



CITY OF CAMBRIDGE  
 MASSACHUSETTS  
 BOARD OF ZONING APPEAL  
 831 MASSACHUSETTS AVENUE  
 CAMBRIDGE, MA 02139  
 617 349-6100

2016 AUG 15 PM 3:09

BZA APPLICATION FORM

Plan No: BZA-011102-2016  
 OFFICE OF THE CITY CLERK  
 CAMBRIDGE, MASSACHUSETTS

GENERAL INFORMATION

The undersigned hereby petitions the Board of Zoning Appeal for the following:

Special Permit : \_\_\_\_\_ Variance : √ Appeal : \_\_\_\_\_

PETITIONER : Oxford Properties Group - C/O James J. Rafferty, Esq.

PETITIONER'S ADDRESS : 675 Massachusetts Avenue Cambridge, MA 02139

LOCATION OF PROPERTY : 1 Memorial Dr Cambridge, MA 02142

TYPE OF OCCUPANCY : \_\_\_\_\_ ZONING DISTRICT : Office 3 Zone

REASON FOR PETITION :

**DESCRIPTION OF PETITIONER'S PROPOSAL :**

Petitioner seeks to convert top floor of pre-existing above-grade parking facility from automobile parking to technical office use.

**SECTIONS OF ZONING ORDINANCE CITED :**

Article <u>5.000</u>	Section <u>5.31</u> (Table of Dimensional Requirements).
Article <u>6.000</u>	Section <u>6.35.1</u> (Reduction of Required Parking).
Article <u>8.000</u>	Section <u>8.22.3</u> (Non-Conforming Structure).
Article <u>10.30</u>	Section <u>10.30</u> (Variance).

Original Signature(s) :

  
 \_\_\_\_\_  
 (Petitioner(s) Owner)

James J. Rafferty, Esq.  
 \_\_\_\_\_  
 (Print Name)

Address : 675 Massachusetts Avenue  
Cambridge, MA 02139

Tel. No. : (617) 492-4100

E-Mail Address : jrafferty@adamsrafferty.com

Date : 8/14/16

**OWNERSHIP INFORMATION FOR BOARD OF ZONING APPEAL RECORD**

To be completed by OWNER, signed and returned to Secretary of Board of Appeal

Oxford Properties Group  
(Owner or Petitioner)

Address: c/o James J. Rafferty 675 Massachusetts Avenue, Cambridge MA 02139

Location of Premises: 1 Memorial Drive

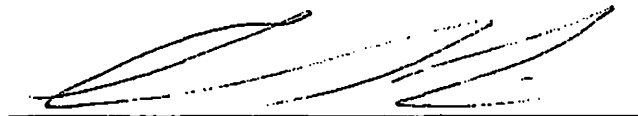
the record title standing in the name of One Memorial Owner, LLC

whose address is 1 Memorial Drive, Cambridge MA 02142  
(Street) (City or Town) (State & Zip Code)

by a deed duly recorded in the Middlesex South County Registry of Deeds in

Book 64298 Page 219 or \_\_\_\_\_ Registry

District of Land Court Certificate No. \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_

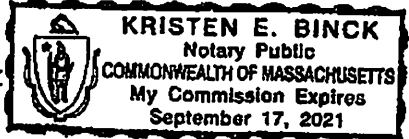
  
\_\_\_\_\_  
(Owner)

=====

On this 1<sup>st</sup> day of ~~May~~ <sup>July</sup>, 2016, before me, the undersigned notary public, personally appeared Chad Paris proved to me through satisfactory evidence of identification, which were personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

  
\_\_\_\_\_  
Notary Public

My commission expires:



**BZA APPLICATION FORM**

**SUPPORTING STATEMENT FOR A VARIANCE**

**EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH MGL 40A, SECTION 10:**

- A)** A Literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:

The petitioner is seeking to utilize a portion of the garage that has become unnecessary to satisfy the parking demands for the building and thus no longer serves a useful or productive purpose.

- B)** The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons:

The hardship is directly related to the existing structure and the fact that an entire floor of the garage is not needed to park vehicles.

