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# CITY OF CAMBRIDGE

Community Development Department

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To: Planning Board

From: CDD Staff

Date: December 5, 2022

Re: **PB-231A Amendment 6 (Minor), 121 First Street**

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Community Development

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## Overview

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Submission Type:	Request for Minor Amendment to PUD Special Permit
Applicant:	Urban Spaces, LLC
Zoning District(s):	Business A / PUD-4B
Proposal Summary:	Conversion of approximately 3,788 square feet of retail space at the ground floor corner of First Street and Charles Street to bank use (Section 4.34.e)
Other City Permits Needed:	None
Planning Board Action:	Approval of Minor Amendment with possible conditions
Memo Contents:	CDD Zoning Report & Urban Design Report
Other Staff Reports:	None

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## Background

The Planning Board first approved Planned Unit Development Special Permit PB-231A in 2010. It is located on various sites along First Street within the PUD-4B District. The applicant is now seeking a minor amendment to the PUD. This would be the 6<sup>th</sup> amendment to PB-231A. The previous amendments are listed below:

- Original Development Plan (granted August 3, 2010) – Develop a multifamily residential building at 159 First Street, commercial building at 65 Bent Street (150 Second Street), and townhouses at 29 Charles Street (later not developed).
- Amendment 1 – Minor (granted June 5, 2012) – Modify the dwelling unit mix layout, location of bicycle parking, quantity of vehicular parking, and designation of open space for the permitted residential building at 159 First Street.
- Amendment 2 – Major (granted October 1, 2013) – Increase the number of accessory parking spaces for office use by 22 spaces and correspondingly decrease the number of accessory parking spaces for residential use.
- Amendment 3 – Major (granted December 15, 2015) – Allow the expansion of the PUD to include additional parcels (A-D) which changed the development plan for 29 Charles Street. The Planning Board approved the design of these additional buildings at that time, subject to continuing staff review. This enlarged the Development Parcel and increased the number of building sites from three to six, to include a total of 243,125 square feet of residential gross floor area and 191,641 square feet of commercial gross floor area. It also reduced the number of required parking spaces and bicycle parking spaces. Prior to this amendment, 159 First Street and 65 Bent Street were completed.
- Amendment 4 – Minor (granted August 1, 2017) – Increase the permitted gross floor area and decrease the permitted number of parking spaces for Parcel D.
- Amendment 5 – Minor (granted July 31, 2018) – Modify the parking garage design under 107-119 First Street and 18 Hurley Street (Parcel B) and 29 Charles Street (Parcel C) and convert 3,151 square feet of approved retail use to office use in the ground level of 121-139 First Street (Parcel A).

For Amendment #5, the Planning Board found that the proposed partial conversion of ground floor retail use to office use conformed with zoning, since office is an allowed use in the PUD district. The Planning Board specifically noted that the new office space was accessed toward Bent Street. This would therefore not reduce the length of retail frontage along First Street, which was one of the main objectives of the previously approved plans. The conversion reduced the total retail floor area for the entire PUD by approximately 9%.

The below graphics from the Amendment #5 application illustrate the approved retail space conversion.

FIRST STREET PLD | REVISED PB #231A - 6.21.18

EXHIBIT 1 | APPROVED PARCEL A FLOOR PLAN

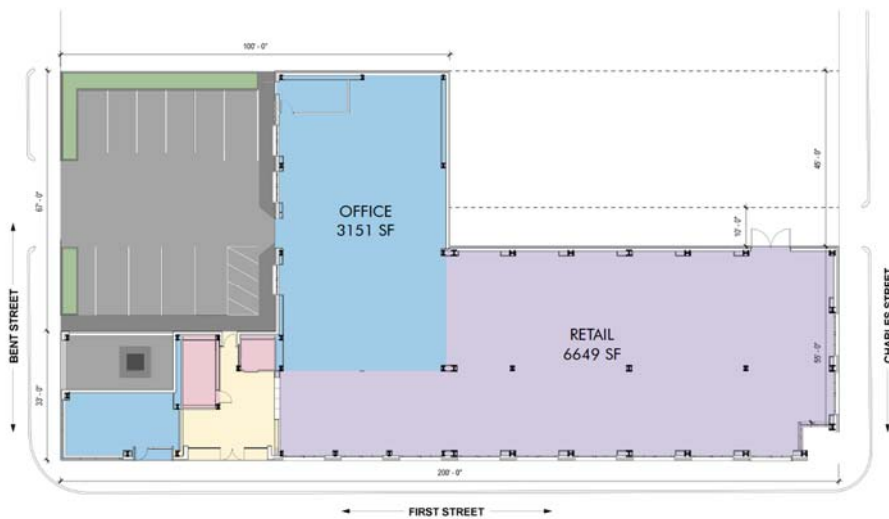


PERKINS — EASTMAN

Figure 2

FIRST STREET PLD | REVISED PB #231A - 6.21.18

EXHIBIT 1 | PROPOSED PARCEL A FLOOR PLAN



PERKINS — EASTMAN

Figure 3

### Requested Amendment

Urban Spaces, LLC now seeks a Minor Amendment to further modify the use configuration for the ground floor of Parcel A. As illustrated below, the applicant requests approval for the conversion of approximately 3,788 square feet of retail space at the ground floor corner of First Street and Charles Street, to be leased to a bank. In the Cambridge Zoning Ordinance, banks are an office use (section 4.34.e - Office and Laboratory Use - Bank, trust company or similar financial institution).



