



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

MICHAEL F. GLAVIN  
EXECUTIVE DIRECTOR

PLANNING DIVISION

**PLANNING BOARD MEMBERS**

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JOSEPH FAVALORO, *CLERK*  
DOROTHY A. KELLY GAY  
MICHAEL A. CAPUANO, ESQ.  
REBECCA LYN COOPER  
GERARD AMARAL, (ALT.)

**Case #: PB 2015-06**  
**Site: 625 Grand Union Boulevard**  
**Date of Decision: June 4, 2015**  
**Decision: *Approved***  
**Date Filed with City Clerk: June 18, 2015**

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**PLANNING BOARD DECISION**

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<b>Applicant Name:</b>	Outback Steakhouse
<b>Applicant Address:</b>	2202 N. West Shore Blvd, Tampa, FL 33607
<b>Property Owner Name:</b>	Federal Realty Investment Trust
<b>Property Owner Address:</b>	1626 East Jefferson Street, Rockville, MD 20852
<b>Agent Name:</b>	Pretorius Electric & Sign, Co.
<b>Agent Address:</b>	267 W. Main Street, W. Bridgewater, MA 02379

Legal Notice: Outback Steakhouse is seeking waivers from the Assembly Row Sign Standards.

<u>Zoning District/Ward:</u>	ASMD zone/Ward 1
<u>Zoning Approval Sought:</u>	Waiver from Assembly Row Storefront and Signage Standards
<u>Date of Application:</u>	May 22, 2015
<u>Date(s) of Public Meeting:</u>	June 4, 2015
<u>Date of Decision:</u>	June 4, 2015
<u>Vote:</u>	5-0

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Case #PB 2015-06 discussed by the Planning Board at the Visiting Nurse Association on June 4, 2015. After one meeting, the Planning Board took a vote.



**DESCRIPTION:**

The signage will be for The Outback Steakhouse. This retailer will occupy 7,391 square feet on the first floor of Block 1 along Grand Union Boulevard. The proposed signage can be found on sheets Front Elevation and Elevation of graphic dated with a revision date of March 19, 2015.

**APPLICABLE SIGNAGE REGULATIONS / APPROVAL:**

The general regulations for signage in the Assembly Square Mixed Use District are located in the Somerville Zoning Ordinance Article 12 - Signs and Section 6.4.14. These sections were further refined in the approved Planned Unit Development (PUD-PMP) Preliminary Master Plan and Special Permits with Site Plan Review (SPSR) for Assembly Row. The PUD-PMP approval included a condition that required retail storefronts and signage to comply with design standards that were to be developed. Condition 28 states, “[t]he applicant shall provide a design guideline for all retail storefronts and signage within the PUD area for review by the Design Review Committee and approval by the Planning Board.” The Planning Board approved the Assembly Row Storefront & Signage Standards on March 21, 2013 and amended them on May 8, 2014.

All of the retail storefronts and signage shall be consistent with the approved Standards. Condition 4 of SPSR for the subject building, Block 1 of Assembly Square, reiterates this requirement. The condition states, “[a]ll storefronts and retail signage shall be consistent with the design to be developed. Storefronts or retail signage that is inconsistent with the guidelines shall be provided to DRC and Planning Board for review and approval.”

In addition to the conditions of approval related to signage, Block 1 received approval for signage as part of the SPSR approval. The Planning Board issued a Special Permit in part to waive the signage requirements related to the size and height requirements but only for signage that screened the parking garage.

The current application for Outback Steakhouse signage is inconsistent with the standards because the proposed digital print over the service doors pushes the signage over the size limit. The signage otherwise complies with the other standards and an application for a building permit for the other proposed signs has been submitted.

The storefront for this location is 61.5 feet long and the signage allowed is double this length or 123 square feet of signage. The proposed digital mural is approximately 122 square feet. The proposed square footage of the already permitted square footage is 46 which would bring the total to 168 square feet.

The Planning Board has made it clear that they are going to hold applicants to meet these standards unless there are circumstances related to the building and tenant where the waiver allows for signage that furthers the goals of creating unique storefronts and a positive experience for those who live, work and play in the Assembly Row neighborhood. The Board must consider each application separately because the impacts of the types of waivers requested in the context of the other signage for the tenant that meets the standards, as well as the design and location of the signage that needs a waiver, vary greatly from one application to the next.

To date, the tenants that have sought waivers from the signage standards are the largest tenants, anchors and junior anchors: AMC, LegoLand, Saks, Express, Tony C’s, and Outback. LegoLand and AMC are unique in that they occupy multi-levels of the building and have unique storefronts. LegoLand takes up an entire block face and AMC has a three-story storefront. Express comprises half of Block 3 along Grand Union Boulevard and wraps the corner onto Artisan Way. Tony C’s occupies a large portion of the ground floor of Block 2 and is trying to capture attention at the northern corner along Assembly Row since much of the storefront is along the water and not visible from the main streets. Outback is along Grand Union Boulevard, across from the Marketplace place parking lot, not along a main pedestrian street and next to service doors.

The Board finds that the mural sign will not overwhelm the storefront. The canopy sign over the door and signs on the trellises are only approximately a third of the signage allowed for the storefront. The mural sign is proposed to



be large to cover some of the service doors. The Assembly Row Design Guidelines for building specially calls out treating loading and service areas in this way of painting them with a design that minimizes their function. In this case the neighboring business is treating the service doors with an image that relates to the business so it is considered signage. It will improve the appearance of the unattractive doors and will draw interest to the restaurant without requesting signage with large letters. Also, the mural is proposed to be approximately 127" x 138" to keep all of the copy legible. Some of the smaller copy is approximately 2" and scaling the mural down further will make this small copy appear blurry and illegible. On the larger scale, the proposal fits with the rationale for other signage waivers that were approved for other retailers along Grand Union Boulevard that are on the outer edge of the pedestrian activity.

The large majority of the in-line retailers have approved sign or are anticipated to have signs that meet the Assembly Row Signage Standards and do not need waivers. There may be some special cases where waivers are justified and those would be brought to the Board. Generally, however, the waivers are intended to address project-wide goals and weave together a collection of storefronts to create a balanced retail environment that is not intended to give specific retailers an edge.

### **DECISION:**

Present and sitting were Members Kevin Prior, Joseph Favaloro, Michael Capuano, Rebecca Lyn Cooper and Gerard Amaral with Dorothy Kelly Gay absent. Upon making the above findings, Kevin Prior made a motion to approve the request for a waiver from the Assembly Row Signage Standards. Michael Capuano seconded the motion. Wherefore the Planning Board voted **5-0** to **APPROVE** the request.



Attest, by the Planning Board:



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Kevin Prior, Chairman



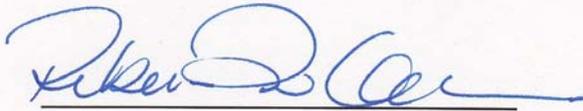
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Joseph Favaloro



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Michael A. Capuano, Esq.



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Rebecca Lyn Cooper



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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 \_\_\_\_\_

