to determine the sizes necessary for the connections to each property. The proposed service connections to each of the new buildings shall be shown on further design drawings.	-	City Engineer	Prior to trench permit for roadway construction		

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
<b>C. Stormwater Management System</b>						
6	Design and construction phasing of the stormwater management system shall be subject to review and approval by the City Engineer to ensure compliance with City standards and best practices for design and ongoing maintenance.	Yes	City Engineer	Prior to trench permit for roadway construction		
7	Applicant shall provide the Planning Board with a status report on the receipt of necessary permits from MWRA.	-	Planning Director	Continuous		
8	Applicant shall furnish health and safety requirements for utility workers for all roadways to be constructed on private property and subsequently dedicated as public ways.	-	Planning Director	Prior to dedication of public ways		
9	The Applicants supplied minimum measures for soil erosion control that will be used on the project site. The contractor and owner shall prepare and implement a Stormwater Pollution Prevention Plan in compliance with EPA NPDES regulations.	Yes	City Engineer / Con. Comm. where applicable	Prior to trench permit for roadway construction and CO		
<b>D. Urban Design and Design Guidelines</b>						
10	The Applicant shall provide funds for design and up to \$1 million in funds for construction of the pedestrian crossing from Assembly Square to the Ten Hills neighborhood.	-	Planning Director	Prior to CO for first SPSR-A in mixed-use area		25% design is complete. The Applicant remains committed to providing funds for design and construction of the pedestrian crossing.

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
11	Applicant shall include a landscape buffer between the tracks and the proposed development along the G Street multi-use path that leads to the T-Station.	Yes	Planning Director	Prior to CO for Block 2, 4 or 6, whichever is first		There will be landscaping in the Mystic park between Block 2 and the tracts
12	As part of each site plan review submittal, the Applicant shall calculations showing that the percentage of open space and usable open space meets the zoning requirement for a PUD-A within the ASMD.	Yes	Planning Director	Addressed with each SPSR-A application		Complete
13	Applicant shall ensure that the sunlight conditions shown on the plans are adequate for the tree species proposed within the public right of ways if trees are to be maintained by the City.	-	City Engineer	Prior to installation of street trees		
14	Applicant shall make reasonable efforts to employ smart growth techniques in overall development, including but not limited to: Low Impact Development for Stormwater Management, bioswales and sustainable green technologies, and LEED certification;	-	City Engineer	Prior to trench permit for roadway construction or Building Permit, whichever is applicable		

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
15	<p>Applicant shall be responsible for all design, construction, maintenance and repair of all roadways, streetscape including street lighting and other street furniture furnishings, and parks and open space which are part of the PUD. Applicant shall be responsible for the design and construction of water, sewer, and storm drainage systems serving the PUD. Applicant shall be responsible for the usage costs of electricity, gas, water, cable and other utilities furnished to the PUD, and for trash removal. The City shall be responsible for the maintenance and repair of water, sewer, and storm water conduits, and traffic signals on public ways.</p> <p>The City shall also be responsible for snowplowing and street cleaning, including the cleaning of catch basins, except that the City shall not be responsible for LID tree boxes. The Applicant shall be responsible for designing, constructing, maintaining, and repairing similar "Smart Technology" required by MEPA. All utilities shall be designed and installed in accordance with the City of Somerville's standards and specifications. Notwithstanding the foregoing, if the maintenance agreement includes provisions that are inconsistent with this condition the maintenance agreement</p>	-	Planning Director / City Engineer	Prior to Building Permit for any of blocks 1, 2, 3, 4, 5, 6, 7, 8 or 9		
16	Applicant shall provide details of the pedestrian connection from Assembly Square to Draw 7 Park under the railroad bridge.	-	Planning Director	Prior to trench permit for roadway construction in A Street		

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
17	Applicant shall plan for a drop-off location and taxi stand for the MBTA station as a part of roadway design.	-	Planning Director / City Engineer / T&P Director	Prior to opening of any new public street in the project (other than Assembly Square Dr)		
18	Applicant shall depict the locations and design of handicapped accessible curb ramps for review and approval by the City Engineer.	-	City Engineer	Prior to installation of sidewalk		
19	The applicant shall provide a design guideline for all retail storefronts and signage within the PUD area for review by the DRC and approval by the Planning Board.	-	Planning Director	Prior to Building Permit for any of blocks 1, 2, 3, 4, 5, 6, 7, 8 or 9		To be reviewed by the Planning Board on 2/21/13
20	The applicant shall submit information regarding reasonable efforts that were used to secure LEED-ND approval for the project.	-	Planning Director	Prior to CO for first development in Mixed-Use area		The Applicant is considering a LEED-ND application for the mixed-use project.
<b><u>E. Maintenance of Facilities</u></b>						
21	All City of Somerville traffic control equipment and roadway elements must meet City specifications and standards unless they are otherwise approved by the City Engineer and are maintained by the Applicant under the maintenance agreement.	-	City Engineer	Continuous		

#	Condition	Complete	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
22	Applicant shall provide street lights that meet City standards on all public streets where lights are to be maintained by the City.	-	City Engineer / DPW	Continuous		
<b><u>F. Other</u></b>						
23	At the time of submittal of development on Block 2, Block 2, and the Main Street Mall, the Applicant shall submit confirmation that the setbacks from the Mystic River to the closest buildings are at least 150 feet except for the underground parking on Block 2 that has received a waiver to be closer than 150 feet.	-	Planning Director / Housing Director	CO		The applicant is seeking a waiver from this requirement for a building to be 141.8 from the river bank