



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

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Community Development

To: Planning Board
From: CDD Staff
Date: May 28, 2013
Re: **Phillips, et al. Zoning Petition – Staff Analysis**

The Phillips, et al. zoning petition proposes changes to Special District 2 (SD-2), which covers areas of North Cambridge on either side of Linear Park. *See attached map.*

Zoning History

In 2000, the area was rezoned to SD-2 from its prior designation of Industry A-1. The SD-2 regulations anticipated a transition from light industrial uses to housing over time. In the 1980s, the extension of the Red Line and creation of Linear Park had replaced a heavy rail line in this area, precipitating the shift to residential uses.

SD-2 was a new designation created specifically for this area. The base regulations are similar to the abutting Residence B district, except that SD-2 allows multifamily development at a somewhat higher density than Residence B, and allows specific non-residential uses to be established in existing buildings.

The SD-2 regulations were modified in 2012 by the Bishop, et al. rezoning petition. This zoning change reduced the allowed residential density in the district, placed additional restrictions on building height, and established some minor additional requirements and review criteria.

Overall Impacts of Rezoning Petition

Given that most lots in SD-2 are fully developed or have received permits for new development, the proposed changes would primarily impact the large site north of Linear Park that is owned and operated by the Fawcett Oil company. Although the Planning Board issued a special permit for the redevelopment of this site, that site will be subject to the proposed new requirements if they are adopted by the City Council, because the proposed zoning changes were advertised prior to the issuance of the special permit. The development plan approved by the Planning Board would not meet the proposed new requirements.

The changes proposed in the Phillips, et al. petition are different in nature from the changes adopted last year in the Bishop, et al. petition. The specific provisions and their impacts are discussed in more detail on the following pages.

Section 1

Building Size

The first part of the zoning petition would limit the permitted number of dwelling units within a single building to three units, or four in the case of a townhouse development. In general, zoning does not restrict the size of a multifamily building in this way, but sets a limit on overall floor area and dwelling unit density through Floor Area Ratio (FAR) and lot area per dwelling unit limitations.

An example of a special district that allows multifamily housing but restricts the number of units allowed in a dwelling is Special District 14 in the Riverside Neighborhood. In parts of SD-14, a single building may not contain more than 5,000 square feet of gross floor area or six units. This zoning was the outcome of a plan that was negotiated between Harvard University and neighbors. In SD-14, as in this petition, the intent is to produce a pattern of development that is similar to the surrounding area.

Limiting dwellings to three or four (in the case of townhouse) units, along with the other dimensional requirements for new development, would present a significant design constraint for development on large lots. A developer attempting to satisfy this requirement would need to balance many design issues including adequate spacing between buildings, arrangement of parking, provision of usable open space and utility access, among others. Depending on the shape and other conditions on the lot, this requirement could affect the number of dwelling units that are feasible. Requiring separate buildings may also add significantly to the cost of development.

Yard Setbacks

The proposed 25-foot setback from adjoining Open Space Districts is apparently included in response to the determination that the side of the Fawcett Oil site adjacent to Linear Park is treated as a side yard, given that the lot has frontage on multiple streets. The intended outcome would be to provide a more generous open space between any building and the edge of Linear Park.

This requirement would limit design options for development on a lot such as the Fawcett Oil site, which has a long frontage along Linear Park and abuts several private properties to the north. Pushing new buildings away from Linear Park may force new development to be located closer to abutting residences, or may result in a longer and narrower development. Because the proposed zoning requires the setback to be Green Area or Permeable Open Space, surface parking would not be allowed. Therefore, finding space to provide the required amount of parking would be an additional challenge.

Section 2

Arts and Crafts Studios

The proposed change to 17.23.22 would make arts and crafts studios an allowed use as-of-right in the district, whether in an existing building or a new building. The intended purpose is to allow the existing dance school to be established in a new building. However, dance schools are not typically classified as “arts and crafts studios” but as educational uses. It is also hard to predict whether a property owner would construct a new facility for such a use, and what such a facility would look like if it were built.

Access to Streets

The proposed Section 17.26 concerns public access to streets. Typically, zoning does not regulate public street access except for some limitations on the size and location of curb cuts on a lot. Allowing or prohibiting public access to a lot is usually addressed by the City Council in its consideration of curb cut applications. The zoning for the adjacent Special District 3 (SD-3) contains text limiting access to Harvey Street, but that zoning provision has not been applied.

The proposed text that prohibits a “publicly accessible street connection” between Massachusetts Avenue and Whittemore Avenue or Magoun Street is not clear, because SD-2 has no direct access to Massachusetts Ave. The likely intent is to limit access between Whittemore/Magoun and Cottage Park Ave, Edmunds Street or Tyler Court, but the proposed text may not be applied in that way. It is also not clear how the term “publicly accessible street connection” should be applied because it is not defined in zoning; a “public way” is a non-zoning concept that is controlled by other state and local regulations.

The proposed requirement that “no building, structure, parking facility, street, or access road within Special District 2 may have access to Brookford Street or Cottage Park Avenue” would preclude any new access to the Fawcett Oil site and potentially the permitted housing at 22 Cottage Park Avenue and the condominiums at 36-48 Brookford Street, which have no access from any other streets. Aside from questions of whether zoning has the power to restrict the rights of access in this way, the proposed text would make all of the existing access roads legally non-conforming. This could have the unintended effect of “locking in” the current patterns of access and egress in perpetuity, whether or not they are preferred by community members.

Transfer of Development Rights (TDR)

The proposed zoning allows transfer of development rights (TDR) for two purposes: to create public street connections and to create or preserve public open space.

As an example of the former, in the zoning for the Concord-Alewife area (Section 20.90), TDR is allowed in order to create streets and bicycle/pedestrian connections across a 200+ acre office/industrial district as it evolves to include more residential uses. The preferred locations for roads and other infrastructure are illustrated in the Concord-Alewife Planning Study. In the case of SD-2, given its small size and the existing traffic in the neighborhood, the City has not proposed the creation of new public roadway connections. Instead, the Traffic, Parking and Transportation Department has recommended distributing any automobile trips from new residential development among surrounding streets and prohibiting automobile cut-throughs, since commuter cut-through traffic would have a greater impact on neighbors than residential traffic. Enhancing bicycle and pedestrian connections is also recommended.

There are several other districts that allow TDR in order to incentivize the creation of open space. For instance, TDR was applied to create Pacific Street Park in Cambridgeport, in exchange for increased density on an MIT dormitory site.

In either case, a potential issue with TDR is that it would increase the allowed building density on the transfer receiving site, which may conflict with the other provisions of the proposed rezoning that aim to limit the impacts of building size and mass.

Special District 2
SD-2 Zoning District
Cambridge, Massachusetts

