



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE
MAYOR

PLANNING DIVISION

PLANNING BOARD MEMBERS

KEVIN PRIOR, *CHAIRMAN*
ELIZABETH MORONEY, *CLERK*
JOSEPH FAVALORO
JAMES KIRYLO
MICHAEL A. CAPUANO, ESQ.
DANA LEWINTER (ALT.)

Case #: PB 2011-08
Site: 50 Middlesex Avenue
Date of Decision: April 21, 2011
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: April 27, 2011

PLANNING BOARD DECISION

Applicant Name:	SOG Development, LLC
Applicant Address:	651 Washington Street, Suite 200, Brookline, MA 02446
Property Owner Name:	DiSilva Truck Service, Corp.
Property Owner Address:	50 Middlesex Avenue, Somerville, MA 02145
Agent Name:	Adam Dash, Esq.
Agent Address:	48 Grove Street, Suite 304, Somerville, MA 02144

Legal Notice: Applicant SOG Development, LLC and owner DiSilva Truck Service Corp. seek a Special Permit with Site Plan Review-A, final level approval of a planned unit development under the Planned Unit Development Preliminary Master Plan approved by the Planning Board on March 17, 2011 with waivers for parking and signage per SZO Article 16. Applicant and owner also seek approval under SZO Article 15, §6.4.15, §7.11.12.4.c, §7.11.6.4.a, §7.11.10, and §7.11.9 to construct an approximately 135,295 square foot, six-story building for self-storage use, café/retail use, bicycle storage, community meeting space, and a site with usable open space along with 18 parking spaces. ASMD zone.

<u>Zoning District/Ward:</u>	ASMD zone/Ward 1
<u>Zoning Approval Sought:</u>	Special Permit with Site Plan Review-A under SZO Article 16, Article 15, §6.4.15, §7.11.12.4.c, §7.11.6.4.a, §7.11.10, and §7.11.9.
<u>Date of Application:</u>	March 29, 2011
<u>Date(s) of Public Hearing:</u>	April 21, 2011
<u>Date of Decision:</u>	April 21, 2011
<u>Vote:</u>	4-0



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
(617) 625-6600 EXT. 2500 • TTY: (617) 666-0001 • FAX: (617) 625-0722
www.somervillema.gov



Case #PB 2011-08 was opened before the Planning Board at Somerville City Hall on April 21, 2011. Notice of the Public Hearing was given to persons affected and was published and posted, all as required by M.G.L. c. 40A, sec. 11 and the Somerville Zoning Ordinance. After one hearing of deliberation, the Planning Board took a vote.

DESCRIPTION:

The current structures would be demolished (except for the billboard) and a new approximately 135,295 gross square foot six-story structure would be built for a self-storage use, with smaller spaces on the first floor for a 1,498 square foot café/retail use, community bicycle storage space, and a public meeting space. The Applicant is seeking SPSR-A final level approval of a planned unit development under the Planned Unit Development Preliminary Master Plan (PUD PMP) approved by the Planning Board on March 17, 2011

FINDINGS FOR SPECIAL PERMIT WITH SITE PLAN REVIEW-A:

Per SZO Article 16, Article 15, §6.4.15, §7.11.12.4.c, §7.11.6.4.a, §7.11.10, and §7.11.9.

General Application Requirements

Application requirements are identified in Section 16.8 of the SZO. Section 16.8.2H identifies that the general information required for a special permit under Section 5.2 is also required at a preliminary level. Staff finds the SPSR-A meets the application submittal requirements in the above listed sections. Detailed findings are contained in Appendix A.

Required Findings of Fact

Section 16.10.1 of the SZO indicates that PUD preliminary master plan approval shall be considered preliminary approval that recognizes that the plan is in general accordance with provisions of this ordinance. Section 16.11.3 indicates the process for amendments to PUD approvals, including preliminary master plans and makes it clear that the proposal presently before the Planning Board is substantive enough to require major PUD amendment approval. Findings are then required under 16.1, 6.4.1, 6.4.3, 16.4, and 16.7 of the SZO. The ASMD further requires findings to meet development standards and design guidelines under 6.4.7 and 6.4.8. The 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

Requirements for SPSR (SZO §5.2.5)

Section 6.4.15 identifies specific standards required for self storage buildings. Staff finds that the SPSR-A meets these findings, and they are contained in Appendix C.

Requirements for SPSR (SZO §5.2.5)

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 D.



Waiver Standards

Staff finds that the project meets the required waiver findings of Section 16.5.4 and 6.4.12.A and recommends approval of the waivers that has been requested for the parking and signage. Detailed findings are provided in Appendix E.

DECISION:

Present and sitting were Members Elizabeth Moroney, Joseph Favaloro, James Kirylo and Michael A. Capuano. Upon making the above findings, Elizabeth Moroney made a motion to approve the request for a special permit. Michael A. Capuano seconded the motion. Wherefore the Planning Board voted **4-0** to **APPROVE** the request. In addition the conditions in Appendix F are attached.

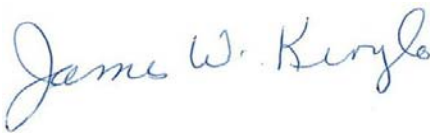
Attest, by the Planning Board:



Elizabeth Moroney



Joseph Favaloro



James Kirylo



Michael A. Capuano, Esq.

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



CLERK'S CERTIFICATE

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

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

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

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

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

FOR VARIANCE(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ any appeals that were filed have been finally dismissed or denied.

FOR SPECIAL PERMIT(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ there has been an appeal filed.

Signed _____ City Clerk Date _____



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
(617) 625-6600 EXT. 2500 • TTY: (617) 666-0001 • FAX: (617) 625-0722
www.somervillema.gov



Appendix A: Application Requirements

<u>A.1: Procedures for PUD Applications - Supportive Information (SZO 16.8)</u>				
Section	Required Finding	Met	Not Met	Comment
16.8.2.A	A neighborhood context map, at a scale not less than one (1) inch equals one hundred (100) feet, providing a graphic description of the neighborhood in which the tract lies, including roads, utilities and other public facilities, major existing buildings and structures. There shall also be a statement and/or plan as to the general impact of the proposed PUD upon the area, indicating how the PUD relates to surrounding properties and what measures will be taken to create appropriate transitions and access from the subject property to abutting public properties (i.e. parks, waterfront, etc.) or other neighboring tracts (if applicable)	X		Included in PMP application submission
16.8.2.B	A conceptual site plan drawn to a scale of not less than one (1) inch equaling fifty (50) feet, or series of drawings at the same scale, and any necessary supporting information	X		Included in PMP application submission
16.8.2.C	Analysis of compliance with regulations as to dwelling units per square feet of lot area, height, building coverage, floor area ratio (FAR) and parking requirements	X		Height, coverage and parking information is provided in PMP submittal. No dwelling units are proposed.
16.8.2.D	Names of all property owners within five hundred (500) feet of the PUD boundary	X		Provided by city staff.
16.8.2.E	Explanation of provisions for the landscaping and maintenance of all open space and drainage areas	X		Staff has included a condition requiring the Applicant to enter into a Maintenance Agreement with the City regarding ownership and maintenance of the open space.
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		Included in application submission. Supplemental information was provided at the request of Traffic and Parking

