

PUD Special Permit – Final Development Plan

12.36.4 The Planning Board shall make the decision to approve or disapprove the application for a Special Permit to construct a Planned Unit Development no later than ninety (90) days after the public hearing concerning the Development Proposal Approval of the Final Development Plan shall be granted only upon determination by the Planning Board that the Final Development Plan meets the evaluation criteria set forth in Section 12.35.3 and contains any revisions to the Development Proposal required by the Planning Board. If the Planning Board grants the Special Permit with conditions, the conditions must be agreed to in writing by the developer before the Special Permit is granted. The Planning Board shall make its final decision in writing and shall specify its reason for not granting a Special Permit to construct a PUD. If the Planning Board makes no decision within the specified time limit, then the Final Development Plan shall be considered approved and the Special Permit to construct a PUD shall be deemed granted.

[prior reference]

12.35.3 Approval of the Development Proposal shall be granted only upon determination by the Planning Board that the Development Proposal:

- (1) conforms with the General Development Controls set forth in Section 12.50, and the development controls set forth for the specific PUD district in which the project is located;
- (2) conforms with adopted policy plans or development guidelines for the portion of the city in which the PUD district is located;
- (3) provides benefits to the city which outweigh its adverse effects; in making this determination the Planning Board shall consider the following:
 - (a) quality of site design, including integration of a variety of land uses, building types, and densities; preservation of natural features; compatibility with adjacent land uses; provision and type of open space; provision of other amenities designed to benefit the general public;
 - (b) traffic flow and safety;
 - (c) adequacy of utilities and other public works;
 - (d) impact on existing public facilities within the city; and
 - (e) potential fiscal impact.

Project Review Special Permit – Traffic Impact Findings

19.25.1 Traffic Impact Findings. Where a Traffic Study is required as set forth in Section 19.24 (3) above the Planning Board shall grant the special permit only if it finds that the project will have no substantial adverse impact on city traffic within the study area as analyzed in the Traffic Study. Substantial adverse impact on city traffic shall be measured by reference to the traffic impact indicators set forth in Section 19.25.11 below.

In areas where the Planning Board determines that area-specific traffic guidelines have been established in the Ordinance, the Board recognizes written agreements between project proponents and the City dealing with transportation mitigation strategies.

19.25.11 Traffic Impact Indicators. In determining whether a proposal has substantial adverse impacts on city traffic the Planning Board shall apply the following indicators. When one or more of the indicators is exceeded, it will be indicative of potentially substantial adverse impact on city traffic. In making its findings, however, the Planning Board shall consider the mitigation efforts proposed, their anticipated effectiveness, and other supplemental information that identifies circumstances or actions that will result in a reduction in adverse traffic impacts. Such efforts and actions may include, but are not limited to, transportation demand management plans; roadway, bicycle and pedestrian facilities improvements; measures to reduce traffic on residential streets; and measures undertaken to improve safety for pedestrians and vehicles, particularly at intersections identified in the Traffic Study as having a history of high crash rates.

The indicators are: (1) Project vehicle trip generation weekdays and weekends for a twenty-four hour period and A. M. and P.M. peak vehicle trips generated; (2) Change in level of service at identified signalized intersections; (3) Increased volume of trips on residential streets; (4) Increase of length of vehicle queues at identified signalized intersections; and (5) Lack of sufficient pedestrian and bicycle facilities. The precise numerical values that will be deemed to indicate potentially substantial adverse impact for each of these indicators shall be adopted from time to time by the Planning Board in consultation with the TPTD, published and made available to all applicants.

Project Review Special Permit – Urban Design Findings

19.25.2 Urban Design Findings. The Planning Board shall grant the special permit only if it finds that the project is consistent with the urban design objectives of the city as set forth in Section 19.30. In making that determination the Board may be guided by or make reference to urban design guidelines or planning reports that may have been developed for specific areas of the city and shall apply the standards herein contained in a reasonable manner to nonprofit religious and educational organizations in light of the special circumstances applicable to nonprofit religious and educational activities.

19.30 Citywide Urban Design Objectives

The following urban design objectives are intended to provide guidance to property owners and the general public as to the city's policies with regard to the form and character desirable for new development in the city. It is understood that application of these principles can vary with the context of specific building proposals in ways that, nevertheless, fully respect the policies' intent. It is intended that proponents of projects, and city staff, the Planning Board and the general public, where public review or approval is required, should be open to creative variations from the detailed provisions presented in this Section as long as the core values expressed are being served. A project need not meet all the objectives of this Section 19.30 where this Section serves as the basis for issuance of a special permit. Rather the permit granting authority shall find that on balance the objectives of the city are being served. Nor shall a project subject to special permit review be required to conform to the Required Building and Site Plan Requirements set forth in Section 19.50.

