



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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PLANNING DIVISION

PLANNING BOARD MEMBERS

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REBECCA LYN COOPER
GERARD AMARAL, (ALT.)

Case #: PB 2006-59-R3-01/2016
Site: Assembly Row PUD Preliminary Master Plan
Date of Decision: February 18, 2016
Decision: Petition Approved with Conditions
Date Filed with City Clerk: March 1, 2016

PLANNING BOARD DECISION

Applicant Name:	Street Retail, Inc.
Applicant Address:	1626 East Jefferson Street, Rockville, MD 20852
Property Owner Name:	Street Retail, Inc, et al
Property Owner Address:	1626 East Jefferson Street, Rockville, MD 20852
Agent Name:	Robert A. Fishman
Agent Address:	155 Seaport Blvd, Boston, MA 02210

Legal Notice: Applicant, Street Retail, Inc. and Owner 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, SRI Assembly Row B9, LLC (Collectively, Tenants in Common) seek approval of a Major Amendment of a preliminary master plan (S.Z.O. §16.11.3) under Planned Unit Development (PUD-PMP) PB 2006-59-R2(05/2014) approved by the Planning Board on December 14, 2006 and as revised on August 5, 2010 and June 19, 2014 to change condition 39.2.

Zoning District/Ward: Assembly Square Mixed Use District (ASMD); Planned Unit Development Overlay District - A (PUD-A) / Ward 1

Zoning Approval Sought: §16.11.3
Date of Application: January 18, 2016



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<u>Date(s) of Public Hearing:</u>	February 18, 2016
<u>Date of Decision:</u>	February 18, 2016
<u>Vote:</u>	5-0

Appeal #PB 2006-59-R3-01/2016 was opened before the Planning Board at Somerville City Hall on February 18, 2016. 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 request of Federal Realty Investment Trust is to edit a condition of the Assembly Row Planned Unit Development Preliminary Master Plan approval to remove the requirement to submit a design guideline for the stand alone daycare facility on Block 11.

The Planning Board granted the Planned Unit Development-A-Preliminary Master Plan (PUD-PMP) approval on December 14, 2006, subject to certain conditions (PB2006-59). On August 5, 2010 (PB2006-59-R-0710) and June 19, 2014 (PB2006-59-R2-0514), the Board granted revisions to the PUD-PMP. Subsequent minor amendments and subdivisions have been filed that do not substantially impact this site.

Condition 39.2 of the 2014 revision to the Master Plan approval states:

“[d]esign guidelines for Blocks 5, 7, 8, phase 2 and daycare of block 11 shall be reviewed by the DRC and reviewed and approved by the Planning Board prior to the Planning Staff entertaining the SPSR-A applications for these blocks.”

The request is to strike “daycare of block 11” from this condition.

Condition 39.4 contemplated that if the footprint of the daycare facility was situated to improve the pedestrian experience along Grand Union Boulevard, mitigate the impact of the parking garage, and provide an opportunity for future retail frontage along the Boulevard, the design guideline submission may be waived.

Condition 39.4: “Applicant shall consider alternative designs for the footprint of the parking garage and daycare on Block 11. The applicant shall work with Planning Staff on the final location of the footprint of the parking garage and daycare to determine if an alternative design will provide adequate parking and daycare functions while improving the pedestrian experience along Grand Union Boulevard streetscape, improving the impact of the garage on the block 11 park, and providing an opportunity for future retail frontage along the Boulevard. These alternatives shall be reviewed by Planning Staff for comment and may be substituted for the approved design guideline with the SPSR-A presentation before the Planning Board.”

SZO REGULATIONS:

Section 6.4.10.F.4 of the Somerville Zoning Ordinance, identifies that for modifications to approved PUDs in the Assembly Square Mixed Use District, the provision of Section 6.4.10.F shall apply and shall govern over any other provisions of the Ordinance that may require permit approvals in addition to those stated. Section 6.4.10.F.3 identifies that the site plans, grading/drainage plan, landscaping plans, utility plans and/or other plans approved in connection with an Approved PUD may be modified as specified in Section 16.11.3. Section 16.11.3 sets parameters for major and minor changes and Staff determined that a substantive change to a condition is a major change that needs to be reviewed by the Planning Board.



BACKGROUND & COMPLIANCE WITH STANDARDS:

Design guidelines were adopted as part of the Preliminary Master Plan (PMP) approval for the blocks in the PMP to lay out the form and key elements of the Blocks. The PMP condition requiring design guidelines for future phases of Block 11 was originally written with the understanding that phase 2 would include the daycare and addition to the office building; however, the daycare is now being proposed independently from the office expansion. The small size and single use of the building makes it easier to review without the first step of the design guideline.