- C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:**

- 1)** Substantial detriment to the public good for the following reasons:

The public good will not experience any detriment since the conversion from parking to office use will not have any impact on the mass and form of the building or its impact on abutters. Moreover, reducing vehicle trips at the building will benefit the public good.

- 2)** Relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:

The Ordinance promotes and encourages reducing automobile parking. This conversion is consistent with that goal. In addition, the building will become compliant with the newly adopted bicycle requirements of the Ordinance and various elements of the City's PTDM Ordinance.

- \* If You have any questions as to whether you can establish all of the applicable legal requirements, you should consult with your own attorney.**



# Amended (9/2/2016)

## BZA APPLICATION FORM

### DIMENSIONAL INFORMATION

**APPLICANT:** James Rafferty, Esq.                      **PRESENT USE/OCCUPANCY:** Technical Office  
**LOCATION:** 1 Memorial Dr Cambridge, MA 02142                      **ZONE:** Office 3 Zone  
**PHONE:** \_\_\_\_\_                      **REQUESTED USE/OCCUPANCY:** Technical Office

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> <sup>1</sup>	
<u>TOTAL GROSS FLOOR AREA:</u>	340,272	376,821	148,504	(max.)
<u>LOT AREA:</u>	74,252	no change	5,000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: 2</u>	4.58	5.07	2.0	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	n/a	n/a	n/a	(min.)
<u>SIZE OF LOT:</u>				
WIDTH	523'11"	no change	50'	(min.)
DEPTH	241'1"	no change	n/a	
<u>SETBACKS IN FEET:</u>				
FRONT	4'	no change	10'	(min.)
REAR	6'	no change	10'	(min.)
LEFT SIDE	46'	no change	94'	(min.)
RIGHT SIDE	94'	no change	94'	(min.)
<u>SIZE OF BLDG.:</u>				
HEIGHT	259'10"	no change	90'	(max.)
LENGTH	309'9"	no change	n/a	
WIDTH	191'1"	no change	n/a	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	25	25	10	(min.)
<u>NO. OF DWELLING UNITS:</u>	n/a	n/a	n/a	(max.)
<u>NO. OF PARKING SPACES:</u>	396	319	296	(min./max)
<u>NO. OF LOADING AREAS:</u>	n/a	n/a	n/a	(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>	81'9"	no change	n/a	(min.)

Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc.

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.



# City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

831 Mass Avenue, Cambridge, MA.  
(617) 349-6100

3 Bds

BZA

## POSTING NOTICE – PICK UP SHEET

The undersigned picked up the notice board for the Board of Zoning Appeals Hearing.

Name: Pat Conte Date: 8/29/16  
(Print)