Section	Required Finding	Met	Not Met	Comment
16.8.2.G	A utilities analysis and recommendations prepared by a registered professional engineer qualified to conduct such studies. Said analysis shall contain an inventory of existing utilities including, but not limited to, storm sewers and drains, sanitary sewers, electrical lines, fire alarm boxes and lines, gas lines/mains, water mains, lighting, curb and gutter, etc. Said inventory shall illustrate utility locations, sizes, diameters, carrying capacity and present load on the system. The engineer's report shall state if the current system is capable of adequately serving the proposed development. If the current utility system is found to be inadequate for the proposed development, the report shall confirm the deficiencies and make recommendation(s) as to the infrastructure improvements necessary to properly service the proposed development and maintain the existing service. The report shall also present a formal plan for infrastructure improvements, documenting timing, funding mechanisms and coordination with the City	X		Included in PMP application submission.
16.8.2.H	All applicable information required for special permit with site plan review (See Article 5 of this Ordinance). This information may be submitted at a preliminary level, in consideration that PUD approval is a preliminary approval	X		See Section A-2 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		The applicant has provided a presentation to the DRC that shows preliminary design plans for the structure, along with design guidelines and information about building materials.
<u>A.2: General Information Required for SPSR Applications (SZO 5.2)</u>				
Section	Required Finding	Met	Not Met	Comment
5.2.3.1	names, addresses, and telephone numbers of the applicant, the owner if other than the applicant, and other agents for the applicant, such as the architect, engineer and/or attorney, and the name and address of the proposed project	X		Included in application submission.
5.2.3.2	plot plan certified by land surveyor indicating total land area, boundaries, angles, and dimensions of the site and a north arrow	X		See the Land Title Survey.
5.2.3.3	scaled site plans certified by a registered land surveyor, architect, landscape architect or engineer showing present and proposed use of land and existing buildings, if any; dimensions of existing and proposed structures; location and dimensions of any easements and public or private rights of way; and at grade parking and loading areas	X		Included in application submission

Section	Required Finding	Met	Not Met	Comment
5.2.3.4	brief written description of the proposed project, such as proposed construction or demolition, all uses, who the project is intended to serve, expected number of employees, and/or occupants and methods and hours of operation, as applicable	X		Included in application submission.
5.2.3.5	the total floor area and ground coverage ratio of each proposed building and structure	X		See Sheet SP-1.
5.2.3.6	front, side, and rear elevations	X		See Sheet A2.01.
5.2.3.7	existing and proposed contour elevations in two foot increments	X		See Sheet GD-1.
5.2.3.8	provisions for vehicular and pedestrian circulation	X		See Sheets SP-1 and SP-2.
5.2.3.9	color, materials, and exterior features of proposed structures	X		Included in application submission. See the Design Guidelines.
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		See Sheets LL-1 and LL-2.
5.2.3.11	measures taken to preserve and protect natural resources	X		Site is an existing truck depot that is completely paved. Impacts of redevelopment on natural resources are minimal. Impervious surface area will be reduced with the project.
5.2.3.12	outdoor lighting, including location and intensity of lighting facilities	X		See B.4, Section 16.7a and Condition #16. See sheets LL-1 and LL-2.
5.2.3.13	dimensions and locations of signs, proposed and existing	X		See sheet A2.02.
5.2.3.14	location and significance of historic structures	X		No historic structures are impacted.
5.2.3.15	method for handling solid waste disposal, and for screening of disposal facilities	X		Solid waste and recycling will be disposed of in separate dumpsters located in a screened, gated and locked enclosure located as shown on Sheets SP-1 and SP-2. The dumpsters will be emptied weekly by a private waste contractor, or more frequently, if necessary. An indoor trash area is shown on the floor plans on Sheet A1.01. Wastebaskets for both trash and recycling will be located inside the Storage Office and Cafe/Retail space.
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		Included in application submission. See Sheets SU-1 and A1.03.
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		Included in application submission.
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		Included in application submission. Also see Sheet DM-1. Demolition permits will require approval of ISD.

Section	Required Finding	Met	Not Met	Comment
5.2.3.19	a traffic study including estimated peak hour traffic volumes generated by the proposed use in relation to existing volumes and projected future conditions or, if the project is twenty-five thousand (25,000) square feet or more, a traffic impact analysis which is prepared by a professional traffic engineer	x		Included in application submission.
5.2.3.20	general summary of existing and proposed easements or other burdens now existing or to be placed on the property	x		Included in application submission. Also see the Land Title Plan Survey.
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	n/a		N/A
5.2.3.22	photographs of at least eight (8) by ten (10) inches, showing the development site and surrounding parcels	x		Included in application submission.
5.2.3.23	names and addresses of all property owners within three hundred (300) feet of site boundaries	x		Provided by city staff.
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

<u>B.1: General Findings under Section 16 (SZO 16.9 and 16.1)</u>				
Section	Required Finding	Met	Not Met	Comment
16.9	The SPGA shall review and determine whether a PUD application is complete and place special emphasis in its review as to PUD compliance with provisions of Article 16 herein, including compliance with the purpose and general requirements/features of a PUD	X		See Appendix A. Applicant has provided a complete application. See the remainder of Appendix B which establishes that the application 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 is consistent with the overall plans for Assembly Square. It provides for a building with pedestrian-oriented activity on the first floor, along with self storage uses (recently allowed in ASMD by special permit) on a portion of the first floor and all of the upper floors. The project will improve the existing pedestrian connection between the future Assembly Square T station and East Somerville, and will facilitate the future extension of Foley Street.
16.1	The purpose of a Planned Unit Development, or PUD, is to provide for a mixture of land usage at designated locations at greater variety, density and intensity than would normally be allowed . . . to achieve, to the greatest possible degree, land development responsive to an analysis of the environmental assets and liabilities of a site, both natural and man-made. A PUD should be a well-integrated development in terms of land uses, functional activities, and major design elements such as buildings, roads, utilities, drainage systems and open space. A PUD is allowed greater design flexibility so that larger-scale site and master planning for a development may protect natural features and consider most fully the surrounding land use and development context . . . Development should be concentrated in the most suitable and least environmentally sensitive areas of the landscape. Preservation and enhancement of open space is strongly promoted.	X		This is a smaller PUD project, covering a single development site, but one in which multiple uses will be established in the structure. The PUD format allows for the extensive review of the project to ensure it is consistent with other ASMD PUD development activity in the area.

Section	Required Finding	Met	Not Met	Comment
<u>B.2: Consistency Findings (SZO Section 6.4)</u>				
Section	Required Finding	Met	Not Met	Comment
6.4.1	Purpose. The Assembly Square Mixed-Use District (ASMD) has been enacted to encourage the best use of Assembly Square physically, economically, environmentally and socially while promoting the best interests of residents of the City. The ASMD is intended to fulfill the goals and objectives contained in the Assembly Square District Plan (the ASD Plan, as hereinafter defined). The ASMD zoning is designed to allow the district to reach these goals.	X		See comments under Section 6.4.4 below.
6.4.4 (ASPS)	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. This project will replace a truck depot with a structure that provides first-floor retail activity, a presence along a principal street, a terminating vista from the MBTA station, and enhanced useable open space.
6.4.4 (ASRP)	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 Plan envisions 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 project is consistent with the overall vision of the Revitalization Plan, by providing a building that can be complimentary to the primary activity in the core of Assembly Square.