The daycare building's design was created prior to the Applicant being aware that the design guideline should formally be created and approved. That being said, iterations of the design were shown to staff and the DRC reviewed the current design to ensure that it fits into the context of the Master Plan. The proposed design of the daycare facility is shown on the plans entitled "Assembly Row Child Care Center" created by D.W. Arthur Associates Architecture, Inc. dated February 8, 2016. These plans are attached to the SPSR-A application that is currently before the Planning Board.

The plans meet the goal of condition 39.4 that waived the design guideline requirement. The building has a human scale, creates a streetwall along Grand Union Boulevard, and partially screens view of the large parking garage located behind it. It also addresses the bi-directional flow of people to the site and does not turn its back to the street by having two main entrances on the eastern and western sides of the building.

The façade treatment and material quality is high for all sides of the building. The northwestern corner is the main focal point of the building which is where the entrance from the street is located. The corner has a playful façade with rectangular panels and windows in an irregular pattern. The first floor along the western face becomes a different mass that projects outward and follows the sidewalk line. This part of the building has a simpler design with wood clapboards. The clapboards are interrupted in three places to provide inset windows that are at an angle to provide a visible break in the wall and light into activity spaces. Staff worked with the applicant to make this façade as transparent as possible to engage pedestrians. The need for privacy of the daycare classrooms and space for some back-of-house operations causes the number of windows to be limited to three. The Applicants worked to make these openings as interesting as possible. The DRC suggested adding benches that are incorporated into the landscaping to break up the long extent of the building. The benches are a recommended condition of the SPSR-A approval for the daycare.

The second floor continues the panel design. The second floor footprint is approximately half that of the first floor. There is a curved canopy on the second floor that creates covered outdoor space on the roof of the first floor. A metal fence with a cross hatched pattern will enclose this outdoor space. The rear of the building will be mostly clad with clapboard and will have portions that are inset or lined with trim pieces to provide depth to the building. There is a grand stair from the second floor directly to the at-grade playground area.

The proposed design accomplishes the intended goals that a design guideline would have laid out. The footprint of the daycare facility is situated to improve the pedestrian experience along Grand Union Boulevard, mitigate the impact of the parking garage, and provide an opportunity for future retail frontage along the Boulevard.

DECISION:

Present and sitting were Members Kevin Prior, Joseph Favaloro, Michael Capuano, Rebecca Lyn Cooper and Gerard Amara with Dorothy Kelly Gay absent. Upon making the above findings, Kevin Prior made a motion to approve the request to amend the Planned Unit Development Preliminary Master Plan. Michael Capuano seconded the motion. Wherefore the Planning Board voted **5-0** to **APPROVE** the request. In addition the conditions in the Appendix were attached.



Date: March 1, 2016
Case #:PB 2006-59-R3-01/2016
Site: Assembly Row Planned Unit
Development Preliminary Master Plan



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Attest, by the Planning Board:



Kevin Prior, Chairman



Joseph Favaloro



Michael A. Capuano, Esq.



Rebecca Lyn Cooper



Gerard Amaral

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 _____



Appendix: Assembly Square PMP Revision 2016: Conditions (prior revision March 12, 2011 per PB 2006-59-MA8-3/2012) *Notes Updated 06.12.2014*