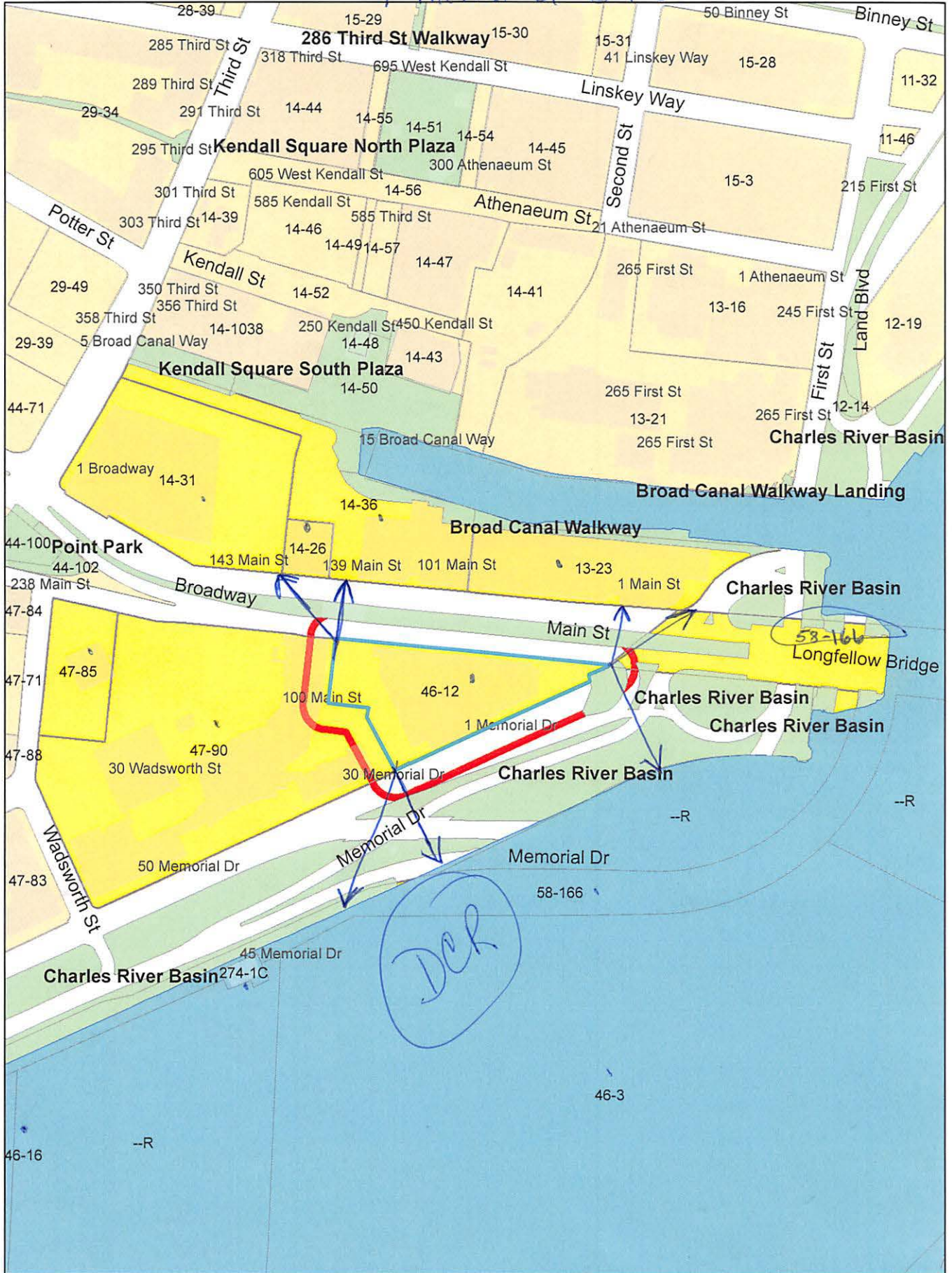
Address: 1 Memorial Drive Case No. BZA-011102-2016

Hearing Date: 9/15/16

Thank you,  
Bza Members



1 Memorial Drive



# 1 Memorial Drive

13-23  
RREEF AMERICA REIT II CORP.  
P.O BX 4900, #207  
SCOTTSDALE, AZ 85261

14-26  
THE AMERICAN NATIONAL RED CROSS  
C/O AMERICAN RED CROSS OF MASS. BAY  
ATT: DEBORAH C. JACKSON  
139 MAIN STREET  
CAMBRIDGE, MA 02142

*Petitioner*  
JAMES J. RAFFERTY, ESQ.  
675 MASS AVENUE – 5<sup>TH</sup> FL.  
CAMBRIDGE, MA 02139

274-1E /46-16 /47-90-85  
MASSACHUSETTS INSTITUTE OF TECHNOLOGY  
C/O OFFICE OF THE TREASURER  
238 MAIN STREET, SUITE #200  
CAMBRIDGE, MA 02139

46-3  
WHITE, JOHN A., TRUSTEE C/O MIT  
INVESTMENT MANAGEMENT COMPANY  
127 MAIN ST. SUITE 200 (E48-200)  
CAMBRIDGE, MA 02142

274-1B  
PRESIDENT & FELLOW OF HARVARD  
UNIVERSITY R.E. DEPT – HOLYOKE CENTER  
1350 MASS AVE, ROOM 451  
CAMBRIDGE, MA 02138