Further indicators of conformance with these policy objectives shall be found in planning documents and plans developed for specific areas of the city or the city as a whole, to the extent that they are not inconsistent with the objectives set forth in this Section 19.30. These documents include the *Harvard Square Development Guidelines*, the *Central Square Action Plan*, the *Central Square Development Guidelines*, the *North Massachusetts Avenue Urban Design Guidelines Handbook*, the *University Park at MIT Urban Design Guidelines*, the *North Point Policy Plan and Design Guidelines*, the *Cambridge Institutional Growth Management Plan*, the *East Cambridge Riverfront Plan*, the *Eastern Cambridge Plan*, the *Eastern Cambridge Design Guidelines*, the *Alewife Revitalization, Alewife Urban Design Study Phase II* and its Draft update of 1991, and *Toward a Sustainable Future: Cambridge Growth Policy Document*.

19.30 Citywide Urban Design Objectives [SUMMARIZED]

Objective	Indicators
New projects should be responsive to the existing or anticipated pattern of development.	<ul style="list-style-type: none"> • Transition to lower-scale neighborhoods • Consistency with established streetscape • Compatibility with adjacent uses • Consideration of nearby historic buildings
Development should be pedestrian and bicycle-friendly, with a positive relationship to its surroundings.	<ul style="list-style-type: none"> • Inhabited ground floor spaces • Discouraged ground-floor parking • Windows on ground floor • Orienting entries to pedestrian pathways • Safe and convenient bicycle and pedestrian access
The building and site design should mitigate adverse environmental impacts of a development upon its neighbors.	<ul style="list-style-type: none"> • Location/impact of mechanical equipment • Location/impact of loading and trash handling • Stormwater management • Shadow impacts • Retaining walls, if provided • Building scale and wall treatment • Outdoor lighting • Tree protection (requires plan approved by City Arborist)
Projects should not overburden the City infrastructure services, including neighborhood roads, city water supply system, and sewer system.	<ul style="list-style-type: none"> • Water-conserving plumbing, stormwater management • Capacity/condition of water and wastewater service • Efficient design (LEED standards)
New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically.	<ul style="list-style-type: none"> • Institutional use focused on existing campuses • Mixed-use development (including retail) encouraged where allowed • Preservation of historic structures and environment • Provision of space for start-up companies, manufacturing activities
Expansion of the inventory of housing in the city is encouraged.	<ul style="list-style-type: none"> • Housing as a component of large, multi-building development • Affordable units exceeding zoning requirements, targeting units for middle-income families
Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city.	<ul style="list-style-type: none"> • Publicly beneficial open space provided in large-parcel commercial development • Enhance/expand existing open space, complement existing pedestrian/bicycle networks • Provide wider range of activities

Eastern Cambridge Design Guidelines (Summarized)

The Eastern Cambridge Design Guidelines were developed as part of ECaPS to promote consistently high-quality public environments, and to ensure that development contributes to the character and vitality of the surrounding community. The following provisions are most relevant in assessing the overall orientation, height, scale and massing of a proposed development.

Scale and Massing

- *Block size should be similar to the existing East Cambridge blocks. An attempt should be made to reduce the distance that pedestrians have to walk to a crosswalk in order to safely cross the street.*
- *Buildings should avoid continuous massing longer than 100 feet facing residential streets and 200 feet facing mixed-use and retail streets. If massing extends beyond this length, it should be made permeable and visibly articulated as several smaller masses using different materials or colors, vertical breaks, bays, or other architectural elements.*
- *In addition to the above limits, buildings should reflect a rhythm and variation appropriate to the urban context. For example, this can be achieved by expressing bay widths of 16 to 25 feet along residential streets and 25 to 50 feet along mixed-use and retail streets.*
- *Buildings should have a clearly expressed base, middle, and top. This may be achieved through changes in material, fenestration, architectural detailing, or other elements.*
- *Use variations in height and architectural elements such as parapets, cornices and other details to create interesting and varied rooflines and to clearly express the tops of buildings.*
- *Emphasize corners using taller elements such as towers, turrets, and bays*
- *Taller buildings should be articulated to avoid a monolithic appearance: Taller buildings should be point towers instead of slabs, and should have smaller floor plates instead of larger floor plates.*