1 Parcel A Retail  
1/16" = 1'-0"

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The plans show no change to the ground floor office use approved in 2018. The remaining retail space is shown as space A and space B. The applicant proposes exterior changes including entrances for the three proposed retail spaces and associated signage.

### Criteria for Granting Minor Amendments

Per the general PUD provisions in Section 12.37 of the Zoning Ordinance, the Planning Board determines whether changes to the Final Development Plan may be approved as minor amendments. The following guidance is provided in zoning:

*(12.37.2) Minor amendments are changes which do not alter the concept of the PUD in terms of density, floor area ratio, land usage, height, provision of open space, or the physical relationship of elements of the development. Minor amendments shall include, but not be limited to, small changes in the location of buildings, open space, or parking; or realignment of minor streets.*

*(12.37.3) Major amendments represent substantial deviations from the PUD concept approved by the Planning Board. Major amendments shall include, but not be limited to, large changes in floor space, mix of uses, density, lot coverage, height, setbacks, lot sizes, open space; changes in the location of buildings, open space, or parking; or changes in the circulation system.*

Conditions 2(d) and 9 of PB-231A Amendment #3 provide the following additional guidance:

#### 2. Authorized Uses.

*(d) Uses not explicitly authorized in this Special Permit Decision may be permitted upon the issuance of a Minor Amendment in accordance with Condition 9 below, provided that such uses are allowed by the Zoning Ordinance or approved in accordance with Section 13.52.6 of the Zoning Ordinance where applicable.*

#### 9. Amendments.

*The Planning Board may grant future Major or Minor Amendments in accordance with Section 12.37 of the Zoning Ordinance. Except where Minor Amendments are explicitly identified in this Special Permit Decision, the Planning Board shall determine whether a proposed amendment is major or minor according to the provisions set forth in Section 12.37.*

While a bank use was not explicitly authorized in PB-231A or subsequent Amendments, conditions 2(d) and 9 from Amendment #3 permit the Planning Board to authorize a Minor Amendment by written approval for an allowed use.

Staff believe that the proposed bank use is allowed by section 13.52, which permits bank uses alone or in combination with other allowed uses in PUD-4 districts.

The Board may approve a minor amendment on the affirmative vote of five Planning Board members.

### **Zoning Comments on Proposed Amendment**

#### *Mix of Uses*

In authorizing minor Amendment #5, the Planning Board noted that there was no loss of retail frontage along First Street. The Board additionally noted that the percentage loss of retail space for the entire PUD was 9%. Each of these facts was used in determining that the proposal was minor in nature and that it would not adversely impact the originally approved mix of retail, office, and residential uses for the PUD or for the objectives of the district.

The Planning Board should consider the scale and impact of the proposed change of use. Staff recommend that the applicant provide additional details on the percentage change in retail frontage and ground floor area relative to the full PUD site.

The application notes that the remaining ground floor retail space will be leased to David's Shoes, a local existing retailer on First Street. It is not clear from the application whether David's Shoes will occupy space A, space B, or both. There is also no additional detail on the lease arrangement, any specific efforts made to support retail in the spaces along First Street, or retail marketing efforts made to date. Specific information from the applicant on how they have complied with the "Retail Marketing and Tenanting" condition from Amendment #3 may be useful for the Planning Board's review.

#### *Exterior Design*

Continuing design review is conditioned in PB-231A and subsequent Amendments. Specifically, condition #3(b) from Amendment #3 requires continuing review at Parcel A, including the design of retail and storefront facades "...to ensure that a 'two-front' retail design approach will not detract from the desired retail character along First Street." Based on these conditions, staff would recommend that the applicant submit additional frontage and signage detail for review. Additional comments from Urban Design staff can be found below.

### *Parking*

The application is not clear whether surface parking spaces on Parcel A will be designated for the proposed bank or retail uses. Condition #3 in Amendment #5 notes that the surface parking spaces on Parcel A shall continue to be for use only by ground-floor retail establishments. The special permit allows surface parking spaces to be reduced, and no minimum parking is required by zoning.

### **Design Comments on Proposed Amendment**

While the application materials lack details, from the floor plan submitted, the corner entrance will be maintained which is a positive urban design outcome. Similarly, most of the First Street frontage will be taken up by the lobby and waiting area, which helps maintain a reasonably active façade. For the proposed corner office, it will be important to ensure that any proposed blinds/shades are not permanently drawn.

In relation to the building's exterior, it appears that there are no changes proposed to the façades other than new bank signage. However, it is unclear how the Charles Street façade will be impacted by the proposal as some interior partitions will be built adjacent to windows, and the detailed use and design of the space is uncertain. Signage would be improved if it was centered above the window openings on each façade, and if a dedicated signage band was considered. Additionally, consideration could be given to adding awnings to help enliven the façades. Details of the specific signage and changes to any windows (both exterior and interior) should be provided.

### **Conditions**

If the Planning Board approves the change as a Minor Amendment, no conditions of the special permit would need to be modified except for Condition 2a. of Amendment #3, which authorizes only retail uses in the designated retail spaces of the Final Development Plan.

The following is a summary of issues that staff recommends should be further studied by the Applicant, either in preparing revised materials if the Planning Board continues the meeting to a future date, or as items for ongoing design review by staff if the Board decides to approve the amendment:

- Signage details.
- More detailed elevations that show specific signage and how the interior design of the bank has an impact on the transparency of windows.
- Further details of the use and design of the two spaces adjacent to the Charles Street windows, including any proposed interior changes to windows.
- Any proposed window film, or shades/blinds.