46-12  
ONE MEMORIAL OWNER LLC,  
C/O OXFORD PROPERTIES GROUP  
1 MEMORIAL DR  
CAMBRIDGE, MA 02142

58-166  
COMMONWEALTH OF MASS  
STATE HOUSE  
BOSTON, MA 02133

274-1C  
CHARLES RIVER YACHT CLUB  
45 MEMORIAL DR  
CAMBRIDGE, MA 02139

DEPARTMENT OF CONSERVATION &  
RECREATION  
251 CAUSEWAY STREET – SUITE 600  
BOSTON, MA 02114-2119

14-36  
RREEF AMERICA REIT II CORP. PPP  
C/O CB RICHARD ELLIS  
P.O BX 4900, #207  
SCOTTSDALE, AZ 85261

274-1D  
HAROLD WHITWORTH PIERCE BOATHOUSE/MIT  
406 MEMORIAL DR  
CAMBRIDGE, MA 02139

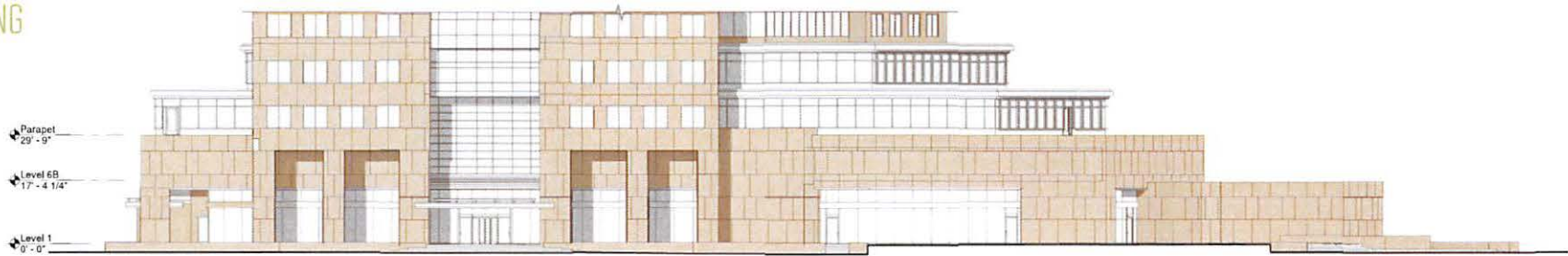
14-31  
MIT ONE BROADWAY FEE OWNER, LLC  
C/O MIT INVESTMENT MANG.  
238 MAIN ST., SUITE #200  
CAMBRIDGE, MA 02142