Section	Required Finding	Met	Not Met	Comment
6.4.4 (ASDG)	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		As a general site design, the project is consistent with the Public Realm Guidelines. The project encourages design that supports public spaces and achieves sense of place, provides a use that will serve as an adequate buffer to the highway, enhances connections to the surrounding neighborhood, encourages and supports transportation improvement, improves multi-modal access to assembly square and continues a process of providing unified district signage. Planning Staff is recommending conditions to ensure that the design of the structure is complementary to the design strategy for Assembly Square.
6.4.4 (ASTP)	The ASD Plan describes the physical characteristics of the ASMD. The ASD plan establishes a comprehensive plan for development in the ASMD. The ASD plan includes the <u>Assembly Square Transportation Plan</u> dated 2003			The Assembly Square Transportation Plan generally calls for development of a street grid within the mixed-use area. The plan also encourages connections to the neighborhoods. This project will incorporate provisions to further the goal of connecting the core of Assembly Square to the neighborhood across the highway.
<u>B.3: General Requirements of a PUD (SZO Section 16.4)</u>				
Section	Required Finding	Met	Not Met	Comment
16.4a	a designated tract of land meeting the minimum lot size requirements of Section 16.5.1.a for the PUD district	X		At 49,147 square feet, the site meets the minimum lot size requirements for the PUD-A district, which requires a minimum of 20,000 square feet.
16.4b	developed in a comprehensive, design-integrated manner, according to an overall master plan, with two (2) or more types of uses.	X		The proposal integrates the self-storage use with a retail/café space and a community room and bike storage along with useable open space on a significant site within the ASMD district.
16.4c	consistent with the objectives of this Ordinance;	X		The proposal is consistent with the objectives of the SZO, including to promote the health, safety, and welfare of the inhabitants of the City of Somerville; to provide for and maintain the uniquely integrated structure of uses in the City; to protect health; to secure safety from fire, panic and other dangers; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality.
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.

Section	Required Finding	Met	Not Met	Comment
16.4e	developed so as to locate or cluster development sites, especially buildings, in a manner that provides usable open space, preserves natural or historic features, and preserves views of such features to the maximum extent possible	X		The project will allow for adequate open space along the edge of a café/retail location, will provide a terminating view down Foley Street from the T station of a building tower that can serve as a wayfinding beacon, and will enhance the connection between the core of Assembly Square and East Somerville.
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		This site is a potential Brownfield, a truck depot on the edge of the highway. Natural features are limited in this area.
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 demonstrated that full consideration has been given to site development as a whole. The project has been designed to establish a use in a very difficult site in the Assembly Square area that will replace a truck depot with a building that can serve to provide a buffer from Assembly Square along the highway, a building that is in the foreground of the taller towers in the Assembly Row project and includes a core tower that will be visible from the MBTA station.
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 Assembly Row project and the rest of Assembly Square better to the East Somerville neighborhood by providing public open space along the side of the café/retail space, by providing retail and a community room on this path, and by reserving space for the future Foley Street extension. The self-storage use is not significantly active, but it will establish a start of the redevelopment of the highway-front proposals, and provide a building that is along the street with a quality pedestrian realm.
16.4i	designed with sizing of street and other infrastructure systems to accommodate the overall service demand of the PUD	X		Infrastructure service demand for these uses in a building this size will be limited.
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 project area 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		The applicant is working with OSPCD on developing a covenant to address site maintenance and the land transfer that will facilitate the extension of Foley Street. The Planning Staff recommends that the a condition require the covenant be developed prior to construction.
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.

Section	Required Finding	Met	Not Met	Comment
<u>B.4: PUD Design Guidelines (SZO Section 16.7)</u>				
Section	Required Finding	Met	Not Met	Comment
16.7a	PUD architecture should demonstrate the cohesive planning of the development and present a clearly identifiable design feature throughout. It is not intended that buildings be totally uniform in appearance or that designers and developers be restricted in their creativity. Rather, cohesion and identity can be demonstrated in similar building scale or mass; consistent use of facade materials; similar ground level detailing, color or signage; consistency in functional systems such as roadway or pedestrian way surfaces, signage, or landscaping; the framing of outdoor open space and linkages, or a clear conveyance in the importance of various buildings and features on the site	X		The applicant is proposing to build what will likely be the first commercial structure to be under construction within the ASMD since the zoning and these guidelines were established five years ago. The applicant has submitted a design guideline and architectural plans for this project that address many of the concerns expressed in the PMP review. There are some remaining design elements that remain unsettled. Planning staff is proposing conditions to address issues of building materials, streetscape character and large graphic elements.
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 café/retail space will have glass and entrances along the open space plaza area. Sidewalk frontage will have glass with access to spaces within the building and/or display windows.
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 structure at 70 feet, with a tower at 80 feet exceeds the baseline 40 foot height that is allowed in the ASMD without the application for a PUD, although it is much smaller than the 125 foot maximum height limit in this area. The structure, as proposed is slender and long, and is sited appropriately for the unique lot.
16.7d	It is strongly encouraged that landscaped space, and particularly usable open space, be designed and located to connect as a network throughout the PUD. It is also generally intended that said space be designed and located to connect with existing off-site usable open space, and provide potential for connection with future open space by extending to the perimeter of the PUD, particularly when a plan exists for the location and networking of such future open space	X		see 6.4.7.A.4, below
16.7e	It is intended that no non-residential structure cause a casting of any shadow on any residential lands between 10:00 AM and 2:00 PM, solar time, on the vernal equinox (March 21); and that any shadow cast by a PUD structure on public usable open space be of minimal impact on the desired functional use of said open space, particularly in the period from March 21 to September 21	X		See sheet A1.04. The applicant has provided a shadow study indicating that shadow impacts on adjacent properties and right of way are of limited impact.

Section	Required Finding	Met	Not Met	Comment
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 two access points. One is into the parking area under the building, through the use of a building opening on Middlesex Street. There is secondary access to parking along the back of the building at Kensington Ave, at the site of the future Foley Street extension. Overall, the access provides two vehicle entries on far portions of a lot that has in excess of 500 feet of frontage on Somerville streets.
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 initial development will not include new streets to be dedicated. The plan does anticipate construction of an extension to Foley Street and the removal of Kensington Street in this area. This street will need to be designed to meet the requirements of the Traffic and Parking Department, 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		While this site is longer than many typical Somerville blocks, it also is limited by an awkward set of easements that are required for future installation of an improved ramp from I-93, and the Foley Street Extension. The building is aligned the only way that is possible for this site. The building can be designed to provide a pedestrian friendly scale.
16.7i	The PUD design should preserve and enhance natural features such as topography, waterways, vegetation, and drainage ways.	X		The natural features of the site have been substantially altered over the years as an industrial and commercial site.
16.7j	The PUD design should minimize impervious surfaces and incorporate other design features to minimize storm water runoff.	X		The site today is completely impervious. The site is an urban redevelopment site, and therefore is extensively covered by a building and includes paved areas, but the proposed project will provide far more open space and pervious area than is currently in place. Drainage design will be subject to review and approval by the City Engineer.
16.7k	PUDs should maximize pedestrian transit-oriented development. Specifically they should use "traffic-calming" techniques liberally; provide networks for pedestrians as good as the networks for motorists; provide pedestrians and bicycles with shortcuts and alternatives to travel along high-volume streets, and emphasize safe and direct pedestrian connections to transit stops and other commercial and/or employment nodes; provide long-term, covered, bicycle parking areas; provide well-lit, transit shelters; incorporate transit-oriented design features; and establish Travel Demand Management programs at employment centers.	X		The proposal improves pedestrian access to East Somerville, covers the view of the elevated highway from the pedestrian-oriented Foley Street and the MBTA, and provides on-site bicycle parking.

