



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

OFFICE OF THE CITY CLERK
CAMBRIDGE, MA 02142

NOTICE OF DECISION

Case Number:	257
Address:	75 Ames Street
Zoning:	Mixed Use Development District: Cambridge Center (MXD)
Applicant:	Boston Properties Limited Partnership 800 Boylston Street, Suite 1900 Boston, MA
Owner:	Cambridge Center West Garage LLC c/o Applicant
Application Date:	February 10, 2011 (Application revised and updated March 23, 2011 and April 7, 2011)
Date of Planning Board Public Hearing:	April 12, 2011
Date of Planning Board Decision:	April 12, 2011
Date of Filing Planning Board Decision:	May 3, 2011
Application:	Project Review Special Permit (Section 19.20, but excluding 19.21.1, as per Section 14.32.4) for new construction of 250,000 gross square feet of office and biotechnology manufacturing use including ground-floor retail.
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: Jeff Roberts JCR

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 Special Permit Application dated February 10, 2011 – superseded by Revised Application dated March 23, 2011.
2. Revised Special Permit dated March 23, 2011 – superseded by Revised Application dated April 7, 2011.
3. Special Permit Application dated April 7, 2011, including **Volume 1 Written Materials:** Ownership Certificate, Special Permit Application Form, Introduction, Dimensional Form, Project Description, Conformance to Article 19.30: Citywide Urban Design Objectives, Conformance to Article 10.43: Criteria for Issuance of Special Permits, Conformance to Article 22.23: Sustainable Design and Development; **Volume 2 Graphic Materials:** Proposed/Existing Site Plan, Notice Panel Location, Survey Plan, Site Photographs, Landscape Plan, Basement Plan, Ground Floor Plan, Second Floor Plan, Third-Fifth Floor Plan, Sixth Floor Plan, Seventh Floor Plan, Eighth-Twelfth Floor Plan, Roof Plan, East Elevation, West Elevation, North Elevation, South Elevation, Section, Ames Street Perspective, Ames/Broadway Perspective, Ames Street Perspective, Vassar Street Perspective, Perspectives.

Other Documents

4. Memorandum to the Planning Board from Roger Boothe and Community Development Department staff, dated April 6, 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.

Development on the site is governed by the regulations of the Mixed Use Development District: Cambridge Center (MXD), set forth in Article 14.000 of the Cambridge Zoning Ordinance. According to Section 19.22, the Project Review Special Permit is not generally applicable in the MXD District; however, the following is set forth in Section 14.32.4:

... notwithstanding the provisions of Section 19.22(1), any development within the area designated on the Zoning Map as the “Ames Street District” utilizing the 2010 Additional GFA under Section 14.32.3(2) above shall be subject to the provisions of Section 19.20-Project Review Special Permit, with the exception of Section 19.21.1.

The proposed development occurs within the “Ames Street District” and utilizes the referenced “2010 Additional GFA,” which is specified for non-residential use. Therefore the proposed development is subject to the provisions of the Project Review Special Permit, excluding 19.21.1.

1. Project Review Special Permit (19.20), excluding 19.21.1

(19.25.2) Urban Design Findings. The Planning Board shall grant the special permit only if it finds that the project is consistent with the urban design objectives of the city as set forth in Section 19.30. In making that determination the Board may be guided by or make reference to urban design guidelines or planning reports that may have been developed for specific areas of the city and shall apply the standards herein contained in a reasonable manner to nonprofit religious and educational organizations in light of the special circumstances applicable to nonprofit religious and educational activities.

The Board finds that the proposed project is consistent with the Urban Design Objectives set forth in Section 19.30, by reference to the narrative set forth in the Special Permit Application.

(19.31) New projects should be responsive to the existing or anticipated pattern of development.

- The building is designed to complete the frontage along Ames Street between Main Street and Broadway, and will complement the existing buildings adjacent to the site, Seven Cambridge Center and Six Cambridge Center, through its use and design.
- The existing site is surrounded by buildings of varying scales. The massing and proportions of the facility have been designed to take into consideration its immediate environment and street frontage with the introduction of retail space to activate the street, and the strategic introduction of elements in the façades to reduce the scale of the building.
- The proposed building is located thirty feet north of Seven Cambridge Center and thirty-six feet south of Six Cambridge Center. The proposed height is approximately 212’.
- An architecture of modern aesthetic appropriately represents the progressive nature in this district of Cambridge. The proposed materials of the building are primarily pre-cast, metal panel and curtain wall above the street level. The use of two stone finishes and curtain wall will articulate the street edge.

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

- The sidewalk paving materials and street planting will provide an improved walking environment. The provision of retail spaces, entrance to the upper floors of the

building, and a new Cambridge Center West Garage pedestrian entrance on Ames Street will activate and enliven the pedestrian environment.