274-1F  
DEWOLFE BOATHOUSE/BOSTON UNIVERSITY &  
CITY OF CAMBRIDGE TAX TITLE  
619 MEMORIAL DR  
CAMBRIDGE, MA 02139





EXISTING

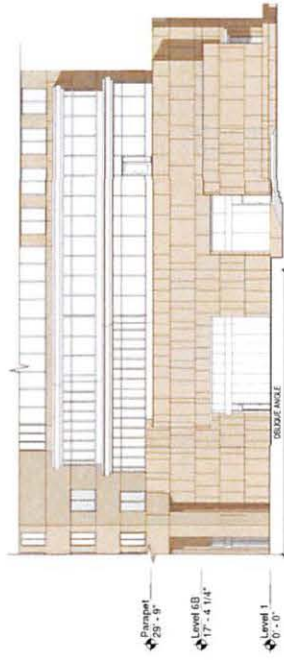


PROPOSED

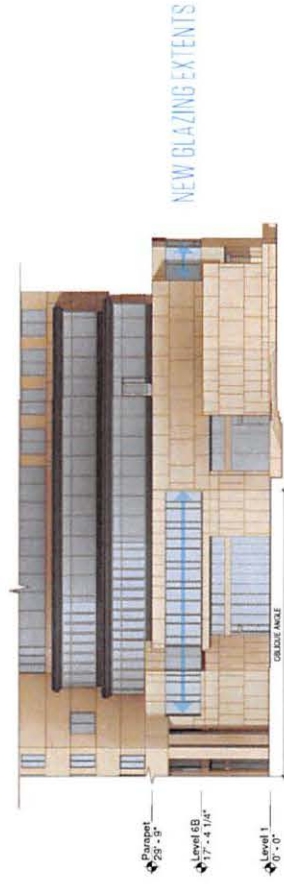


ELEVATION NORTH

### EXISTING



### PROPOSED

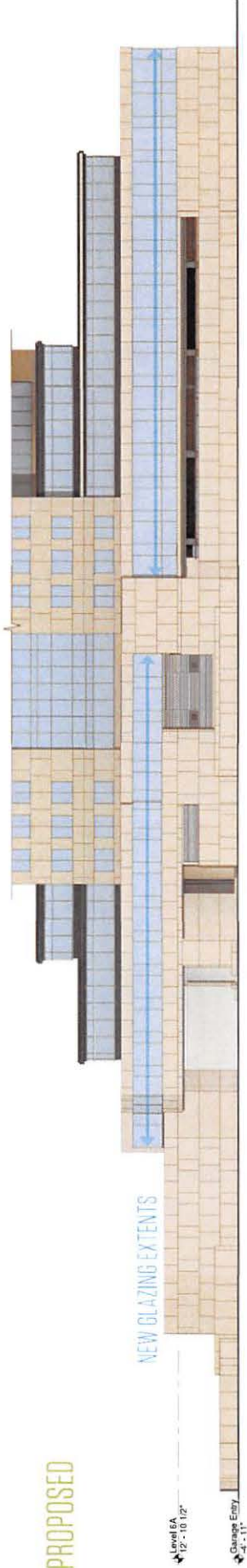


### ELEVATION WEST

EXISTING

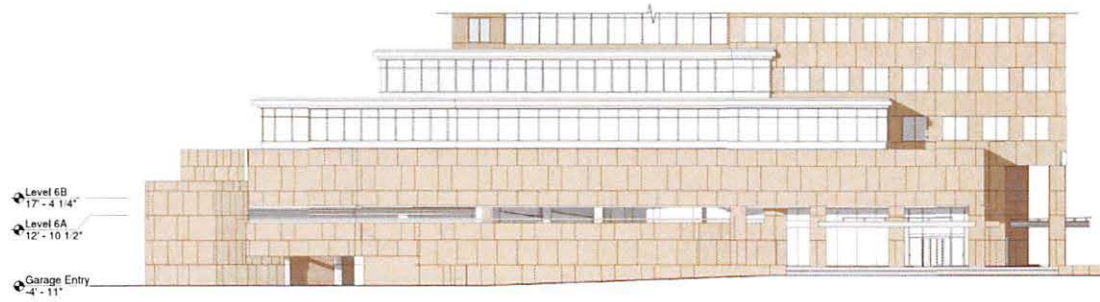


PROPOSED



ELEVATION SOUTH

EXISTING



PROPOSED



ELEVATION EAST

cbt






**CITY OF CAMBRIDGE**  
**Traffic, Parking and Transportation**  
344 Broadway  
Cambridge, Massachusetts 02139

[www.cambridgema.gov/traffic](http://www.cambridgema.gov/traffic)

Joseph Barr, Director  
Brad Gerratt, Assistant Director for Parking Management  
Brooke McKenna, Assistant Director for Street Management

Phone: (617) 349-4700  
Fax: (617) 349-4747

## MEMORANDUM

**To:** Board of Zoning Appeal  
**From:** Joseph E. Barr, Director   
**Date:** September 6, 2016  
**Re:** One Memorial (BZA Case# 011175-2016)

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The Cambridge Traffic, Parking & Transportation Department (TP&T) has been working with the Oxford Properties Group on their proposal to convert the top floor of a pre-existing above-grade parking facility, located at One Memorial Drive, from automobile parking to technical office use.

Based on information from the Oxford Properties Group, approximately 299 out of 396 parking spaces are used (76% occupancy). The building has a parking supply of 1.16 spaces/1,000 GFA, but their actual use is approximately 0.87/1,000 GFA.

Oxford Properties Group retained VHB to provide a parking analysis, and make sure that even with the conversion of parking into additional office space, the property will be able to meet its parking needs. Based on VHB's analysis, we agree that the property will be able to meet its parking needs, especially with various proposed Transportation Demand Management (TDM) measures.