Section	Required Finding	Met	Not Met	Comment
16.7I	Make shopping centers and business parks into all-purpose activity centers.	X		The proposal creates a new café/retail space at a key pedestrian connection point. While the self-storage use mainly supports feature for other businesses and residents in the district, the structure and the café/retail use contribute to providing an overall design of the Assembly Square area that mixes uses and activities.
<u>B.5: ASMD Development Standards (SZO Section 6.4.7.A)</u>				
Section	Required Finding	Met	Not Met	Comment
6.4.7.A.1	<i>Transportation Analysis.</i> All new Developments shall conform to the requirements set forth in any Transportation Study, subject to the approval of the SPGA.	X		A full Traffic Impact and Access Study was prepared for the project and was included in the submission package. The applicant has provided data indicating that traffic for the self-storage use is minimal compared to the overall traffic demand in the area. The applicant provided additional information at the request of the Traffic and Parking department. Traffic and Parking has provided comments in this staff report and requested conditions to address their concerns.
6.4.7.A.2	<i>Parking Requirements.</i> Developments shall meet the parking requirements set forth in Section 9.15.	X		The applicant is requesting a waiver of parking requirements, due to the nature of the self-storage activity on the site. The applicant has provided information beyond the initial submittal from the PMP and the Traffic Engineer has reviewed that information and concluded that parking requirements, with the waiver, are adequately addressed subject to the proposed condition.
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		The project complies with landscape requirements. 33.42% of the project is open space. The applicant will provide 26% open space after the completion of the Foley Street extension, including the off-site area indicated as Area 8 on Sheet OS-2.
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 provides a sidewalk along Middlesex Avenue and a pedestrian connection between East Somerville and Assembly Square. The Planning Staff is recommending conditions to address the improvements to the sidewalks and street trees along Middlesex Avenue.

Section	Required Finding	Met	Not Met	Comment
<u>B.6: ASMD Design Guidelines (SZO Section 6.4.7.B)</u>				
Section	Required Finding	Met	Not Met	Comment
6.4.7.B.1	<i>Street and Sidewalk Design.</i> Street and sidewalk design shall be based on the Assembly Square Public Realm Design Guidelines and applicable engineering standards, provided that any street shown in such Guidelines as running through an existing Building is not required to be constructed until such Building is demolished.	X		The design of streets and sidewalks will respond appropriately to the Street and Sidewalk design criteria. The streets and sidewalks appear to be designed to meet the expectations of the Design Guidelines. Full engineering plans will need to be provided for review to ensure that streets meet City engineering standards. These should include sidewalks with 5 feet of clear area, a tree planting area, and parallel parking where applicable. The applicant should remove and reset granite curbs along the lot frontage, and Planning Staff is recommending these items as conditions.
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 building is sited on the lot in the best location to allow for use of the building and reserve space required for the future I-93 ramp construction and Foley Street Extension. The applicant has worked to update building plans to address design concerns expressed by Planning Staff and the DRC. Staff is recommending conditions to address the materials, streetscape character and large scale graphic elements.
6.4.7.B.2a	Buildings should be located to create a presence on existing street edges or along major internal circulation routes and have maximum building setbacks of five feet except in special circumstances, where greater setbacks would enhance the pedestrian friendly experience of the ASMD, such as dedicated open space; and buildings should be located to reinforce both existing and future circulation patterns that may serve more than one Site.	X		The proposed structure is built along the Middlesex Avenue sidewalk, dedicates open space along the café/retail space, and improves pedestrian circulation.
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		To the extent possible, the building is designed with a first floor that has glass visual access and multiple entrances. Some of the first floor front wall is directly against interior storage units, but in these locations, display windows that mimic the pedestrian entrances are proposed. Entrances are shown with canopies. Staff is working with the applicant to address concerned that the design includes panels, cornice, windows, materials, lighting, canopies and porticos that define a distinctive 'storefront zone' along Middlesex Street. The applicant has provided additional information to address these issues, and staff is also recommending conditions to address outstanding concerns.

Section	Required Finding	Met	Not Met	Comment
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 structure meets this finding. The Planning Staff is recommending conditions to ensure that the project incorporates an attractive and durable design with attractive fenestration.
6.4.7.B.2d	The overall scale of development should be broken down to respond to the pedestrian scale use of open space.	X		This application is for a single structure that is designed with a first floor that will need to interact well with pedestrian activity. The applicant has updated side and rear elevations since the PMP review, and all sides address pedestrian scales, therefore the applicant has met this finding.
6.4.7.B.2e	Materials and colors shall be consistent with traditional buildings in the area with historic merit.	X		Staff notes that the proposed materials include a metal panel system that is very contemporary, but that this system is applied on a building that includes traditional brick-face elements as well as areas for large graphic elements that will serve to identify this building and this location in and around Assembly Square. Staff supports the design but recommends that the Planning Board adopt this plan with conditions that will address the materials, streetscape character and large scale graphic elements with opportunities for review after SPSR approval to ensure consistency with the intent of this approval.
6.4.7.B.2f	Building equipment and service areas should be located away from public streets or major interior circulation routes and provide screening. All storage of items for sale or related inventory should be enclosed unless completely screened from public view with architectural elements meeting the §6.4.7 guidelines.	X		This condition has been met.
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 proposed storage building will include a retail/café space, community room and bike storage as well as the retail office for the storage facility on the first floor. The café/retail integrates with the open space. There are no waterfront views in this area.
6.4.7.B.2h	The façade of a building should not have any uninterrupted or unfenestrated length exceeding thirty-five (35) horizontal feet. Facades greater than one hundred (100) feet in length, measured horizontally, should incorporate wall plane projections or recesses having a depth of at least three percent (3%) of the length of the facade and extending at least twenty percent (20%) of the length of the façade.	X		The development standards for the Self Storage facility further refine this guideline. See 6.4.15.B.4 in Appendix C. This condition has been met.