#	Condition	Completed Since 2006	No Longer Relevant	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
<i>This amended condition list reflects the conditions to the 2006 approval as amended by the Planning Board for approval of the 2010, 2014, 2016 revisions (as amended per Case 2006-59-MA8-3/2012). The conditions below shall supersede the PMP conditions approved in 2006, 2010 & 2016. The Applicant agrees that if it is determined that the Planning Board determines that a condition from the 2006 PUD PMP approval decision has been omitted from this decision through error, the Planning Board shall have the right to enforce such condition. Language that was expressly deleted in the staff report and does therefore not appear in these conditions shall not be deemed to have been omitted from this decision through errors.</i>							
A. General							
1	Approval is based upon the revised Preliminary Master Plan submitted by Vanasse Hangen Brustlin, Inc. stamped in at the City Clerk's office on May 15, 2014, including Preliminary Masterplan Grade Level R-101, Upper Retail Plan R-102, Typ. Upper Level Plan R-103, Roof Plan R104, Below Grade R-100 dated April 23, 2014, Amended Preliminary Master Plan site plans including pages C-1 through C-17 dated May 15, 2014, C-18 dated June 9, 2014, C-19 dated May 15, 2014, Sv-1 through Sv-13 dated March 9, 2012, Right of Way Plan pages 1-5 dated May 6, 2014, Open Space Plan dated May 12, 2014, Assembly Row Design Guidelines dated Rev May 2014. Any changes to the submitted application material that are not de minimis must receive Planning Board approval, unless such changes are designed only to establish compliance with one of the conditions of this PMP approval. The approval of this PMP does not incorporate any of the following items: a) Any interior layout of buildings; b) Locations of and specifications for elements of the public right of way to be covered in the maintenance agreement per Condition #3 and #4; c) Design details within individual open spaces to be reviewed per Condition #5; d) Any off-site design including but not limited to design on MBTA and/or DCR land.	-	-	Planning Director	Continuous	LM	
2	The approval of this PMP shall be considered to be approval of the width of roadway and rights-of-ways. For each street, 100% street design plans, consistent with the PMP and the City's Complete Street Ordinance, must be filed with the City Engineer, Traffic and Parking Director, and Planning Director for review and compliance with city standards and sound engineering practices. Applicant shall provide detailed roadway marking plans and cross sections, including bicycle and pedestrian design details (markings, signals, crosswalks, street furnitures, etc.) Bike lanes shall at a minimum be located on Revolution Drive. All modes must be considered and accommodated in these details, and NACTO minimum accommodations incorporated.	-	-	Planning Director / City Engineer / T&P Director	Continuous	LM per RK	Complete for streets surrounding Blocks 1-4. See letter from Rob King dated Nov 14, 2012. Dedicated bike lane on Foley became a shared bike lane in Phase 1B streetscape improvements.
3	Applicant will work with the City to develop the long term maintenance agreement noted in Section 12.1B of the application form that will provide for the Proponent's commitments to the City relative to maintenance of the elements of the public right of ways including sidewalk treatments, street trees, landscaping, finishes, street furniture and other amenities. The City will not maintain anything that is not consistent with City standard, unless otherwise approved by the City Engineer.	X	-	Planning Director / City Engineer	Prior to Start of Work Beyond Core & Shell of Building (excluding construction of Blocks 1, 4, & 10)	LM	Signed May 2012

#	Condition	Completed Since 2006	No Longer Relevant	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
3.1	Applicant shall submit revised attachments and updated amendments (based upon design changes in this amendment) to the Long Term Maintenance Agreement to be reviewed and approved by City Staff. The Agreement will provide for the Proponent's commitments to the City relative to maintenance of the elements of the public right of ways including sidewalk treatments, street trees, landscaping, finishes, street furniture and other amenities. The City will not maintain anything that is not consistent with City standard, unless otherwise approved by the City Engineer.	-	-	Planning Director / DPW	Prior to BP of Blocks, 5,6,7,8,9,11, whichever is first.		
3.2	Applicant shall submit a revised Easement Agreement, based upon design changes in this amendment (originally entered into as of Nov 29, 2012) to be reviewed and approved by the City.	-	-	Planning Director / DPW	Prior to BP of Blocks, 5,6,7,8,9,11, whichever is first.		
4	Pursuant to #3 above, design of sidewalk treatments, street trees, landscaping, finishes, street furniture and other amenities that are to be maintained by the Applicant will not be subject to City approval but shall be submitted to the City Engineer and Planning Director for comment.	-	-	Planning Director / City Engineer	Prior to opening of any new public street in the project (other than Assembly Square Drive)		
5	Applicant will work with the City to develop the long term maintenance agreement 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 comment.	X	-	Planning Director / City Engineer / DPW	Prior to Start of Work Beyond Core & Shell of Building (excluding construction of Blocks 1, 4, & 10)	LM	Signed May 2012
5.1	Applicant shall submit revised attachments and updated amendments to the long term maintenance for the Useable Open Space agreement to be reviewed and approved by City Staff. The new green space on Block 11 shall be included in a new or amended Useable Open Space agreement.	-	-	Planning Director / DPW	Prior to CO of Blocks, 5,6,7,8,9,11, whichever is first.		
6	The applicant will submit a plan amendment to subdivide all public roadway right of way from development blocks, to be approved by the Planning Board, per the SZO, and filed with the Middlesex South Registry of Deeds. Any minor plan changes to this initial subdivision will be reviewed for approval by the Planning Director and Director of Traffic and Parking as a minor plan change.	-	-	Planning Director	Prior to Building Permit for any of blocks 1, 2, 3, 4, 5, 6, 7, 8, or 9		Subdivision Plan of Land in Somerville, MA dated Nov 18, 2011. Middlesex Registry of Deeds, Southern District Registry Plan No. 880 of 2011, recorded 12-28-2011. Revisions necessary. Easement agreement will retain point park and median park as owned by the applicant with public access easements granted to the City.