TP&T supports converting unused parking spaces into more productive uses, and therefore supports this BZA application to convert portions of the underused parking to useable commercial floor area. In addition, due to the physical location of this building, we don't anticipate any spillover parking impacts. If approved by the BZA, TP&T recommends that the project should re-register the parking facility with the TP&T Department, meet the City's bicycle zoning requirement for the building, and implement TDM measures, including the following:

- Become a member of the Charles River Transportation Management Association.
- Provide employees fare-free access to the EZRide shuttle system which provides a connection to the Green Line at Lechmere Station and to the Commuter Rail and Orange Line at North Station.
- Fund the installation of a Hubway station and annual operating and maintenance costs. The Hubway station should be located on their property, if feasible.
- Provide free Hubway membership to employees of the building.



# CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2<sup>nd</sup> Floor, Cambridge, Massachusetts 02139

Telephone: 617 349 4683 TTY: 617 349 6112

E-mail: histcomm@cambridgema.gov URL: http://www.cambridgema.gov/Historic

William B. King, *Chair*, Bruce A. Irving, *Vice Chair*, Charles M. Sullivan, *Executive Director*

William G. Barry, Jr., Shary Page Berg, Robert G. Crocker, Chandra Harrington,

Jo M. Solet, *Members*; Joseph V. Ferrara, Kyle Sheffield, Susannah Barton Tobin, *Alternates*

## Jurisdiction Advice

To the Owner of Property at 1 Memorial Drive

The above-referenced property is subject to the jurisdiction of the Cambridge Historical Commission (CHC) by reason of the status referenced below:

Old Cambridge Historic District

Fort Washington Historic District

(M.G.L. Ch. 40C, City Code §2.78.050)

Avon Hill Neighborhood Conservation District

Half Crown – Marsh Neighborhood Conservation District

Harvard Square Conservation District

Mid Cambridge Neighborhood Conservation District

Designated Landmark

Property is being studied for designation: \_\_\_\_\_

(City Code, Ch. 2.78., Article III, and various City Council Orders)

Preservation Restriction or Easement (as recorded)

Structure is fifty years or more old and therefore subject to CHC review of any application

for a demolition permit, if one is required by ISD. (City Code, Ch. 2.78, Article II). **See**

**the back of this page for definition of demolition.**

No jurisdiction: not a designated historic property and the structure is less than fifty years old.

No local jurisdiction, but the property is listed on the National Register of Historic Places;

CHC staff is available for consultation, upon request.

Staff comments: \_\_\_\_\_

The Board of Zoning Appeal advises applicants to complete Historical Commission or Neighborhood Conservation District Commission reviews before appearing before the Board.

**If a line indicating possible jurisdiction is checked, the owner needs to consult with the staff of the Historical Commission to determine whether a hearing will be required.**

CHC staff initials SLB

Date August 15, 2016

Received by Uploaded to Energov

Date August 15, 2016

Relationship to project BZA 11097-2016

cc: Applicant  
Inspectional Services Commissioner

## Demolition Delay Ordinance and Application Information

The Demolition Delay Ordinance (Chapter 2.78, Article II of the Cambridge Municipal Code) was adopted by the City Council in 1979 to afford public review of demolition permit applications for potentially significant buildings. When the Historical Commission determines that a building is significant and should be preserved, demolition will be delayed for up to six months so that solutions can be sought to preserve the building indefinitely. The Ordinance covers all buildings over 50 years old, city-wide. The Historical Commission archives provide dates of construction for all properties in the City.

Demolition is defined in the ordinance as "the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction with the intent of completing the same." The Inspectional Services Commissioner has provided further guidelines to outline what actions require a demolition permit. **In addition to complete demolition of a building, the following actions may require a demolition permit,**

- **removal of a roof,**
- **removal of one side of a building,**
- **gutting of a building's interior to the point where exterior features (windows, etc.) are impacted, and**
- **removal of more than 25% of a structure.**

Please contact the building inspector or a staff member of the Historical Commission if you have questions about whether a demolition permit is required for a particular project.

Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that the building is significant, a public hearing will be scheduled with Historical Commission. If the staff makes an initial determination that the building is not significant, the application is released for further review by the Building Commissioner.

More information about the demolition permit application procedures is available on the Historical Commission's web site or by calling or dropping by the Historical Commission office.

July 2003

Cambridge Historical Commission  
831 Massachusetts Ave., 2<sup>nd</sup> Fl.  
Cambridge, MA 02139  
Ph: 617/349-4683 or TTY: 617/349-6112  
<http://www.cambridgema.gov/Historic>