



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS  
2010 JAN 15 A 10:22

## NOTICE OF DECISION

Case No: 241  
Address: 2013 Massachusetts Avenue and 1991 Massachusetts Avenue  
Zoning: Business A2 (BA2), Massachusetts Avenue Overlay District  
Owner: Oaktree Development, 129 Mount Auburn Street, Cambridge, MA and Saint James Church, 1991 Massachusetts Avenue, Cambridge, MA  
Applicant: Oaktree Development, 129 Mount Auburn Street, Cambridge, MA  
Application Date: September 10, 2009  
Public Hearing: October 20, 2009  
Planning Board Decision: December 15, 2009  
Date of Filing Decision: January 14, 2010 <sup>EMP</sup>  
Application: Request for a Project Review Special Permit, (Section 19.20), and a special permit waiver of the required on grade parking setback (Section 6.44.1g).  
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 the 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 Office of the Community Development Department and the City Clerk.

Authorized representative to the Planning Board:

For further information concerning this decision, please contact Liza Paden at 617 349 4647 or [lpaden@cambridgema.gov](mailto:lpaden@cambridgema.gov).

### **APPLICATION MATERIALS SUBMITTED**

Special Permit Application dated 9/10/09, containing the cover sheet, summary of application, Project Review narrative, Appendix 1 – Dimensional Form, Ownership Certificates, Traffic Impact Study Certification dated 8/28/09, and Cambridge Arborist Report.

Special Permit Application, dated 9/10/09, 28 pages of plans and sketches.

Certificate of Receipt of plans from Cambridge Department of Public Works and Cambridge Water Department.

LEED Project Checklist, dated 7/22/08

Copy of the Traffic Impact Study, dated August 2009

Agreement between the Commonwealth of Massachusetts and St James Episcopal Church, 2/19/87

Agreement between St James's Church and the Cambridge Historical Commission, dated March 2005

Memo to the Planning Board from Charles Sullivan, Executive Director of the Cambridge Historical Commission, dated 9/22/09.

Memo to the Planning Board from Susan Clippinger, Director of Traffic, Parking and Transportation, dated 10/14/09.

Sasaki/Oaktree Presentation to the Planning Board, containing responses to the Planning Board comments, dated 10/20/09 (original and revised copy)

Copy of the Mass. Historical Commission and Cambridge Historical Commission submissions, dated 10/26/09.

List of Activities at St. James's Episcopal Church, dated 11/16/09

Copy of memo to the Planning Board from Gwen Noyes/Oaktree, dated 11/16/09, re: traffic report summary.

Oaktree/Sasaki presentation dated 12/8/09, with cover letter.

Special Permit application, dated 12/15/09, 27 pages of plans.

### **OTHER DOCUMENTS SUBMITTED**

Presentation by the Residents and Neighbors.