#	Condition	Completed Since 2006	No Longer Relevant	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
7	The financial statement submitted by the Applicant with the original PMP shall be considered to be for informational purposes only. No portion of that document shall be a binding upon the Applicant or the City.	X	-	-	-	LM per prior approval	
B. Transportation / Traffic Circulation							
8	Applicant shall revise the Traffic Impact Assessment Study (TIAS) in consideration of comments included in the Peer Review memorandums prepared by FST reviewing Existing Conditions, No-Build Conditions, and Build Conditions, consistent with MEPA review.	X				LM per prior approval	Completed with IDEA SPSR-A and DEIR
9	Major actions to be taken prior to Phase 1A include: expanding the impact study area, documenting/justifying trip proposed generation rates, trip distribution, and trip reduction rates.	X				LM per prior approval	Completed with IDEA SPSR-A and DEIR
10	Applicant shall consider issues discussed in Peer Review Memoranda. The Board shall consider the Peer Review Memoranda or any additional information when considering permit applications.	X	-	-	-	LM per prior approval	FST reviewed the compliance with the memo prior to approving the 100% design of mitigation associated with the IKEA permit and determined that these comments were addressed.
10.1	Applicant shall review parking supply and demand data with the Traffic and Parking Division and Planning Division staff on an annual basis. Based on the data, the Applicant shall work with the Planning Division staff in circumstances where parking is not being used, to encourage shared parking for uses within the same structure and uses on other blocks in the development site.	-	-	Director Planning & T&P	Addressed with each SPSR-A application		
11	All mitigation involving traffic signal upgrades must include specific discussion and documentation of the ability of all controllers to be left in place to fulfill the functions required of them by proposed mitigation.	X	-	-	-	LM per prior approval - may need review for future development	Addressed during review of IKEA mitigation
11.1	Prior to occupancy of office uses within any development block, the Applicant shall submit for review and comment by the Planning staff, a Transportation Demand Management Plan designed to minimize the amount of parking demand associated with the development, reduce single-occupant vehicle trips in and around Somerville, and encourage a transportation mode split where 50% of trips are made by walking, bicycling, or public transportation. The TDM plan shall consider commitments to the implementation of automobile trip reduction measures including, but not limited to, the following: Ride-sharing incentives, matching services, and information dissemination Facilities for cyclists, including long-term bicycle storage and showers Preferential parking locations for high-occupancy vehicles (carpools & vanpools) Mass-Transit information dissemination Incentives and/or direct subsidies for Hubway memberships and/or MBTA passes Direct links or pedestrian connections to mass transit stations Flexible working hours Telecommuting Shuttle services	-	-	Director Planning & T&P	Addressed with each SPSR-A application		
12	The Applicant shall consider all recommendations referenced in the Traffic Impact and Access Study Memo; On-Site Circulation Memo; and the Pedestrian and Bicycle Circulation Memo prepared by Fay, Spofford & Thorndike (FST).	X				LM per prior approval	Completed with IDEA SPSR-A and DEIR

