

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

2013 SEP 23 PM 2 07

OFFICE OF THE CITY CLERK

NOTICE OF PRELIMINARY DETERMINATION

Case Number:	231A Amendment 2 (Major)
Address:	159 First Street, 65 Bent Street (aka 150 Second Street), 29 Charles Street
Zoning:	PUD-4B: Industry A-1 and Business A
Applicants/Owners:	150 Second Street, LLC c/o Skanska USA Commercial Development 253 Summer Street, Boston, MA 02110 159 First Street Associates LP c/o Urban Spaces, LLC 10 McTernan Street, Cambridge, MA 02139
Application Date:	August 8, 2013
Date of Planning Board Public Hearing:	September 17, 2013
Date of Planning Board Determination:	September 17, 2013

Application: Proposal to amend the previously approved Final Development Plan to increase the number of accessory parking spaces for office use by 22 spaces and correspondingly decrease the number of accessory parking spaces for residential use.

Determination: The Planning Board finds that the proposal constitutes a Major Amendment, and conditionally approves the proposal with requests for additional information in the presentation of a Final Development Plan.

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 determination and application are on file with the Community Development Department and the City Clerk.

Authorized Representative of the Planning Board: Jeffrey C. Roberts JCR 9/23/13.

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

DOCUMENTS SUBMITTED

Application Documents and Supporting Material

1. Application for Amendments to PUD Development Plan and Project Review Special Permits prepared by Galluccio & Watson, LLP, dated August 8, 2013.

Other Documents

2. Memorandum from Susan E. Clippinger, Director of Traffic, Parking and Transportation, dated September 17, 2013.

SUMMARY OF APPLICATION

The Final Development Plan approved by Special Permit 231A is for a PUD across three noncontiguous sites. One site is a 115-unit residential building with ground-floor retail space (159 First Street), another is a 108,000 square-foot office and laboratory building (65 Bent Street, now called 150 Second Street), and another is a commercial parking lot to be converted to 8 townhouse units (29 Charles Street). Thus far, the 150 Second Street site has been built and is in the early stages of occupancy, the 159 First Street site is in the early stages of construction, and the 29 Charles Street site remains a commercial parking lot and is not yet seeking any building permit.

The 159 First Street site has 64 off-street parking spaces to serve the residential uses. According to the Final Development Plan, an additional 22 parking spaces on the 150 Second Street site are designated to serve the 159 First Street residential use. The remaining 72 spaces at 150 Second Street serve the office/lab use. The Applicant now seeks the ability to use all 94 spaces at the 150 Second Street site for the office/lab use. That requires the following amendments to the Final Development Plan:

1. An increase in accessory parking for office and commercial laboratory uses from 72 to 94 spaces (from a ratio of 0.66 to 0.87 spaces per 1,000 square feet of GFA).
2. A reduction in accessory parking for residential uses on 159 First Street from 86 to 64 spaces (from a ratio of 0.75 to 0.56 spaces per dwelling unit).

As mitigation, the Applicant proposes to secure 15 parking spaces for residential uses from a nearby off-site parking facility. Specific requirements for implementing this proposal are recommended in a memorandum from the Traffic, Parking and Transportation Department.

FINDINGS

A public hearing was held on September 17, 2013 at which the Board heard testimony from the Applicant and the Director of Traffic, Parking and Transportation. Public comment was solicited, but none was offered.

After review of the Application Documents and other documents submitted to the Planning Board, testimony by the Applicant, and review and consideration of the applicable requirements and criteria set forth in the Zoning Ordinance, the Planning Board makes the following Findings:

1. Approval of a Development Proposal (Section 12.35.3)

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.*

The Board finds that the proposal continues to meet the General Development Controls for a PUD and the specific controls for the PUD-4B District as well as the policy plans and development guidelines for the area. Nevertheless, the proposal shall require the Board to grant a new special permit pursuant to Section 6.35.1 for the further reduction in required accessory parking for residential uses, which shall be decided when the Board reaches a final decision on the Major Amendment.

In general, the Board finds that the relative benefits and adverse effects of the PUD are not substantially changed by the proposed amendment. Although the reduction of parking for residential uses has potential impacts, the Director of Traffic, Parking and Transportation (in the memo dated September 17, 2013) has recommended measures to mitigate those impacts by securing at least 15 off-site parking spaces, which the Applicant has agreed to as conditions of a special permit. Another potential impact is the risk of an increase in traffic resulting from the requested increase in office/lab parking. However, the parking ratio for office/lab use remains low compared to similar uses in the area and is less than the maximum zoning limitation. Furthermore, impacts would be mitigated by Parking and Transportation Demand Management requirements that remain applicable to this project.

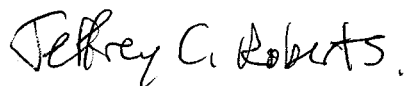
DETERMINATION

Based on a review of the Application Documents, testimony given at the public hearings, and the above Findings, the Planning Board hereby determines that the proposed amendment shall be considered a Major Amendment, and approves the proposal with the following requests for additional information in the preparation of a Final Development Plan for the Major Amendment:

1. Discuss the measures that will be taken by the Applicant to ensure that residents will not be discouraged from using the proposed off-site parking spaces.
2. Explain the rationale for securing 15 off-site parking spaces for residential uses, given that the proposal will reduce the residential parking by 22 spaces.
3. Provide evidence that the Parking and Transportation Demand Management Plan for 150 Second Street contemplates 94 spaces for the office and commercial laboratory uses on that site.
4. Discuss how parking will be managed if, at a future time, the 159 First Street residential building is converted to condominiums.
5. Show the distance from the 159 First Street residential building to the locations that could potentially be used for off-site parking.

Voting in the affirmative to make the above determination were Planning Board Members H Theodore Cohen, Steve Cohen, Hugh Russell, William Tibbs, Steven Winter, Pamela Winters, and Associate Members Catherine Preston Connolly and Ahmed Nur, appointed by the Chair to act on the case.

For the Planning Board,



Jeffrey C. Roberts, Community Development Department
Authorized Representative of the Planning Board.

A copy of this determination 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.