Letter to the Planning Board from Leslie Borden, dated 10/13/09

Letter to the Planning Board from Lincoln Hampton, Jr, dated 10/13/09

Letter to the Planning Board from Judy Weiss, dated 10/13/09

Letter to the Planning Board from Rachel Evans, dated 10/13/09

Letter to the Planning Board from Robert & Marie Moalli, dated 10/13/09

Letter to the Planning Board from Ilene Ungerleider, dated 10/13/09

Letter to the Planning Board from Margaret M. Moran, dated 10/13/09

Letter to the Planning Board from Tom Tufts, dated 10/13/09  
Letter to the Planning Board from Michael Salib, dated 9/27/09  
Letter to the Planning Board from Lisa Ceremsak, dated 10/5/09  
Letter to the Planning Board from Judy and John Gay, dated 10/6/09  
Letter to the Planning Board from Leonora Hall Williams, dated 10/9/09  
Letter to the Planning Board from Ross A. Speer, dated 10/9/09  
Letter to the Planning Board from Richard B. Carr, dated 10/10/09  
Letter to the Planning Board from James Carr, dated 10/10/09  
Letter to the Planning Board from Colleen Madden, dated 10/10/09  
Letter to the Planning Board from Jessica Pratt, dated 10/10/09  
Letter to the Planning Board from H. Carr, dated 10/11/09  
Letter to the Planning Board from Elizabeth McNerney, dated 9/10/09, amended 10/11/09  
Letter to the Planning Board from Isabella Dello Iaconi, dated 10/11/09  
Letter to the Planning Board from Diane Carr, dated 10/11/09  
Letter to the Planning Board from Anne Speakman, dated 10/12/09  
Letter to the Planning Board from Janie and Sam Katz-Christy, dated 10/12/09  
Letter to the Planning Board from Sarah Farrington, dated 10/12/09  
Letter to the Planning Board from Jim Weitz, dated 10/12/09  
Letter to the Planning Board from Lydia Gralla, dated 10/12/09  
Letter to the Planning Board from Bruce Roberts, dated 10/12/09  
Letter to the Planning Board from Lili Winslow, dated 10/12/09  
Letter to the Planning Board from Paige Arnof-Fenn & George Fenn, dated 10/12/09  
Letter to the Planning Board from Jerry Callen, dated 10/12/09  
Letter to the Planning Board from Karen M. Meridith, dated 10/12/09  
Letter to the Planning Board from Judith Clark, dated 10/12/09  
Letter to the Planning Board from David Vogel, dated 10/13/09  
Letter to the Planning Board from Anne Shumway, dated 10/13/09  
Letter to the Planning Board from the Porter Square Neighbors Association, dated 10/13/09  
Letter to the Planning Board from Michael Walters Young, AICP, dated 10/13/09  
Letter to the Planning Board from the Porter Square Neighbors Association, dated 10/13/09  
Letter to the Planning Board from Alex M. Steinberg, dated 10/13/09  
Letter to the Planning Board from Michael Bernier, dated 10/13/09

Letters to the Planning Board from Gavin and Janet Malenfant and Jeffrey Spencer, dated 8/11/09 & 10/13/09

Letter to the Planning Board from Patty Armstrong, dated 10/13/09

Letter to the Planning Board from John Armstrong, dated 10/13/09

Letter to the Planning Board from Flint Born, dated 10/13/09

Letter to the Planning Board from John Armstrong as chair of the St. James Neighbors Committee, dated 10/13/09

Letter to the Planning Board from Joan Hazlett, dated 10/13/09

Letter to the Planning Board from Andrea Wilder, dated 10/13/09

Letter and photographs to the Planning Board from Alea, Jacob, and Constanza Eggers, dated 10/13/09

Letter to the Planning Board from Preston Gralla, dated 10/13/09

Letter to the Planning Board from Gretchen Friesinger and David Denison, dated 10/19/09

Letter to the Planning Board from Councillor Craig Kelley, dated 10/20/09

Letter to the Planning Board from John Armstrong, dated 10/20/09

Letter to the Planning Board from Ruth Ryals, dated 10/22/09

Letter to the Planning Board from John Gay, dated 10/22/09

Letter to the Planning Board from Debra Fox, dated 10/25/09

Letter to the Planning Board from Phyllis V. Follett, dated 11/2/09

Letter to the Planning Board from John Howard and Susan Hunziker, of the PSNA, dated 11/3/09

Letter to the Planning Board from John Howard, dated 11/3/09

Letter to the Planning Board from Vice Mayor Sam Seidel, dated 11/17/09

Letter to the Planning Board from Michael Salib, dated 11/17/09

Letter to the Planning Board from John Armstrong, dated 11/16/09

Letter to the Planning Board from Charles Sullivan, Cambridge Historical Commission, dated 11/16/09

Letter to the Planning Board from Constanza Eggers, dated 11/3/09

Letter to the Planning Board from John Armstrong, dated 11/9/09

Letter to the Planning Board from Constanza Eggers, dated 11/17/09

Letter to the Planning Board from Vice Mayor Sam Seidel, dated 11/17/09

Letter to the Planning Board from Janet & Gavin Malenfant, dated 12/14/09

Memo to the Planning Board from Gwen Noyes, undated

Letter to the Planning Board from Lydia Gralla, dated 12/15/09

**PROJECT APPLICATION AND SUMMARY**

On September 10, 2009 Oaktree Development submitted an application for a Large Project Review Special Permit as well as a Special Permit waiver of the required on-grade parking setback to demolish an existing parish house and former car wash on two separate adjacent lots, and construct a new building with 46 residential dwellings, a new parish hall structure, a church library, and retail space at 1991 and 2013 Massachusetts Avenue. The St. James Church, which is located on the site at the corner of Massachusetts Avenue and Beech Street, will be restored and will continue its current use. The existing church garden will also be improved as part of the project. The project consists of 86,821sf of gross floor area (including 8,500 existing at the church) a new driveway to 4 surface parking spaces, and a garage entrance on Beech Street with access to 60 below-grade parking spaces. A revised application was submitted on December 8, 2009.

