

CITY OF CAMBRIDGE COMMUNITY DEVELOPMENT DEPARTMENT

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To: Planning Board

From: CDD Staff

Date: September 25, 2012

Re: Yanow, et al. Petition (Area Four Neighborhood Preservation)

Overview

This petition proposes to alter the zoning requirements in business-zoned districts south of Prospect Street in Central Square, affecting sections of Massachusetts Avenue, Green Street, Bishop Allen Drive and Main Street. The specific changes are illustrated on the attached map and discussed individually on the following pages.

Background

In 1997, the City began implementation of the Central Square Plan, which included traffic changes and streetscape improvements to encourage more pedestrian activity. Since that time, there have been noticeable changes to the character of the area, with new retail, restaurants and offices taking space in existing buildings. Also in the past 15 years, several new buildings have been constructed within the subject area of the petition, including:

- An office/retail building at 350 Mass Ave (as part of University Park plan, 1998)
- Residential/retail development in the "Holmes Building" (2001)
- Reconstruction of a historic building to house the Central Square Theater (2008)
- Residential development by Just-A-Start on the former "Nightstage" site (2008)

The new buildings were built according to the applicable zoning regulations on their sites. The character of new development has generally been 5-to-6 stories with ground-floor retail uses along Mass Ave, and 4-story residential uses on other streets.



View of area affected by zoning petition, with Holmes Building in foreground.

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General Comments on Rezoning Petition

The proposed changes, if adopted, would reduce the allowed density, height, and range of uses for new buildings in the business-zoned districts of Central Square. These limitations would apply to future residential and commercial development, and in some instances, residential uses would be more greatly impacted.

Three sections in the petition would create new zoning designations that do not exist in the current ordinance. Creating a new zoning designation is a significant change that needs to be considered carefully, since it could create unintended consequences if it is unclear how regulations set forth throughout the zoning ordinance (including use, dimensional, parking and project review requirements) should be applied in those districts. If the proposed zoning is adopted, additional changes may be needed in other parts of the zoning ordinance.

Sections A and B: Rezone areas currently zoned Business A (BA) to Business A-1 (BA-1) Use Changes

BA and BA-1 districts both allow a similar range of residential, office and retail uses, with the exception of the following specific uses which are allowed conditionally in BA but not allowed in BA-1:

Principal Use	Allowed in BA? (Current)	Allowed in BA-1? (Proposed)
Tourist house in dwelling	By Special Permit	No
Hotel or motel	By Special Permit	No
Municipal service facility	By Special Permit	No
Fast order food establishment	By Special Permit	No
Drive-in bank (or other drive-in retail)	By Special Permit	No
Car sales – open lot	By Special Permit	No
Car wash	By Special Permit	No

Dimensional Changes

Both BA and BA-1 allow relatively low-density commercial development at a maximum FAR of 1.00 and height of 35 feet (2-3 commercial stories). BA provides an incentive for residential development by allowing higher-scale housing (e.g., a four-story, eight-unit apartment building on a 5,000 square-foot lot), while BA-1 favors commercial development by allowing only smaller-scale housing (e.g., a three-unit house on a 5,000 square-foot lot).

Dimensional Standard	BA Regulation	BA-1 Regulation
Max. Residential FAR	1.75	0.75
Max. Non-Residential FAR	1.00	1.00
Min. Lot Area per Dwelling Unit	600 SF	1,200 SF
Min. Setbacks	None on front, none on sides, 20' or more on rear*	None on front, none on sides, 20' or more on rear*
Max. Height – Residential	45'	35′
Max. Height – Non-Residential	35′	35′
Min. Ratio of Open Space on the Lot	No min*	No min*

^{*} Additional dimensional requirements apply to residential development.

Comments

The major difference between Business A and Business A-1 is how residential development is treated. While BA districts tend to encourage larger residential buildings, or sometimes mixed-use buildings with housing above retail or office uses, BA-1 districts tend to favor commercial buildings or lower-scale residential buildings.



To illustrate the Business A district regulations, the photo to the left shows the residential development by Just-A-Start at 823 Main Street (the former "Nighstage" property) in the Business A district, which would be affected by the proposed change. A rezoning to Business A-1 would reduce the residential development potential by 57% and would limit buildings to three stories instead of four.

Section C: Rezone a Portion of the Central Square Business B (BB) District and a Portion of the CRDD to a Newly Created "Business B-3" (BB-3)

Use Changes

According to the rezoning petition, the regulations of the proposed new Business B-3 District would be identical to the regulations of the Business B District except for a change in the allowed height. Therefore, there would be no change to the allowed uses, which include residential, office and retail. The Central Square Overlay District (CSOD) regulations also apply in this area, which require active uses (residential, institutional, office or retail but not parking) on the ground floors of buildings and limit fast order food establishments to a total of fourteen in the district, among other use limitations. These regulations would remain unchanged by the proposed zoning.