#	Condition	Completed Since 2006	No Longer Relevant	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
13	Applicant identifies the U-Turn Slot as proposed transportation mitigation. If the Foley Street Connector is proven to be feasible (and is approved by MEPA and MassDOT as an alternative to the U-Turn Slot), the applicant will work with the City of Somerville to substitute the City's proposed Foley Street Connector for the U-turn slot, and put any mitigation support that was proposed for the U-turn slot towards the Foley Street Connector.	-	-	Planning Director	upon approval by DOT and MEPA		
14	Applicant shall work with the MBTA and the City of Somerville to identify and provide the necessary roadway/sidewalk infrastructure for a bus route through the site to provide safe and convenient access to the MBTA Station, the Assembly Row neighborhood including Baxter Park, Partners, and the Marketplace. Applicant shall design, construct, and/or reconstruct up to 8 accessible bus stops (4 in each direction) within and/or surrounding Blocks 1,2,3,4,5,6,7,8,11 per MBTA's Bus Design Guidelines. Up to 1 stop in each direction must provide for a layover location. Plans for the right of way development shall not preclude having a bus stop to be located at Assembly Square 'T' Station. 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			
15	Applicant will be oppose the City renaming the portion of Great River Road that is parallel to the railroad tracks pursuant to Section 12.1 and 2-309.5 of the Code of Ordinances. Street names that are the same or similar to names already used in Somerville shall not be permitted.	-	-	Planning Director	Prior to opening of Block 6	LM	
15.1	Applicant will work with the city to provide at least one Hubway Bike Share Station (minimum 12 docks / 8 bicycles) within a 1/4 mile of the Assembly Square MBTA station entrance. Applicant shall purchase and install of at least one such bike share station (total cost estimated to be \$50,000). Applicant shall work with the city and the MBTA as applicable to place the station at a site location approved by the city. The funding shall be provided at such time as the City's Hubway bike share system expands to cover the East Broadway area. The best possible location may require the transformation of surface parking spaces or the construction of a concrete pad, which shall be completed by the applicant. The locaton and design of the station site shall be agreed upon by the applicant and the OSPCD Transportation & Infrastructure division staff.			Transportation & Infrastructure	Expansion of Hubway into East Somerville		
15.2	The Applicant shall provide short term bicycle parking spots in a quantities and locations consistent with the requirements of the SZO. Bicycle parking on the sidewalk shall be provided as follows unless City Staff waive the requirement based on a technical limitation to a location. Bike parking on the sidewalk should be within 50' of each entrance with a minimum of 1 spot per 40,000 sf; OR 19% of the bicycle parking shall be provided within 50 feet of the main egress point of the building, whichever is greater. Short term bicycle parking not accommodated directly at the entrance must be easily visible or clearly signed in parking garage. Public covered long term bike parking within the garage or bicycle room must be provided at ground level and signed from a public entrance. At least half of the racks must confirm to standard city design guidelines, while the other half of long term may be hanging type bicycle storage.	-	-	Planning Director	Continuous		

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16	The PMP is approved with a cap in the total number of parking spaces within the PUD area. A new cap will be determined based upon an updated 'shared use analysis' provided by the applicant. This analysis shall be similar in methodology to the 'shared use analysis' created by Walker Parking Consultants, dated March 26, 2009 and submitted with the FEIR. The inputs into this analysis will be based upon the new development program, including the Assembly Row blocks and Block 11. The existing parking lots and parking demand for the Marketplace may be excluded from the analysis. The analysis will establish overall parking demand for the Project based upon shared parking strategies, parking ratios, capture rates, and mode splits appropriate for the nature of this transit-oriented mixed-use project. The cap will be approved by planning staff, after the review and approval of the updated analysis by the planning staff. The staff reserves the right to have a peer review of the analysis by a reviewer selected by the staff.	-	-	Planning Director	Continuous		
17	Reserved.						
17.1	Should the Applicant install traffic lights in the future, there must be a video traffic signal control technology equipment at each intersection with the new signal, subject to the approval of the Director of Highway, Lights and Lines and Traffic and Parking.	-	-	Director of Highway, Lights & Lines and T&P	Installation of traffic lights		
17.2	If any intersections were designed with two way Stop signs in accordance with MassDOT design standards and the applicant requests 4 way Stop control intersections, then the applicant must have a Traffic Engineer prepare a Warrant Analysis and submit same to Traffic and Parking for review and approval. The Warrant Analysis must indicate that the intersections in question meet the standards of the MUTCD for a 4 way Stop control intersection.	-	-	Director of T&P	Installation of 4 way stop controls		
C. Water Systems							
18	Design and construction phasing of the water 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.	-	-	City Engineer	Prior to trench permit for roadway construction		
19	Applicant shall conduct additional hydraulic analyses to ensure that the City's system is capable of meeting the adjusted demands throughout the project. Applicant shall meet fire flow requirements while maintaining a minimum pressure of 20 psi at the fire location. In accordance with DEP guideline, a minimum pressure of 35 psi shall be maintained throughout the distribution system during normal demand conditions.	X	-	-	-	LM per prior approval may need to be revised with future development	Completed between 2006 PMP approval and application for SP for the IKEA.
20	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.