Building Height and Orientation

- *On First Street, set back any portion of the building above 65 feet by at least 10 feet from the principal facade.*
- *On other streets, if the prevailing height of surrounding buildings is 65 feet or less, establish a cornice line that matches the prevailing height of surrounding buildings. For additional height above the cornice line, provide a setback of at least 10 feet from the principal facade.*
- *For retail and office uses on First Street, build to the lot line or provide small setbacks (5 to 15 feet) from the right-of-way for café seating, benches, or small open spaces. Setbacks used exclusively for ornamental landscaping are not permitted but may be allowed to accommodate street furniture, street trees, or generous sidewalks. Awnings and canopies are encouraged to provide shelter and enliven the ground floor facade.*
- *For residential uses, provide small setbacks (5 to 10 feet) for stoops, porches, and front gardens.*
- *Driveway turnaround and vehicle drop-off facilities are strongly discouraged along public streets.*
- *Locate loading docks on side streets or service alleys, and away from residential areas.*
- *In use, design, and entry, orient buildings towards corners.*
- *Locate courtyards and open spaces to maximize sun exposure.*

Street-level Uses and Design

Residential blocks (primarily lined with housing):

- *Create a consistent residential edge, with small setbacks for stoops, porches, and front gardens.*
- *Buildings should be designed with individual units and front doors facing the street, including row house units on the lower levels of multi-family buildings. Where residential lobbies face the street, doors should generally be spaced no more than 75 feet apart.*
- *Blank walls should be avoided along all streets and pedestrian walkways.*

Mixed-use blocks (housing and/or commercial uses, with a mix of active uses strongly encouraged on the ground floor):

- *Street-level facades should include active uses.*
- *Office/ R&D uses are discouraged from occupying extensive ground-floor frontage. Where these uses do occur, they should occupy no more than 200 to 250 feet of continuous frontage along public streets.*
- *Major entrances should be located on public streets, and at or near corners wherever possible. Entrances should relate well to crosswalks and pathways that lead to bus stops and transit stations.*
- *Transparent materials and interior lighting should be used to maximize visibility of street level uses. Ground floor facades should be at least 30 to 50 percent transparent surface to permit a clear view from the sidewalk to the interior space of the building.*
- *Blank walls should be avoided along all streets and pedestrian walkways.*

Retail blocks (both commercial and residential uses on upper floors, with retail strongly encouraged on the ground floor):

- *At least 75 percent of the street frontage should be occupied by retail uses, including cafes and restaurants.*
- *Major entrances should be located on public streets, and on corners wherever possible. Entrances should relate to crosswalks and pathways that lead to bus stops and transit stations.*
- *Transparent materials and interior lighting should be used to maximize visibility of street level uses. Ground floor facades should be at least 50 to 75 percent transparent surface to permit a clear view from the sidewalk to the interior space of the building.*
- *Blank walls should be avoided along all streets and pedestrian walkways.*

Open Space

Public open space:

- *The provision of open space of diverse sizes and use is encouraged to enhance the public environment in the study area.*
- *The provision of interconnected series of open spaces is encouraged to provide connections to neighborhoods and to encourage pedestrian movement.*
- *Where major new parks are required by zoning, provide programmed, multi-use open space for both recreational and cultural activities.*
- *For Transition Areas locate new open spaces to create linkages and connect to existing parks and open spaces, where possible.*

Semi-private open space:

- *For residential development, create semi-private open spaces (e.g. front and rear yards, porches, stoops, and patios) that create a transition from public sidewalks and courts to private interior spaces.*
- *Design residential courtyards to be visually accessible from streets to enhance safety and activity along the street.*

Streets and Sidewalks

- *Use streetscape elements such as trees, benches, signage, and lighting to support active pedestrian uses and to reinforce the character and identity of each district.*
- *Design streets to encourage pedestrian and cycle activity, and to control vehicle speed in residential areas.*
- *In the design of new streets, provide sufficient pavement width to accommodate on-street parking where appropriate in order to provide short-term parking and to serve local retail.*
- *In the design of new streets, pathways, and parks, provide pedestrian-scale lighting to enhance pedestrian safety.*
- *Refer to the Cambridge Pedestrian Plan and the Cambridge Bicycle Plan for additional guidance on creating a safe and pleasant environment for pedestrians and bicyclists and for guidance on sidewalk width and street trees.*