Section	Required Finding	Met	Not Met	Comment
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		The development standards for the Self Storage facility further refine this guideline. See 6.4.15.B.4 in Appendix C. This condition has been met.
6.4.7.B.3	<i>Parking Lot Design.</i> Refer to Section 9.15 for parking requirements. Parking Lots shall avoid large expanses that are unbroken by Buildings or substantial landscaped Open Spaces, as set forth in Section 10.4 of this Ordinance.	X		The proposed parking facility is under the building and behind the building along I-93 where it has limited impact on open space and the structure. The parking waiver will ensure that the project does not include unnecessary parking areas that will not be used for this mix of uses.
6.4.7.B.4	<i>Open Space.</i> Landscape strips required in parking areas shall not apply to UOS calculations. Developments are encouraged to make significant contributions to Open Space along the Mystic River adjacent to the ASMD.	X		Applicant has met the requirement to provide open space and Usable Open Space (UOS).
6.4.7.B.5	<i>Efficiency of Design.</i> Every effort shall be made to design Buildings and use materials and construction techniques to optimize daylight in building interiors, natural ventilation, energy efficiency, and to minimize exposure to and consumption of toxics and non-renewable resources and incorporate appropriate "green" design techniques. In accordance with this principle all Developments within the ASMD in excess of ten thousand (10,000) square feet shall be required to complete an Leadership in Energy & Environmental Design (LEED) worksheet and submit the worksheet to the SPGA with permit application materials. This worksheet shall be considered in evaluating whether a proposed Development meets the applicable standards set forth elsewhere in this Ordinance. However, consistency with the LEED standards shall not be a factor in whether or not to permit a Development.	X		The applicant has submitted a LEED worksheet. The applicant has worked to make the building energy efficient. The applicant has indicated that they are seeking permission to install solar panels on the roof of the building at a future date if they deem it possible to do so.
6.4.7.B.6	<i>Contributions.</i> Contributions for Infrastructure and Open Space related to a Development made by an Applicant to the City or its constituent agencies in other agreements or permits shall be credited by the SPGA toward any applicable requirements hereunder for a Special Permit.	X		The Applicant has committed to dedicate the Foley Street right-of-way and preserve access for areas needed by the state for construction of a new I-93 off-ramp. The applicant will enter into agreements for useable open space and for transfer of this land.

Section	Required Finding	Met	Not Met	Comment
6.4.7.B.7	<i>Loading Spaces.</i> To the extent possible, Loading spaces shall be located away from major Public Ways, the Mystic River and other highly visible locations. Every effort shall be made to incorporate creative design to reduce the negative visual impacts of the Loading space.	X		Loading spaces are inside the structure, accessible from the covered parking area. They are generally not visible from the street.
<u>B.7: ASMD Large Project Development Standards (SZO Section 6.4.8.D)</u>				
Section	Required Finding	Met	Not Met	Comment
6.4.8.D.1	Transportation Analysis. Large Developments shall provide a Transportation Access and Impact Study. The Director of Traffic and Parking shall approve the geographic scope and content of the study in consultation with the Executive Director of the Planning Department and the Traffic Commission. In addition, the Applicant shall submit a Transportation Demand Management (TDM) plan tailored to the specific uses and the geographic location of the Development Site. If the Transportation Access and Impact Study indicates a significant impact to the transportation network in the specified study area, the Applicant shall include in the study proposed mitigation measures to address those impacts.	X		A full Traffic Impact and Access Study was prepared for the project and was included in the original submission package. This has been updated to address concerns of the Traffic Engineer, and he has proposed conditions to address his concerns.
6.4.8.D.2	<i>Large Retail Projects.</i> Any Large Development in which any single Retail Use is more than fifty thousand (50,000) square feet of gross floor area shall also be deemed a Large Retail Project. A). Nonretail Component --“No Large Retail Project ... shall be permitted in the ASMD unless permitted as part of a PUD-A which includes 1.5 net square feet of non-retail uses for every square foot over 50,000 net square feet of Retail Use in the Large Retail Project.” B). Ground Level Retail Size Cap-- “In a Large Retail Project, not more than 50,000 square feet of Gross Floor area of any single Retail Use shall be located on the Ground Floor of any Building included in the PUD-A.”	n/a		None of the proposed activities in the project are 'large retail' uses.

Section	Required Finding	Met	Not Met	Comment
6.4.8.D.3	<i>Landscaping.</i> A minimum of fifty (50) percent of the Landscaped Area in a new Large Development shall be Usable Open Space. The SPGA shall have final discretion in deciding if land constitutes Open Space for the purposes of determining whether this requirement has been met. The Open Space requirement may be met with land that is part of the Large Development, or with land that is outside of the Large Development area but is located within the ASMD that was not already Useable Open Space, provided that the conditions of paragraph 2 of Section 16.6.1 of the Ordinance relating to public dedication of such Usable Open Space are met.	X		As presented in this application, this condition has been met in both the original, and the long-term condition on the site.
<u>B.8: ASMD Large Project Design Guidelines (SZO Section 6.4.8.E)</u>				
Section	Required Finding	Met	Not Met	Comment
6.4.8.E.1	<i>Structured Parking.</i> Due to the size and scope of Large Developments, every effort shall be made to provide as much parking as possible underground and/or in structures	X		11 of the 18 proposed parking spaces are in a garage leaving only 7 proposed surface parking spaces.

Appendix C: Findings and Standards for Self Storage

C.1: Required Findings (6.4.15.A)

<i>Section</i>	<i>Required Finding</i>	<i>Met</i>	<i>Not Met</i>	<i>Comment</i>
6.4.15.A.1	The subject property is located in an area that is not conducive to more desirable uses for the district, such as office, retail, or residential. To make findings that a site meets this provision, the following are required: a. The lot size and shape is not easily conducive to a more desirable use; and, b. The lot is immediately abutting the Interstate highway and/or an exit ramp from the highway, thereby limiting the ability for the lot to be used for a more desirable use; and, c. The development of the lot facilitates the development of the district by providing direct public benefits above and beyond those otherwise required by the ordinance; and d. The development of the lot improves conditions of the site as well as improving the public infrastructure within the district, as well as to and from the district; and e. The development of the lot facilitates the development of the district by providing public non-motorized access through some portion of the lot.	X		The lot is not conducive to more desirable uses for the district. The lot shape is awkward, and further limited by future planned needs for construction of the new ramp from I-93 and the Foley Street Extension. The lot abuts the interstate and the existing off-ramp, and is therefore not conducive to residential use. The proposed development facilitates the development of Assembly Square by allowing for dedication of the Foley Street right-of-way, protecting areas for the construction of the new I-93 ramp, and the self-storage use will serve the district. The development of the lot replaces a truck depot, improves the infrastructure and condition of the site, and provides for immediate and long-term improvements for pedestrians, and bicycles and in the long-term, better vehicle access to East Somerville. The development allows for pedestrian access across the plaza for the connection between East Somerville and Assembly Square.
6.4.15.A.2	The lot shall contain a second use in addition to Self Storage Facilities under Section 7.11.12.4 or Wholesale Storage under Section 7.11.13.1 of the Table of Permitted Uses	X		The applicant is proposing a retail/café use in the project.
16.4.15.A.3	The proposed project complements and enhances the character of the surrounding neighborhood, is not detrimental to development in adjacent areas as envisioned by the ASD plan, and facilitates access to and through the Assembly Square District and to the Assembly Square Orange Line station.	X		The project enhances the character of the neighborhood. The Planning Staff recommends design conditions to address building materials, streetscape elements and large scale graphics. The project facilitates access across the plaza and along the new proposed Foley Street extension, and thereby improves the access between the Orange Line Station and development district, and the rest of the City of Somerville.