#	Condition	Completed Since 2006	No Longer Relevant	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
21	Roadway construction plans shall provide for hydrants, as required to ensure adequate fire protection for the site in compliance with applicable local, state, and federal requirements as determined by the Fire Chief and City Engineer.	X	-	Fire Chief / City Engineer	Prior to trench permit for roadway construction		
22	Applicant shall install valves at each intersection, and correspondingly show and label on all drawings. All tees, bends, reducers, and other fittings should also be labeled on the drawings.	-	-	City Engineer	Prior to trench permit for roadway construction		
23	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.	X	-	City Engineer	Prior to trench permit for roadway construction	LM per prior approval	City Engineer has reviewed and signed-off on infrastructure plans showing water connections. See 11/14/12 letter from Engineer
D. Sanitary Sewer Systems							
24	Design and construction phasing of the sanitary sewer 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.	-	-	City Engineer	Prior to trench permit for roadway construction		
25	All SPSR-A submissions shall include profiles of the proposed sewer system. Applicant must ensure that there are no conflicts with other proposed utilities.	X	-	City Engineer	Prior to Building Permit for any of blocks 1, 2, 3,4, 5,6, 7, 8 or 9	LM per prior approval	
26	Applicant shall submit details of proposed pipe materials for review and approval during each SPSR-A process.	X	-	City Engineer	Prior to Building Permit for any of blocks 1, 2, 3,4, 5,6, 7, 8 or 10	LM per prior approval	
27	Applicant shall make every effort to comply with DEP requirement that states "whenever possible" a minimum horizontal distance of ten feet shall be maintained between sewer lines and water mains. Exceptions are usually only allowed when there are conflicts with existing utilities or existing structures that would prevent obtaining the proper separation.	-	-	City Engineer	Prior to trench permit for roadway construction		
28	Applicant shall evaluate the impact the proposed project flows will have on the MWRA interceptor and the upstream and downstream municipal sewer system.	X	-	-	-	LM per prior approval	This has been addressed with approval of the sewer connection permit for Assembly Square Drive in September 2009
E. Stormwater Management System							
29	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.	-	-	City Engineer	Prior to trench permit for roadway construction		

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30	Applicant shall provide additional information to the Planning Board to verify the adequacy of the existing MWRA 84-inch Somerville Marginal Conduit	X	-	-	-	LM per prior approval	New outfall will provide relief to the Marginal Conduit. IKEA is allowed a temporary connection to the Conduit, but otherwise the project will not impact the Conduit.
31	Applicant shall provide the Planning Board with a status report on the receipt of necessary permits from MWRA.	X	-	Planning Director	Continuous		
32	Applicant shall provide a more detailed analysis of the site hydrology for existing and proposed conditions during the 2-, 10-, and 100-year storm events.	X	-	-	-	LM per prior approval	Addressed in MEPA DEIR and Con. Comm. Review
33	Applicant shall meet with DCR and obtain any and all necessary permits from DCR. Applicant shall furnish the Planning Board with copies of these permits.	-	-	Planning Director	Continuous		
34	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		
35	Applicant shall provide a detailed series of Best Management Practices (BMP's) to demonstrate a total suspended solids (TSS) removal rate of at least 80 percent. Plans shall include locations of all proposed BMP's.	X	-	-	-	LM per prior approval	BMP Plan approved by Conservation Commission
36	Applicant shall provide a detailed soil erosion control plan prior to construction of roadways and/or utilities. Soil erosion plans shall also be required with each SPSR-A application.	-	-	City Engineer / Con. Comm. where applicable	Prior to trench permit for roadway construction and/or SPSR-A		
38	Activities within the jurisdiction of the Somerville Conservation Commission shall be conducted subject to applicable requirements of the Commission.	-	-	Con. Comm.	Continuous		
39	The applicant shall commit to providing low impact development stormwater management elements in the Block 4 open space, to be designed with the review and approval of the City Engineer for consistency with best practices for stormwater management.	X	-	Planning Director / City Engineer	Prior to trench permit for roadway construction		
F. Urban Design and Design Guidelines							
39.1	A View Corridor Marker, as described in the Assembly Row Design Guidelines, shall be added to Block 11 on the parking garage or in front of it to establish an interesting terminus to the view corridor from median park looking through the 2-story portal. The marker shall be of greater interest than a stair tower for the garage. The design shall be reviewed by the DRC and reviewed and approved by Planning Staff.	-	-	Planning Director	Prior to SPSR-A approval for Block 11		
39.2	Design Guidelines for Blocks 5, 7, 8, and future phases of block 11 excluding the daycare shall be reviewed by the DRC and reviewed and approved by the Planning Board prior to the Planning Staff entertaining the SPSR-A applications for these blocks.	-	-	Planning Director	Prior to SPSR-A submission for Blocks 5,7,8, phase II of Block 11		

