



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION AMENDMENT TO SPECIAL PERMIT

Case Number:	133 AMENDMENT #1
Address:	622 Massachusetts Ave
Zoning:	Business B / Central Square Overlay District
Applicant:	Central Square LLC c/o James J. Rafferty 130 Bishop Allen Drive, Cambridge, MA 02139
Owner:	Central Square LLC c/o NAI Hunneman Management & Development Company
Application Date:	July 19, 2011
Date of Planning Board Public Hearing:	August 2, 2011
Date of Planning Board Decision:	August 2, 2011
Date of Filing Planning Board Decision:	August 19, 2011
Application:	Amendment to the design of a previously permitted project; special permit for reduction of required parking pursuant to Section 6.35.1.
Decision:	GRANTED, with conditions

Appeals, if any, shall be made pursuant to Section 17 of Massachusetts General Laws, Chapter 40A, and shall be filed within twenty (20) days after filing of the above referenced decision with the City Clerk. Copies of the complete decision and final plans, if applicable, are on file with the Community Development Department and the City Clerk.

Authorized Representative of the Planning Board: Jeffrey C. Roberts

For further information concerning this decision, please contact Liza Paden at 617-349-4647, or lpaden@cambridgema.gov.

DOCUMENTS SUBMITTED

Application Documents and Supporting Material

1. Special Permit Application dated including Cover Sheet, Summary of Application, Dimensional Form, Ownership Certificate, Supporting Statement for a Special Permit, and Package of Floor Plans, Elevations and Photographs dated July 15, 2011 by The Architectural Team.
2. Package of Floor Plans, Elevations and Photographs dated August 2, 2011 by The Architectural Team.
3. Letter from David Gabeau to James J. Rafferty with regard to parking utilization, presented by hand to the Planning Board on August 2, 2011.
4. Proposed Findings regarding 6.35.1 Reduction of Required Parking, presented by hand to the Planning Board on August 2, 2011.

Other Documents

5. Letter to the Planning Board from Frank Gerratana dated July 29, 2011.

FINDINGS

After review of the Application Documents and other documents submitted to the Planning Board, testimony given at the public hearing, and review and consideration of the applicable requirements and criteria set forth in the Zoning Ordinance with regard to the relief being sought, the Planning Board makes the following Findings:

1. Design Modifications

The Planning Board reaffirms the findings set forth in Special Permit #133. The Board finds that the proposed change of the second story from office to residential use and associated changes to the façade design are permissible and do not constitute a substantial change with regard to the findings made in Special Permit #133.

2. Reduction in Required Parking (6.35.1)

In approving a requested reduction in required parking, the Board is guided by the following zoning language:

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.

The Board finds that the proposed reduction to a ratio of approximately 0.86 parking spaces per residential unit (80 spaces for 93 units) will have little to no impact on congestion, public safety or availability of parking due to the location of the building in a major commercial center directly adjacent to an MBTA rapid transit station, several bus routes, and nearby amenities that can be easily accessed by walking or bicycling. Moreover, evidence presented by the Applicant indicates that parking for existing residential uses within the building has been utilized at a rate of approximately 0.5 to 0.6 spaces per unit. Providing a lower parking ratio in this location is consistent with the City's environmental goal of encouraging non-auto modes of transportation.

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.

This building is located within a few feet of an MBTA rapid transit station and many major bus routes.

(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.

The City of Cambridge operates a commercial parking facility on the same block of Green Street as the building.

(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.

Shared parking is not proposed.

(4) Age or other occupancy restrictions which are likely to result in a lower level of auto usage;

Although there are no occupancy restrictions, evidence presented by the Applicant suggests that the utilization of existing parking by residents of the building has been approximately 50-60%, leaving more than adequate parking to serve the proposed new residential units.

(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.

Because the proposal is for an existing building previously approved by the Planning Board, adding additional parking would very likely require detrimental design changes, such as the elimination of a portion of the ground floor presently used as retail space.

(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.

The existing building is subject to the Inclusionary Housing requirements and the new units will also be subject to those requirements. As set forth above, requiring that new parking spaces be added to the existing building would not be feasible without significant, costly, and potentially detrimental alterations to the existing building.