**FINDINGS**

After review and consideration of the application documents and supplemental documents submitted to the Board, testimony taken at the public hearing, and the general special permit criteria, the Board makes the following findings.

**1. Conformance with General Special Permit Criteria in Section 10.43.**

*A special Permit will normally be granted where specific provisions of this Ordinance are met, except when the particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public interest because:*

*a. It appears that the requirements of the ordinance cannot or will not be met.*

With the issuance of the Special Permit, the project does meet the requirements of the Zoning Ordinance. No relief was requested from the provisions of the Massachusetts Avenue Overlay District, Section 20.100. The project has been and will continue to be designed to conform to the requirements of the Overlay District: All setbacks will be devoted to green area or pedestrian walkways (excluding permitted driveways) as required in Section 20.105; all ground floors of the buildings facing Massachusetts Avenue, and to a substantial extent Beech Street, will be devoted to active uses for retail, residential and church use as required in Section 20.106; principal entrances (for pedestrians) to the main ground floor uses all face Massachusetts Avenue – for the church, church parish functions, the retail space and the church garden, and all facades facing public streets will be designed to meet minimum glass requirements as required in Section 20.107.

*b. The traffic generated or patterns of access or egress will cause congestion hazard, or substantial change in established neighborhood character.*

A Traffic Impact study by VAI, submitted to the Cambridge Traffic Department, has been accepted as complete and conforming to the standards set out in the ordinance and finds that

there will be no perceptible worsening of traffic, hazards or change in neighborhood character. Primary vehicle access to the residential and church uses on the site will be from Beech Street, to 4 surface parking spaces and a ramp to 60 underground parking spaces. In consultations with City staff and a review of findings in the Traffic Study, the Board finds this to be the preferred location for such access, removing more dangerous and disruptive vehicular movements from the principal vehicular artery abutting the site, Massachusetts Avenue. There will also be 7 new short-term parking spaces located along Massachusetts Avenue. The new short-term spaces on Massachusetts Avenue will help reduce vehicle trips on Beech Street associated with the church by moving some short-term parking from the current church parking lot to the new spaces on Massachusetts Avenue. The proposed ramp to the underground garage on Beech Street is further away from the Massachusetts Avenue intersection than the existing curb cut and would organize vehicle entries and exits from Beech Street in a way that is safer for both pedestrians and cars than the existing condition. Vehicles entering and leaving the garage and going to and from Massachusetts Avenue will also be able to make turns at a signalized intersection rather than at an uncontrolled curb cut.

*c. The continued operation of, or development of, adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use.*

Housing is an appropriate use to add to the location and retail use is encouraged along Massachusetts Avenue. The new structure replaces a surface parking lot on Beech Street, church functions occurring in an accessory building, a former car wash on Massachusetts Avenue, and is appropriately scaled for its location. In addition to the new residential units, new parish house structure, and new retail space, the project preserves and upgrades the existing and historically significant St. James Church at the corner of Massachusetts Avenue and Beech Street, as well as the church garden open space located on Massachusetts Avenue.

*d. Nuisance or hazard would be created to the detriment of the health, safety, and/or welfare of the occupant of the proposed use or the citizens of the City.*

No nuisance or hazard will be created.

*e. For other reasons the proposed use would impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance.*

The site is located in the Business A-2 zone and within the Massachusetts Avenue Overlay District, which allows multifamily residential uses. The project conforms with the requirements of the Cambridge Zoning Ordinance in regard to size, gross floor area (GFA), usage, number of units, number of parking spaces, and open space.

*f. The new use or building construction is consistent with the Urban Design Objectives set forth in Section 19.30.*

The project is consistent with the Urban Design Objectives of Section 19.30 as set forth below.

## **2. Conformance with the Required Project Review Special Permit Criteria in Section 19.20**

### **a. Traffic Impact Findings, Section 19.25.1.**

The Planning Board finds that, based on the analysis of the criteria contained in Section 19.25.11 as set forth in the Traffic Study and analyzed by City staff, the project will have no substantial adverse impact on city traffic within its study area.

### **b. Urban Design Findings, Section 19.25.2.**

The Planning Board finds that the project is consistent with the urban design objections of the city as set forth below.