C.2: Development Standards (6.4.15.B)

<i>Section</i>	<i>Required Finding</i>	<i>Met</i>	<i>Not Met</i>	<i>Comment</i>
6.4.15.B.1	Storage and warehouse uses shall be limited to a total FAR between 2.0 and 4.0.	X		Proposed FAR is 2.2.
6.4.15.B.2	All loading and parking areas are hidden from view from the public way located along the primary frontage of the Building or Buildings.	X		Loading areas are off an entry that is under the building.
6.4.15.B.3	Curb cuts are limited to no more than two on the site, regardless of street frontage.	X		Two curbcuts are proposed.

Section	Required Finding	Met	Not Met	Comment
6.4.15.B.4a	The Building or Buildings shall not have any uninterrupted or unfenestrated length of façade exceeding thirty-five (35) horizontal feet, within each vertical band that would appear to be a typical office or residential floor level, beginning with the Ground Floor of any Building or Buildings greater than one hundred (100) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least eight inches (8”) for every one hundred feet (100’) of facade length extending at least twenty (20) percent of the length of the façade. This standard shall not apply to facades of a Building or Buildings which face an Interstate highway or are otherwise covered by decorative elements approved by the SPGA	X		The proposed façade meets this requirement.
6.4.15.B.4b	The Building or Buildings shall 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 (70) percent of their horizontal length on all Ground Floor facades that face Public Ways or the Mystic River. Forty percent (40%) of this activated facade area on the Ground Floor of Building walls along primary and secondary streets shall consist of windows, display windows, or doors meant for public entry and exit. This standard shall not apply to facades of a Building or Buildings which face an Interstate highway.	X		The proposed façade meets this requirement. The staff recommends a condition to address the use of the display boxes behind the first floor windows that are directly against first-floor storage units.
6.4.15.B.4c	Pedestrian entries to any Self Storage Facilities under Section 7.11.12.4 or Wholesale Storage under Section 7.11.13.1 of the Table of Permitted Uses shall be similar to the design expected from an office, retail or residential use.	X		The applicant meets this requirements. The Planning Staff recommends a condition to review and approve the details of the pedestrian entry prior to construction.
6.4.15.B.4d	The Building or Buildings shall have a roof colored white to reflect heat.	X		The applicant has committed to meeting this requirement.
6.4.15.B.4e	Decorative non-commercial murals which are painted onto, or affixed to, the Building or Buildings shall not be considered Signage under this Ordinance.	X		The application identifies locations for decorative non-commercial murals on the building.
6.4.15.B.4f	Trellises or other structures erected for the sole purpose of growing vines or other forms of vegetation on the lot shall not be considered Signage, and shall not be considered in the calculation of setbacks, under this Ordinance.	X		Trellises are proposed on the rear first level of the building.
6.4.15.B.4g	Solar or wind power mechanical equipment shall not be considered in the calculation of Building height under this Ordinance.	X		No solar power equipment is anticipated to be built at this time, but the applicant has indicated an interest in adding solar panels which can be allowed without further review.

Section	Required Finding	Met	Not Met	Comment
6.4.15.B.5	The Building or Buildings are designed with floor heights and structural design to: a. Accommodate conversion of the ground floor to pedestrian oriented uses, and; b. Conversion of upper floors to residential or commercial use.	X		This condition has been met.
6.4.15.B.6	No signage shall be permitted on the roof of a self-storage facility.	X		No roof signage is proposed.
<u>C.3: Design Guidelines (6.4.15.C)</u>				
Section	Required Finding	Met	Not Met	Comment
6.4.15.C.1	Exterior building materials may include, but shall not be limited to, Architectural Metals, Architectural Concrete and Architectural Masonry.	X		The applicant has proposed a building with a masonry product called 'easy brick' as well as metal panels. The CMU material has been removed from the design. Planning Staff is requesting a condition to allow final review of material samples.

Appendix D: Additional Requirements for SPSR-A

Section	Required Finding	Met	Not Met	Comment
6.4.9.C.1	Traffic impact and proposed mitigation, if any, (should be) consistent with any applicable Transportation Study, Traffic Access and Impact Study and/or Transportation Demand Management Plan, and the goals and objectives of the ASD Plan	X		The applicant submitted a traffic study that adequately addresses traffic for this project.
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 application, with recommended conditions, meets this requirement.
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		This individual project helps facilitate these uses elsewhere in Assembly Square, while providing on-site storage use and retail/café use, as well as pedestrian and future vehicle connections between the site and East Somerville.
6.4.9.C.4	Additional Findings and Determinations: Prior to granting a Special Permit with Site Plan Review-A, the SPGA shall make findings and determinations as noted in 6.4.9.C.4	X		These additional findings address submittal requirements, criteria for review, impact on public services, site surface drainage, access to buildings, utilities, signage, transformers, screening, and shadow impacts. The project is consistent with these required additional findings and determinations.
5.2.5.a	<i>Information supplied.</i> Complies with the information requirements of Section 5.2.3	X		Applicants have submitted all the required information for the SPSR-A application.
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		Applicant has met individual SPSR-A findings as identified in this Appendix C.
5.2.5.c	<i>Purpose of district.</i> Is consistent with the intent of the specific zoning district as specified in Article 6	X		The overall plan is consistent with the intent of the specific zoning district.
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.
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 proposed building meets functional design standards.

Section	Required Finding	Met	Not Met	Comment
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		Impact of this project on public systems is minimal. Storage use does not create an impact on public services. The café/retail use is a small establishment. Impacts are likely to be less than the existing truck depot.
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 blighted site and redevelops a truck depot site with a structure that has significant benefits for the community.
5.2.5.h	<i>Consistency with purposes.</i> Is consistent with: 1) the purposes of this Ordinance, particularly those set forth in Article 1 and Article 5; and 2) the purposes, provisions, and specific objectives applicable to the requested special permit with site plan review which may be set forth elsewhere in this Ordinance, such as, but not limited to, those at the beginning of the various sections	X		The project described in the SPSR-A meets this finding.

Appendix E: Standards for Waivers

<u>E.1: Parking Waiver</u>				
Section	Required Finding	Met	Not Met	Comment
16.5.4	<i>Waiver of dimensional standards.</i> In order to maximize flexibility in the application of design standards to PUD projects, the SPGA may waive strict compliance with the standards of Section 16.5 upon making a determination that: (a) such a waiver would result in a better site plan than strict compliance with the stated standards; (b) the proposed PUD design furthers the Purpose and PUD Design Guidelines of this section; and (c) the granting of such a waiver will not cause detriment to the surrounding neighborhood.	X		The applicant is requesting a waiver from the compliance with the parking requirements of Section 9. The requirements were established with the assumption that warehouse space parking would be required for staffed warehouses that do shipping and receiving. The self-storage warehouse has much more limited daily traffic and parking demand. Supplying the full parking demand on the subject site would require much of the first floor of the structure as well as all of the lot area to be used to meet parking requirements. The result would be far more detrimental to comply with the PUD design guidelines than the proposed project. The proposed project also reserves open space for the future Foley Street Extension, a significant public benefit that further limits the ability to provide parking and establishes the benefit to the neighborhood by granting the proposed waiver. The total proposed waiver is in excess of 80 parking spaces. The applicant has addressed the concerns of the Traffic Engineer, and established that this project should be able to meet its parking need with the spaces provided on-site and nea
6.4.12.a.1	Strict enforcement of such standards or requirements would run counter to achieving the objectives of the ASD Plan;	X		As noted above, the standard is designed for a warehouse with staff doing active shipping work. The self storage warehouse has a much lower parking demand, and the demand is based upon the historic demand for similar structures elsewhere in the Boston area.
6.4.12.a.2	The application is substantially consistent with the objectives of the ASD Plan and advances the objectives of the ASD Plan;	X		The objectives of the ASD plan prioritize pedestrian realm and streetscapes over extensive parking requirements. Elsewhere in Assembly Square, sites have space to offer below-ground parking and shared parking options. On this site, the applicant is providing parking to meet the practical parking need on the site, and the remainder of the site is dedicated to design and uses that meet the objectives of the plan, instead of excessive parking.