DECISION

Based on a review of the Application Documents, testimony given at the public hearings, and the above Findings, the Planning Board hereby GRANTS the requested amendment to the design and dimensional characteristics of Special Permit #133 and the requested Special Permit to reduce the required parking to permit 80 parking spaces for 93 residential units.

All uses, building, construction, and site plan development shall be subject to the conditions and limitations previously set forth in Special Permit #133, with the exception that the second floor plan and elevations approved in Special Permit #133 shall be superseded by the plans and elevations approved by the Planning Board on August 2, 2011. Additionally, the Planning Board approves the proposed dimensional changes to the project, as summarized in Appendix I of this Decision. The new residential uses shall be subject to the Inclusionary Housing requirements of Section 11.200.

Voting in the affirmative to GRANT the Special Permits were Planning Board Members Tom Anninger, H. Theodore Cohen, Steven Winter, Hugh Russell, William Tibbs, and Associate Members Ahmed Nur and Charles Studen, appointed by the Chair to act on the case, constituting at least two thirds of the members of the Board, necessary to grant a special permit.

For the Planning Board,

Hugh Russell, Chair

A copy of this decision #**133** – **AMENDMENT #1** shall be filed with the Office of the City Clerk. Appeals, if any, shall be made pursuant to Section 17, Chapter 40A, Massachusetts General Laws, and shall be filed within twenty (20) days after the date of such filing in the Office of the City Clerk.

ATTEST: A true and correct copy of the above decision filed with the Office of the City Clerk on August 19, 2011, by Jeffrey C. Roberts, authorized representative of the Cambridge Planning Board. All plans referred to in the decision have been filed with the City Clerk on said date.

Twenty (20) days have elapsed since the filing of the decision. No appeal has been filed.

DATE:

City Clerk of Cambridge

Appendix I: Approved Dimensional Chart

	Existing	Allowed or Required	Proposed	Approved
Lot Area (sq ft)	32,823	5,000	No Change	No Change
Total GFA (sq ft)	128,000	As Exists ¹	No Change	No Change
Residential Total *	81,000	N/A	107,650	Consistent with revised Application Documents
Non-Residential Total	47,000	N/A	20,350	
Total FAR	3.9	As Exists ¹	No Change	Consistent with revised Application Documents
Residential Total	2.5	N/A	3.3	
Non-Residential Total	1.4	N/A	0.6	
Total Dwelling Units	72	141	93	93
Base Units	N/A	109	N/A	Consistent with revised Application Documents and applicable zoning requirements
Inclusionary Bonus Units	N/A	32	N/A	
Base Lot Area / Unit (sq ft)	N/A	300	N/A	
Total Lot Area / Unit (sq ft)	N/A	233	N/A	
Lot Width (ft)	99.5	50	No Change	No Change
Height (ft)	67	As Exists	No Change	No Changes
Front Setback – Mass Ave (ft)	0	As Exists	No Change	
Front Setback – Plaza (ft)	1	As Exists	No Change	
Front Setback – Central Sq (ft)	3	As Exists	No Change	
Front Setback – Green St (ft)	3	As Exists	No Change	
Side Setback	0	As Exists	No Change	
Open Space (% of Lot Area)	12%	As Exists	No Change	No Changes
Private Open Space	12%	As Exists	No Change	
Permeable Open Space	N/A	As Exists	No Change	
Off-Street Parking Spaces	80	93 ²	No Change	80
Bicycle Spaces	36	46	47	Consistent with revised Application Documents and other applicable requirements
Loading Bays	2	2	No Change	

¹ Residential Gross Floor Area in the district is allowed at a base FAR of 3.0. The project (including proposed new units) is subject to the Inclusionary Housing requirements set forth in Section 11.200 of the Zoning Ordinance, which allows an increase of 30% in FAR for the entire lot, resulting in an allowed FAR of 3.9. Since the existing building has an FAR of 3.9, a change of existing Gross Floor Area from commercial to residential use is allowed.

² The Planning Board grants relief for a reduction in required parking pursuant to Section 6.35.1.