*19.31. New projects should be responsive to the existing or anticipated patterns of development.*

The project conforms with the requirements of the Cambridge Zoning Ordinance in regard to heights, gross floor area, usage, number of units, number of parking spaces, and open space. Through fourth floor setbacks, the new building will rise to only 3 stories where it abuts existing adjacent residential lots. The overall height of the proposed structure as well as the footprint at the Beech Street entry is designed to favor views of the church. The proposed building will be consistent with the existing streetscape on Beech Street and will relate positively to the fire station on Massachusetts Avenue. The uses within the project are all appropriately located on the site. Materials and colors will be chosen that appropriately complement the existing church and neighborhood homes, through ongoing review by the Cambridge Historical Commission and the Community Development Department.

*19.32. Development should be pedestrian and bicycle-friendly, with a positive relationship to its surroundings.*

The ground floor along Massachusetts Avenue will include retail space, and a church library, and on Beech Street, there will be a common living room for the residents. All of these uses will include windows to the street and enhance the pedestrian environment. The main entrance to the church on Massachusetts Avenue will also be restored and provide access to the sanctuary from the Avenue. The residential entry to the condominiums will be off of a small entry court on Beech Street. The project will replace two curb cuts and an open drop-off area and parking lot on Beech Street with a single vehicle entry to a garage ramp and 4 covered surface parking spaces. Numerous drop-off movements will be relocated to new short-term parking spaces on Massachusetts Avenue. The site is within walking distance to both Davis Square and Porter Square T stations. Pedestrian access into the site will be safe, attractive, and at-grade. The project includes 32 indoor bicycle parking spaces and 10 outdoor short-term bicycle parking spaces. The garage entry will be 18' wide and be equipped with ice and snow melting elements and graded to provide safe access for bicycles. The street curb has been pulled back along Massachusetts Avenue to provide for an extension of the bicycle lane in front of the property.

19.33. *The building and site design should mitigate adverse environmental impacts of a development upon its neighbors.*

The new building will have small rooftop mechanical components which will be screened behind a parapet. Outdoor lighting will consist of wall-mounted down-facing fixtures and focus on intended walking and driving surfaces. A trash compactor will be incorporated into the maintenance plan for the project, resulting in a reduction of the space needed for trash containers. There are no loading docks associated with the project. Shadow studies show minimal impacts on adjacent properties, especially in the context of an urban setting such as this one. There is a tree protection plan that includes the replacement of trees on the property.

The project will be replacing in part a very active and intrusive, automobile-oriented, car wash facility that in its physical form (building directly on the property line, fully paved lot) and functioning (vehicles moving within the site as well as to and from the site) is not compatible with or well buffered from adjacent residential uses.

19.34. *Projects should not overburden the City infrastructure services, including neighborhood roads, city water supply system and sewer system.*

The project will not overburden the City's infrastructure services. The renovated church garden will be an attractive Low Impact Development feature of the project.

19.35. *New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically.*

The entire site is designed in a way that emphasizes the preservation and restoration of the existing historic St. James Church, which is an example of 19<sup>th</sup> century ecclesiastical architecture. The heights, setbacks, view angles, materials, colors, landscaping and through modulation of the form of the new structure are all intended to complement the existing church and adjacent firehouse, as well as neighboring houses.

19.36. *Expansion of the inventory housing in the City encouraged.*

The proposal adds 46 units to the inventory of housing in the city in a way that should help bring more activity and an enhanced streetscape to Massachusetts Avenue, and also provide an appropriate transition to Massachusetts Avenue from residences on Beech Street. The new development will provide 5 residential units that are affordable to low and moderate income residents under the City's inclusionary zoning ordinance.

19.37. *Enhancement and expansion of open space amenities in the City should be incorporated into the development of the city.*

The renovated church garden will remain on Massachusetts Avenue and become more publicly accessible and inviting. It is anticipated that the garden will be used for exterior church functions and events, which will help to enliven the space and contribute to public safety during both daytime and nighttime hours. The primary residential entry will be from Beech Street and include an entry court and garden. The existing Pin Oak trees along Beech Street will also be



preserved. There will be increased setbacks as well as classroom and residential garden spaces along the Blake Street side of the property.

**3. Conformance with the Criteria for modification of the required setback for driveways, Section 6.44.1.**

The design of the driveway on Beech Street meets the setback requirement for driveways. The placement of the driveway will also facilitate saving an important large street tree in the area. Therefore, relief from the setback requirement is not necessary.