Connections

- *Provide safe pedestrian and bicycle connections to future regional pathways (Grand Junction railroad, North Point path).*
- *Provide strong pedestrian, bicycle and visual connections to the Charles River and public parks through view corridors, signage, and/or art installations.*
- *Provide safe pedestrian and bicycle connections to existing and new bus stops and to transit stations including Kendall Square, Lechmere, Community College and North Station MBTA stations. In particular, direct access from the residential neighborhood south of Msgr. O'Brien Highway and Cambridge Street to the new T station, if relocated, is desirable.*

Parking

- *While underground parking is preferable everywhere, if above ground parking is to be built it should be designed so as not to be visible from public streets or pathways. Above ground structured parking should be lined with active uses (shops, cafes, etc.) along major public streets, or with housing units along residential streets.*
- *Locate vehicular parking entrances on side streets and alleys and provide safe pedestrian access from public streets.*
- *All parking garages must provide direct pedestrian access to the street.*
- *The primary pedestrian exit/access to all garages serving non-residential uses should be to the street or a public area.*
- *Design and locate lighting fixtures in surface parking lots and garages to enhance safety while minimizing light spillover onto adjacent properties.*

Reduction of Required Parking

6.35.1 Reduction of Required Parking. Any minimum required amount of parking may be reduced only upon issuance of a special permit from the Board of Zoning Appeals. A special permit shall be granted only if the Board determines and cites evidence in its decision that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood, or that such lesser amount of parking will provide positive environmental or other benefits to the users of the lot and the neighborhood, including specifically, among other benefits, assisting in the provision of affordable housing units. In making such a determination the Board shall also consider whether or not less off street parking is reasonable in light of the following:

- (1) The availability of surplus off street parking in the vicinity of the use being served and/or the proximity of an MBTA transit station.
- (2) The availability of public or commercial parking facilities in the vicinity of the use being served provided the requirements of Section 6.23 are satisfied.
- (3) Shared use of off street parking spaces serving other uses having peak user demands at different times, provided that no more than seventy-five (75) percent of the lesser minimum parking requirements for each use shall be satisfied with such shared spaces and that the requirements of Subsection 6.23 are satisfied.

Example: Office and Theatre uses with peak user demands at different times. Office requires a minimum of one hundred and fifty (150) spaces and the theatre requires a minimum of one hundred (100). Seventy-five (75) percent of the lesser minimum requirement is seventy-five (75) (75% of 100). Therefore seventy-five (75) spaces can be shared but twenty-five (25) (100-75) would still be required, making the total amount or required parking for both uses (150 + 25) one hundred and seventy-five (175).

- (4) Age or other occupancy restrictions which are likely to result in a lower level of auto usage; and
- (5) Impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, significant negative impact on the historic resources on the lot, impairment of the urban design objectives of the city as set forth in Section 19.30 of the Zoning Ordinance, or loss of pedestrian amenities along public ways.
- (6) The provision of required parking for developments containing affordable housing units, and especially for developments employing the increased FAR and Dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space on the lot, or will significantly diminish the environmental quality for all residents of the development.

Modification of Bicycle Parking Requirements

6.108.3 Findings and Approval. Upon granting a special permit to modify any requirements of this Section 6.100, the Planning Board shall make a general determination that the proposal is consistent with the purpose of this Section 6.100 and that the Bicycle Parking Plan proposes a quantity, design and arrangement of bicycle parking that will serve bicycle users in a way that is sufficiently comparable, given the circumstances of the specific project, to the bicycle parking that would be required under the regulations of this Section 6.100. The Planning Board shall also make specific determinations applicable to the modifications being sought as set forth below:

- a. Where an alternative design or layout of Bicycle Parking Spaces is proposed, the Planning Board shall determine that such design or layout shall be durable and convenient for the users whom it is intended to serve. Where new technologies are proposed, the Board may require that the Applicant demonstrate such technologies for review by City staff.
- b. Where modifications to the location or quantity of bicycle parking is proposed, the Planning Board shall determine that the Bicycle Parking Plan will satisfactorily serve the needs of all expected users, based on quantitative and/or qualitative evidence provided by the Applicant. Such a modification may be appropriate for a campus master plan or other large development site within which bicycle parking is planned comprehensively across an area instead of on a specific site-by-site basis.

General Criteria for Issuance of a Special Permit

- 10.43** *Criteria.* Special permits will normally be granted where specific provisions of this Ordinance are met, except when particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public interest because:
- (a) It appears that requirements of this Ordinance cannot or will not be met, or
 - (b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or
 - (c) the continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use, or
 - (d) nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City, or
 - (e) for other reasons, the proposed use would impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance, and
 - (f) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.