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39.4	Applicant shall consider alternative designs for the footprint of the parking garage and daycare on Block 11. The applicant shall work with Planning Staff on the final location of the footprint of the parking garage and daycare to determine if an alternative design will provide adequate parking and daycare functions while improving the pedestrian experience along Grand Union Boulevard streetscape, improving the impact of the garage on the block 11 park, and provide an opportunity for future retail frontage along the Boulevard. These alternatives shall be reviewed by Planning Staff comment and may be substituted for the approved design guideline with the SPSR-A presentation before the Planning Board.	X	-	Planning Director	Prior to SPSR-A for Block 11	LM	The footprints of the daycare and garage were altered to try best to achieve these goals. The 2016 PUD amendment removed the design guideline requirement for the daycare.
40	Applicant shall review with the Fire Chief and the City the geometry of Revolution Drive, including its intersection with Grand Union and Assembly Row.	X	-	-	-	LM per prior approval	
41	Reserved.	X	-	-	-	LM per prior approval	
41.1	The site plan may be altered to accommodate the reconfiguration of the access driveway into the parking garage off of Revolution Drive into Block 11, such that it removes the pedestrian conflict from the headhouse, IF the southern headhouse is reconfigured by the Applicant in coordination with the MBTA.						
42	Applicant shall study integrating the T-Station into the site plan and creating visibility for the presence of the T-Station at the terminus of Revolution Drive/Foley Street and a plaza and arrival sequence that connects more directly to the Assembly Square Park on Main Street. Maximizing T-Station visibility shall be a factor in considering applicable site plan proposals.	X	-	-	-	LM per prior approval	
42.1	Foley Street and Revolution Drive shall have wayfinding and strong pedestrian connections to the MBTA headhouses with review and approval of the elements by the Planning Staff.	-	-	Planning Director	Prior to BP for Block 8		
43	Prior to any SPSR-A submission that involves the use of current DCR land or shall reconfigure the development within the requirements of the Master Plan and the applicable regulations of the SZO.	X	-	Planning Director	Prior to SPSR-A submission		Block 2 involved changes. Condition may be triggered in the future.
44	Reserved.						
45	The Applicant shall design and make improvements to the following pedestrian crossings: Lombardi Drive during Block 1A submission; Kensington Avenue during Phase 1A submission	X	-	-	-	LM per prior approval	This condition is complete
46	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.	X	-	Planning Director	Prior to CO for first SPSR-A in mixed-use area		Design is complete - not yet open
47	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.	-	-	Planning Director	Addressed with each SPSR-A application		Complete to date but continuous.
48	At the time of submittal of development on Block 1, 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 Block 2 where underground parking has received a waiver to be closer than 150 feet and the building has received a waiver to be 142 feet from the River	X	-	Planning Director	Addressed with each SPSR-A application		Complete to date but continuous.

#	Condition	Completed Since 2006	No Longer Relevant	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
49	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.	X	-	City Engineer	Prior to installation of street trees	LM per prior approval	City Engineer has reviewed and signed-off on infrastructure plans including landscape plans. See 11/14/12 letter from Engineer
50	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;	-	-	City Engineer	Prior to trench permit for roadway construction or Certificate of Occupancy, whichever is applicable		City Engineer has reviewed and signed-off on infrastructure plans. See 11/14/12 letter from Engineer

#	Condition	Completed Since 2006	No Longer Relevant	To Be Evaluated By:	Timeframe for Compliance	Verified (initial)	Notes
51	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. 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 shall supercede this condition.	X	-	Planning Director / City Engineer	Prior to Start of Work Beyond Core & Shell of Building (excluding construction of Blocks 1, 4, &10)	LM per prior approval	COS-FRIT maintenance agreement has been executed.
52	Applicant shall provide details of the pedestrian connection from Assembly Square to Draw 7 Park under the railroad bridge.	X	-	Planning Director	Prior to trench permit for roadway construction in A Street	LM per prior approval	City Engineer has reviewed and signed-off on infrastructure plans/plans. See 11/14/12 letter from Engineer
53	Applicant shall include a landscape buffer between the tracks and the proposed development along the Great River Road multi-use path that leads to the T-Station.	X	-	Planning Director	Prior to CO for Block 2, 4 or 6, whichever is first	LM per prior approval	Block 2 contains landscaping btw the block and boathouse
54	Applicant shall show the future potential pedestrian connection from the proposed Assembly Square T Station to Draw 7 Park. The design of the project and T Station shall not preclude the ability for the future design and construction of a direct pedestrian connection from the Station into the park. (The Applicant is not expected to construct the pedestrian connection, but merely to show it in the plans in the event that enough federal and state monies are available to construct such a connection as part of the T station.)	X	-	Planning Director	Prior to trench permit for roadway construction	LM per prior approval	City Engineer has reviewed and signed-off on infrastructure plans/plans. See 11/14/12 letter from Engineer
55	Applicant shall plan for a drop-off location and taxi stand for the MBTA station as a part of roadway design.	X	-	Planning Director / City Engineer / T&P Director	Prior to any new public street in the project (other than Assembly Square Drive)		City Engineer has reviewed and signed-off on infrastructure plans/plans. See 11/14/12 letter from Engineer
56	Applicant will consider plans to link the Mystic River Park clearly to the surrounding street circulation for bicyclists and pedestrians to the T Station prior to Phase 1A.	X	-	-	-		addressed during IKEA permit - to addressed with future development
57	Applicant shall provide additional details to better define the "series of pocket parks" described in the PUD submission.	X	-	-	-		Complete to date but continuous.