Section	Required Finding	Met	Not Met	Comment
6.4.12.a.3	In the case of any Alteration of a Nonconforming Structure, a Change of Nonconforming Use, or a Major Amendment to an Approved PUD, such alteration, change or amendment shall conform, to the extent feasible, to the objectives of the ASD Plan	n/a		This finding does not apply in this case.
<u>E.2: Sign Waiver</u>				
16.5.4	<i>Waiver of dimensional standards.</i> In order to maximize flexibility in the application of design standards to PUD projects, the SPGA may waive strict compliance with the standards of Section 16.5 upon making a determination that: (a) such a waiver would result in a better site plan than strict compliance with the stated standards; (b) the proposed PUD design furthers the Purpose and PUD Design Guidelines of this section; and (c) the granting of such a waiver will not cause detriment to the surrounding neighborhood.	x		The site is located in close proximity to the interstate highway, where tall signs would allow for the building to be recognized by passing traffic, will help with the overall visibility of the building as well as the Assembly Square district, and would therefore be a benefit to the PUD design. The signs would not generally be visible other than on the highway, and would be no more distracting than the billboard currently on the site. Therefore, it will not be detrimental to the neighborhood. Planning Staff is recommending a condition to address sign size and technology, and with this condition finds that the waiver will not be detrimental.
6.4.12.a.1	Strict enforcement of such standards or requirements would run counter to achieving the objectives of the ASD Plan;	x		Strict compliance with sign guidelines would not be appropriate for the highway orientation of the upper levels of the building. A sign on top of the building for passing traffic is not unreasonable, and the pedestrian scale building design will be conditioned to ensure that it meets 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;	x		The objectives of the ASD plan prioritize pedestrian realm and streetscapes. This waiver will facilitate this project that will replace a truck depot with a building that is along the Middlesex Avenue sidewalk.
6.4.12.a.3	In the case of any Alteration of a Nonconforming Structure, a Change of Nonconforming Use, or a Major Amendment to an Approved PUD, such alteration, change or amendment shall conform, to the extent feasible, to the objectives of the ASD Plan	n/a		This finding does not apply in this case.

Appendix F: 50 Middlesex SPSR-A Conditions

#	Condition	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
A. General					
1	Approval is for a Special Permit with Site Plan Review - A under SZO Article 16 & §6.4.15 to construct an approximately 135,295 sf six-story building for self-storage use, café/retail use, bicycle storage, community meeting space, and a site with usable open space and 18 parking spaces.	Planning Director	Continuous		
2	Applicant will work with the City to develop the long term maintenance agreement and/or covenant for the Useable Open Space as required in Article 17 of the SZO. The agreement shall specify the requirements for public access and private maintenance of useable open space in the plan, as required by the SZO. The applicant shall build out and maintain all of the open space and allow public access to all of the useable open space in the plan as required by the SZO. The applicant will submit 100% construction plans for open space to the City for review and approval.	Planning Director	Prior to Building Permit		
3	The applicant and City shall sign a covenant that will indicate that the applicant will grant title, in fee, to the Foley Street Extension to the City of Somerville, and the City will provide an easement to the applicant for landscaping and maintenance until the Foley Street Extension is constructed.	Planning	Prior to Building Permit		
4	Should the entity construction Foley Street need to amend the Foley Street Extension plans, the updates shall be submitted to the Planning Board for review and approval, except that minor amendments to the PUD plans, including plans for the Foley Street Extension, may be approved by the Planning Staff. At a later date, the entity responsible for the construction of Foley Street may develop construction documents and construct the Foley Street extension based upon the information in sheets SP-2, LL-2 and OS-2, including full construction documents, without further Planning Board approval, provided they are consistent with the submitted documents.	Planning	Continuous		
5	The applicant shall make best efforts to secure from Massachusetts DOT the right to improve the area indicated as Area 8 on sheet OS-2. Evidence of an agreement with Mass DOT or a statement from Mass DOT indicating their unwillingness to participate in an agreement shall be provided to Planning Staff.	Planning Director	Prior to Building Permit		
6	Usable open space shall be accessible to the public at all times. City review of deed restrictions will be required prior to the issuance of Certificates of Occupancy.	ISD	CO / Continuous		

#	Condition	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
7	The applicant shall develop the community room use and access plan into an agreement for access that can be filed with review and approval of Planning Staff. The community room will be available to community groups at no charge, if those groups meet eligibility standards established by the applicant and approved by Planning Staff. At a minimum, the community room should be available during the working hours of either the retail/cafe space or the self storage office space.	Planning Director	Prior to Building Permit		
8	Prior to start of construction, the Applicant shall submit a report by an acoustical consultant, to establish that the proposed structure will create no net increase in noise on the west side of I-93.	Planning Director	Prior to Building Permit		
B. Transportation / Traffic Circulation / Pedestrian Circulation					
9	The applicant shall ensure that the entire sidewalk includes a five-foot clear walking zone. Trees of a minimum 4" caliper, and a species to be approved by OSPCD staff shall be installed in the locations noted on the plans. The applicant shall reset or replace curbs along the entire frontage of the property. The applicant shall stripe parking spaces along the street, and if required by Traffic & Parking shall also stripe parking spaces on the opposite side of Middlesex Avenue. All new sidewalks and driveways aprons must be constructed of concrete. Design of sidewalk treatments, street trees, landscaping, finishes, street furniture and other amenities shall be reviewed by the Planning Staff and City Engineer / DPW for approval prior to installation.	Planning Director / City Engineer / T&P	Prior to Building Permit		
10	The applicant shall develop a bike storage area use and access plan. The bike storage area should be available to interested users at no cost, and shall be managed and maintained by owner, the operator of the self-storage facility and/or the operator of the cafe/retail space. The bike storage area shall allow access to users at all times that the cafe/retail space is open.	Planning Director	With SPSR-A		
11	The applicant shall purchase and install 9 IPS Group single space parking meters or their equivalent as determined by Traffic and Parking, to be used in the neighborhood near the site at locations determined by Traffic and Parking. These parking meters are/will be programmable for both rates and time duration and will accept credit cards, cash or pay by telephone.	Traffic and Parking	Prior to certificate of occupancy		
12	Applicant shall furnish Planning Staff with copies of any permits from state agencies that may be necessary.	Planning / Traffic	Prior to BP		