Dimensional Changes

Under the proposed zoning, the maximum building height in Central Square (south of Prospect Street) would be reduced to 65 feet with a required 10-foot step-back for portions of a building above 45 feet. The allowed heights in this area are also modified by the CSOD requirements, which set a maximum height of 55 feet but allow heights up to 80 feet by special permit from the Planning Board if the building is stepped-back 10 feet and adheres to a 45-degree bulk control plane starting at 60 feet. Where the base zoning requirements are stricter, they supersede the overlay requirements, and therefore the applicable requirements are determined by combining the base and overlay requirements:

Dimensional Standard	Current: BB + CSOD	Proposed: BB-3 + CSOD
Maximum Height – As-of-Right	55'	55', with a minimum 10' step-back for any portion of a building over 45'
Maximum Height – By Special Permit from the Planning Board	80', with a minimum 10' step-back for any portion of a building over 60' and a 45° bulk control plane starting at 60' above street line	65', with a minimum 10' step-back for any portion of a building over 45' and a 45° bulk control plane starting at 60' above street line

Comments

Although the petition only changes one specific requirement in this area, it would be expected to have significant impacts on the form of future residential or commercial development.

The current heights of buildings in this district are varied, but nearly all buildings are at a height of approximately 80 feet or lower. A handful of existing building heights of 65-80 feet would become non-conforming as a result of the proposed change.

For new development, the maximum FAR in the district would remain unchanged at 3.0 for residential uses and 2.75 for non-residential uses, while the maximum height would be reduced from 80 feet to 65 feet, reducing potential building height by at least one full story. Therefore, a new building that is built to maximize its floor area will more likely be shorter and wider under the proposed zoning than under current zoning. This impact might be especially significant for a residential project, where it may be more difficult to accommodate floor area within a shorter, larger-floorplate building because of the need to configure floor area into dwelling units with an appropriate amount of natural light and ventilation.

Impacts on Cambridgeport Revitalization Development District (CRDD)

Along with changing the existing BB district to BB-3, the proposed zoning would also change the portion of the CRDD between Massachusetts Avenue and Green Street to BB-3. Because the CRDD is a planned development area with requirements based on the aggregate development within that district, this change would have a complex set of impacts including the following:

- The existing building at 350 Mass Ave (site of the Asgard restaurant), which is conforming within the CRDD, would become non-conforming as it exceeds the maximum height and FAR in BB-3.
- The existing park site adjacent to the firehouse would not be subject to any open space requirements, and could be developed as a separate lot for residential or commercial purposes according to the proposed BB-3 regulations.
- The aggregate Gross Floor Area in the CRDD would decrease by about 125,000 square feet (the approximate size of the existing 350 Mass Ave building), theoretically allowing an additional 125,000 square feet to be built on other sites in the CRDD if such sites would otherwise accommodate it.
- The aggregate public open space in the CRDD would decrease by about 15,000 square feet (the approximate size of the park adjacent to the firehouse), which may result in the University Park development becoming non-conforming with regard to the open space requirements in the CRDD.

Section D: Define an area currently zoned Residence C-1 as a protected neighborhood zone Proposed Changes

The petition proposes creating a new designation for a section of the Newtowne Court public housing development on the northern side of Main Street with the stated intent of protecting existing housing. However, it is not specifically explained in the petition how the "protected neighborhood zone" designation would change the zoning requirements in the area. There is no such designation elsewhere in Cambridge or Massachusetts zoning laws.

The current zoning designation of the area is Residence C-1. This district allows moderate-density multifamily housing at a maximum height of 35 feet with setback requirements between buildings. The existing buildings in the area are generally consistent with the current zoning requirements. The allowed floor area on the site is about 60-70% built-out according to C-1 requirements and the building heights approximately reach the 35-foot limit.

Section E: Create a zoning district known as Municipal Parking District (MP)

Proposed Changes

This proposed change would impact parcels owned by the City and currently used as public surface parking lots in Central Square. The current Business B zoning on these lots would allow a range of residential, institutional, office and retail uses. The proposed change would disallow all uses except parking, public performances, festivals, community events, farmer's markets and "other temporary uses in accordance with procedures previously established by the Cambridge Traffic and Parking Department." (The uses included within this final category may need to be more clearly defined.)

The MP district as proposed would also allow no "permanent buildings of any type whatsoever" except those necessary for collecting parking fees and charging electric vehicles. The height of any structures or signage would be limited to 15 feet.

Comments

It is rare within Cambridge's zoning to create a district for the purpose of protecting and retaining a specific public use. The closest analog would be the Open Space zoning districts, which allow only civic or institutional uses and impose very restrictive dimensional requirements for buildings (although some buildings are allowed, which would not be the case in the proposed MP districts). This proposed zoning would limit the future ability of the City to consider relocating the parking (for instance, within a belowgrade structure) and placing new uses on those sites.