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58	Applicant shall depict the locations and design of handicapped accessible curb ramps for review and approval by the City Engineer.	X	-	City Engineer	Prior to installation of sidewalk	LM per prior approval	City Engineer has reviewed and signed-off on infrastructure plans. See 11/14/12 letter from Engineer
59	Applicant shall continue to work with the City on the design of the proposed median on Assembly Square Drive in order to maximize the amount of useable open space.	X	-	-	-	LM per prior approval	Median park proposed.
60	The applicant shall provide a design guideline for all signage within the PUD area for review by the DRC and approval by the Planning Board.	X	-	Planning Director	Prior to issuance of building permit for retail tenant space beyond the core & shell, except Block 10	LM	PB approved March 21, 2013
61	The relocation or reconfiguration of temporary boat storage shall require SPSR-A.	X	-	Planning Director	Continuous	LM	Done - SPSR approved
61.1	The Applicant shall work with Planning Staff to determine if there is a location to relocate Assembly Square's historic water tower and incorporate it into the landscape onsite. The location and design shall be reviewed and approved by Planning Staff.	-	-	Planning Director	Prior to CO for Block 7 or 8, whichever is first		
62	The applicant shall use reasonable efforts to secure LEED-ND approval for the project.	-	-	Planning Director	Prior to CO for first development in Mixed-Use area		Applicant says meets all of LEED-ND standards except one LEED building in the development so keeping condition open to check on future buildings by Federal Realty, Partners or any other future owner certified.
G. Trash and Recycling							
63	Each individual building or block must provide interior disposal and storage systems for trash and recycling. These systems must be detailed in the SPSR-A applications	-	-	Planning Director / DPW	Addressed with each SPSR-A application	LM	Complete to date but continuous.

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H. Maintenance of Facilities							
64	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	LM per prior approval	Engineer has signed-off on plans. Maintenance agreement executed.
65	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		
65.1	The Applicant shall provide the City's Department of Lights and Lines with 24 hour access to the street lighting control cabinets located in each block.	-	-	Lights and Lines	Addressed with each SPSR-A application		
I. SPSR-A Reviews							
65.2	The Applicant shall request addresses for each Block of PMP from the Engineering Department prior to applying for a Special Permit with Site Plan Review.	-	-	City Engineer	Addressed with each SPSR-A application		
66	SPSR-A applications under the PMP shall include information required to ensure compliance with this PMP decision, including but not limited to information noted as required in the findings (Appendix A, B, C and D)	-	-	Planning Director	Addressed with each SPSR-A application	Addressed with each SPSR-A application	
67	The applicant has identified in the zoning analysis for Section 6.4.7B the process by which the design guidelines may be used to review SPSR-A applications. The applicant, or successors and assigns, shall submit proposals for SPSR-A that are consistent with these design guidelines. The SPSR-A application shall identify any deviation between the guidelines and the submission and explain the need for these differences. The DRC and Planning Board will determine if the proposed solution is within the spirit of the guidelines. If not, an amendment to the PMP may be required. All SPSR-A submissions shall meet or exceed the minimum acceptable standard of quality identified in the design guidelines.	-	-	Planning Director	Addressed with each SPSR-A application	Completed but continuous	
68	Interim parking facilities shall require SPSR-A approval from the Planning Board.	-	-	Planning Director	Addressed with each SPSR-A application		Done for Blocks 5 and 6
69	The building on Block 10 shall be reviewed under SPSR-A for consistency with all findings, including a full design review by the DRC. It shall be limited to 35 feet in height and used for retail or restaurant purposes only.	X	-	Planning Director	Addressed with SPSR-A application for block 10	LM	Block 10 is a one-story building with retail/restaurant space
J. Linkage and Inclusionary Zoning							
70	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 / Housing Director	Addressed with each SPSR-A application		