#	Condition	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
13	Locations and design of handicapped accessible curb ramps shall be subject to the review and approval by the City Engineer. The applicant shall design and install ramps on the opposite sides of Middlesex Avenue and Kensington Avenue if required by the City Engineer and if not being completed by others in other work around Assembly Square.	City Engineer	BP		
<u>C. Water / Sewer / Drain Systems</u>					
14	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	BP		
<u>D. Urban Design</u>					
15	The applicant shall provide to the DRC, at a public meeting prior to the issuance of the building permit: 1) a presentation on the material to be used for the lower levels of the building ('easy brick') along with a discussion of color options for this material; 2) design of the illustrated graphical feature on the building 3) samples and information about lighting of the graphics and tower element and 4) design of graphics behind storefront and tower windows. The DRC shall provide guidance to the Planning Staff who shall retain final sign-off on these elements. Any change in these elements after the initial opening of the building shall be subject to a guideline that shall be established by the applicant, reviewed by DRC and approved by the Planning Staff.	Planning Director	Prior to Building Permit		
16	The applicant shall work with the owner of the billboard to address any need to move the pole or sign angles on the site. The applicant shall return to the Planning Board to address any plan to relocate the billboard, and shall address any impact of the relocation on the proposed building graphics, and views of the building and Assembly Square from the highway and Foley Street. Any plan to adjust the angle of the billboard shall be subject to review and approval by Planning Staff. This condition shall only apply to the extent that it is not inconsistent with the consent agreement between the City of Somerville and Ackerley (now ClearChannel).	Planning	Continuous		

#	Condition	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
17	Meetings will be held between representatives and design professionals, with one of each chosen by Applicant, Federal Realty Investment Trust, Mystic View Task Force and another arts or community group, to discuss and finalize details of the Assembly Square community graphics on the building regarding content, message, medium, design, materials, and form of said graphics. On or before the date of the completion of the core and shell of the building, said parties will submit recommendations regarding said graphics to OSPCD Staff, which shall then submit all such recommendations to the Design Review Committee for advice and comment. If the parties do not submit any recommendations, then the applicant shall work with Planning Staff to refine and approve the designs submitted to the Planning Board. If the recommendations require revisions of the plans approved by the Planning Board, then such revisions will be sought by Applicant.	Planning	Prior to completion of core and shell of building		
18	The applicant shall secure from the Board of Aldermen, any required licenses for occupying the space above the City sidewalk with canopies / overhangs.	Planning	Prior to Building Permit		
19	The applicant shall design up-lighting for the tower cornice, and this lighting design shall be reviewed by DRC and reviewed and approved by Planning Staff	Planning	Prior to Building Permit		
20	The applicant shall either provide material samples or develop an onsite mockup of the storefront design system, and shall provide the opportunity for Planning Board and DRC members to review and comment on the samples and/or mockup. The final design of the storefront design system shall be subject to the review and approval of Planning Staff	Planning Director	Prior to Building Permit		
<u>E. Signs</u>					
21	The applicant shall provide final sign designs to DRC for review and Planning Staff for review and approval. Advertising signage on the structure shall be limited to individual mounted letters, and lighting shall be indirect or shall be reverse channel lighting. No box signs shall be permitted. Translucent letters shown in the typical sign section on Sheet A2.02 shall be replaced with an opaque face 'reverse channel' light.	Planning Director	Prior to Building Permit		
<u>F. Trash and Recycling</u>					
22	The applicant must continue to provide interior disposal and storage systems for trash and recycling, including cardboard recycling, where required. Trash and recycling shall not be stored long-term outside of the building or dumpster enclosure.	Planning Director / DPW	Continuous		

#	Condition	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
G. Maintenance of Facilities					
23	Maintenance: The Applicant (or its successors/assigns) shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, publicly accessible open space, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order; and shall also be responsible for snowplowing on site. The applicant may delegate maintenance of the graphic elements and window displays but is responsible for ensuring that some entity is responsible for their upkeep, and that a graphical display remain in this display area at all times, except for brief periods when displays are being updated.	ISD	Continuous		
24	The applicant shall be responsible for maintenance of the building and all elements of its façade, indicating responsibility for care and strategies to ensure that materials are cleaned and that replacement materials are available when needed.	Planning Director	Continuous		
H. Demolition / Construction					
25	Site remediation shall proceed under the direction of a licensed site professional, as required by the Massachusetts Contingency Plan and according to a remediation plan filed under MGL 21E. All required findings shall be made with Massachusetts DEP prior to any demolition or development at the site.	Planning / ISD	BP / Continuous		
26	Immediately upon closing, the applicant shall provide to the City all 21E reports, and other environmental assessments, analysis, clean-up studies, enforcement actions and other environmental documentation available for the property, including documentation on underground storage tanks. The applicant shall provide any additional environmental reports to the City as they become available.	Planning Director	Upon Sale of property to Applicant		
27	The Applicant (or its successors/assigns) 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) if damaged as a result of construction activity.	DPW	Certificate of Occupancy		
28	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.	ISD / DPW	During Construction		
29	The Applicant (or its successors/assigns) will provide notice of intent to comply, to the maximum extent feasible, strategies during demolition and construction to mitigate dust and control air quality, to minimize noise and to implement a waste recycling program for the removed debris.	ISD	Prior to demo permit		

#	Condition	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
30	The Applicant (or its successors/assigns) shall develop a demolition plan in consultation with the City of Somerville Inspectional Services Department. Full compliance with proper demolition procedures shall be required, including timely advance notification to abutters of demolition date and timing, good animal control measures, minimization of dust, noise, odor, and debris outfall, and sensitivity to existing landscaping on adjacent sites.	ISD	Prior to demo permit		
31	The project proponent must take steps to minimize storm water quality impacts from construction activities by developing and implementing a plan for erosion and sediment controls. This plan should focus on preventing storm water run-off from eroding soils disturbed and running into catch basins and drainage swales.	ISD / Engineering	Prior to demo permit		
<u>I. Linkage</u>					
32	The applicant shall make linkage payments. The applicant shall supply to the Planning Board and Staff a signed linkage agreement indicating that the applicant will contribute \$411,703.45 as the Project Mitigation Cost (PMC) to the Somerville Housing Trust Fund, either in a lump sum or over five equal annual payments.	Planning Director / Housing Director	Agreement to be signed prior to filing of Planning Board's decision with City Clerk	GP	condition met: Agreement was delivered on April 26, 2011.
<u>J. Hours of Operation</u>					
33	The applicant shall provide to Planning Staff for their review and approval the hours of operation for the tenant at the retail/café site.	Planning Director	Prior to CO for café/retail space		
<u>K. Crosswalks</u>					
34	The applicant shall provide to Traffic & Parking, Engineering and to Planning Staff, a design for a crosswalk to each side of Foley Street. This shall be reviewed for technical compliance and for impact on the street and sidewalk design and the other work in this area of Assembly Square. It shall also be compared to work being completed by others as a part of the Assembly Square infrastructure improvements. If these crosswalks are not being done by others, and if they are approved by Traffic & Parking, the City Engineer and the Planning Director, the applicant shall install the crosswalks from the project site to each side of Foley Street.	Traffic and Parking; Planning Director; DPW	Prior to certificate of occupancy		