**DECISION**

Based on a review of the application documents, comments made at the public hearing, and the above findings, the Planning Board **GRANTS** the requested Project Review Special Permit, subject to the following conditions and limitations:

1. All uses, building construction and site plan development shall be in substantial conformance with the plans and application documents submitted to the Planning Board as referenced above, dated September 10, 2009, and the revised application dated December 8, 2009. Appendix I summarizes the dimensional features of the project as approved.
2. The project shall be subject to continuing design review by the Community Development Department (CDD) and the Cambridge Historical Commission (CHC). Before issuance of the Building Permit for the project, the CDD shall certify to the Superintendent of Buildings that the final plans submitted to secure the Building Permit are consistent with and meet all conditions of this permit.
3. The proponent will continue to work with Community Development Department (CDD) staff on the design and massing of the 4<sup>th</sup> floor of the new building, the landscape design of the church garden, including any new fence to be associated with the church garden, and the optimal configuration of the covered surface parking spaces on Beech Street.
4. All authorized development shall conform to the requirements of the City of Cambridge Noise Control Ordinance, Chapter 8.16 of the City Municipal Code.
5. Before issuance of a Building Permit for construction authorized by this Special Permit, the Permittee shall prepare a Construction Management Plan consistent with the requirements of Section 18.20 of the Zoning Ordinance, which Plan shall be submitted to the Community Development Department for review and approval.
6. The mitigation recommendations of the Traffic, Parking and Transportation Department, as outlined in the letter to the Planning Board from Susan Clippinger dated October 14, 2009 shall be implemented by the Permittee as a condition of this Permit.

Voting in the Affirmative to **GRANT** the Special Permit were Planning Board Members W. Tibbs, T. Cohen, T. Anninger, H. Russell, S. Winter, P. Singer, and C. Studen constituting at least two thirds of the members of the Planning Board, necessary to grant a Special Permit.

For the Planning Board,



William Tibbs, Chair

A copy of this decision #241 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 January 15, 2010, by Elizabeth M. Paden, 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 – Dimensional Form**

**Special Permit # 241**

**Address: 1991 and 2013 Massachusetts Avenue**

	<b>Allowed/Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Granted</b>
<b>Total FAR</b>				
<b>Residential</b>	1.75	0	1.75	1.75
<b>Non-Residential</b>	1	0.43	1	1
<b>Inclusionary Bonus</b>	0.3	0	0.053	.053
<b>Total GFA in Sq. Ft.</b>	103,627	24,958	86,821	86,821
<b>Residential</b>	62,360	0	62,360	62,360
<b>Non-Residential</b>	22,560	24,958	22,560	22,560
<b>Inclusionary Bonus</b>	18,708	0	1,901	1,901
<b>Max. Height</b>				
<b>Range of heights</b>	35'-45'	45'	35'-45'	35' – 45'
<b>Lot Size (total)</b>		58,194	58,194	58,194
<b>1991 Mass Ave.</b>		43,146	43,146	43,146
<b>2013 Mass Ave.</b>		15,048	15,048	15,048
<b>Lot area/du</b>	600	-	775	775
<b>Total Dwelling Units</b>	77	0	46	46
<b>Base units</b>	59	0	36	36
<b>Inclusionary units</b>	9	0	5	5
<b>Bonus units</b>	9	0	5	5
<b>Min. Lot Width</b>	None	268'	268'	269'
<b>Min. Yard Setbacks</b>				
<b>Front</b>	5'	0'	5' min to 9' max	5' min to 9' max
<b>Side, Left</b>	10'	0'	10' min to 26' max	10' min to 26' max
<b>Side, Right</b>	10'	0'	23' min to 34' max	23' min to 34' max
<b>Rear</b>	20'	38'	20' min to 36' max	20' min to 36' max
<b>Total % Open Space</b>	0.0%	57.1%	58.4%	58.4%
<b>Usable</b>	0.0%	27.7%	52.7%	52.7%
<b>Other (parking, ramp)</b>	0.0%	29.4%	5.7%	5.7%
<b>Off Street Parking (total)</b>	64	18	64	64
<b>Church</b>	17	18	17	17
<b>Handicapped church</b>	1		1	1
<b>Residential</b>	44	0	44	44
<b>Handicapped residential</b>	2		2	2
<b>Bicycle Spaces</b>				
<b>Indoor</b>	32	0	32	32
<b>Outdoor</b>	0	0	To be determined	
<b>Loading Bays</b>	0	0	0	0