- Storage of bicycles will be accommodated within the existing garage on the adjoining Cambridge Center West Garage.
- All curb cuts are existing and include raised crosswalks to allow pedestrians to cross at the same grade as the sidewalk. These raised crosswalks also function as speed bumps for entering and exiting vehicles.

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

- The major mechanical equipment for the proposed project will be located on the roof of the proposed building at 75 Ames Street. The mechanical penthouse and screening will be designed to be sympathetic to the urban context and the character of the proposed building. A mechanical floor is located between occupied floors eleven and twelve.
- The building's mechanical equipment will be specified to meet Cambridge's requirements for mitigating acoustical impacts.
- All loading has been designed to take place off-street.
- Trash will be stored inside the buildings in trash areas or in off-street loading areas designed to prevent any effect on the public way.

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

- The project complies with the City of Cambridge Low Impact Development Guidelines by providing an on-site retention and infiltration system to reduce storm water runoff to less than existing conditions. The combination retention and infiltration system reduces peak flow rates by approximately 65% for every storm event.
- The proposed sewer system complies with the City of Cambridge sewer design standards by incorporating a retention tank on the property. This tank is designed to hold 4 hours of peak flow for the entire project to protect the existing sewer infrastructure in the project area.
- The entire water, sewer, and drainage system for the Seven Cambridge Center, Cambridge Center West Garage, and Residences at Cambridge Center (the building previously proposed for the 75 Ames Street site) was originally reviewed and approved by the City of Cambridge Department of Public Works and Cambridge Water Department in June 2004. Updates for the currently proposed 75 Ames Street building will be reviewed by the Cambridge Department of Public Works and Water Department as necessary.

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

The project will serve to complete the Ames Street block from Main Street to Broadway, screening the Cambridge Center West Garage entirely from view.

(19.36) Expansion of the inventory of housing in the city is encouraged.

Housing is not an element of the proposed project.

(19.37) Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city.

The project will enhance the public streetscape along Ames Street with active ground floor uses and landscape improvements. An existing landscaped terrace adjacent to the existing parking garage will remain, but will be modified to accommodate the connector joining 75 Ames Street and Seven Cambridge Center.

2. General Criteria for Issuance of a Special Permit (10.43)

The Planning Board finds that the project meets the General Criteria for Issuance of a Special Permit, as set forth below.

10.43 Criteria. Special permits will normally be granted where specific provisions of this Ordinance are met, except when 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 requirements of this Ordinance cannot or will not be met, or ...

The proposed project meets the applicable zoning requirements in the MXD District.

(b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or ...

Traffic patterns will not substantially change since the entrances to the existing garage will remain and no new parking will be added.

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

Adjacent parcels include office, lab, research, hotel, retail and parking uses. The addition of the proposed biotechnology and retail uses further drives activity and supports the mixed use nature of the area. The addition of retail space will enhance the pedestrian experience along Ames Street.

(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, or ...

The proposed addition will be designed in conformance with the latest edition of the state building code and operated in compliance with all health and safety regulations of the City of Cambridge.

(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, and ...

The proposed use is consistent with the intent and purpose of the Mixed Use Development District as set forth in the Zoning Ordinance.

(f) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.

The proposed building is consistent with the Urban Design Objectives, as set forth above in these Findings.

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 Special Permit subject to the following conditions and limitations. Hereinafter, for purposes of this Decision, the Permittee shall mean the Applicant for the requested Special Permit and any successor or successors in interest.

1. All use, building construction, and site plan development shall be in substantial conformance with the Application Documents dated April 7, 2011, and all supplemental information presented by the Applicant to the Planning Board. 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). Before issuance of a Building Permit for the project, 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 Decision. As part of CDD's administrative review of the project, and prior to any certification to the Superintendent of Buildings, CDD may present any design changes made subsequent to this Decision to the Planning Board for its review and comment.

Through the continuing administrative design review process described above, the Permittee may make further design refinements to the appearance of the rooftop elements of the building, the large glass openings displayed on the building's east elevation, and the treatment of the building façade and landscaping along the ground floor portion of Ames

Street to further enhance the pedestrian experience. CDD shall certify that such issues have been addressed prior to the issuance of a Building Permit for the project.

3. All authorized development shall abide by all applicable City of Cambridge Ordinances, including the Noise Ordinance (Chapter 8.16 of the City Municipal Code).
4. Throughout design development and construction, the project shall conform to the Green Building Requirements set forth in Section 22.20 of the Cambridge Zoning Ordinance.

Voting in the affirmative to GRANT the Special Permits were Planning Board Members Steven Winter, H. Theodore Cohen, Tom Anninger, Hugh Russell, Pamela Winters, William Tibbs, and Associate Member 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 #257 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 May 3, 2011, by Jeff 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	Permitted
Lot Area (sq ft)	66,599	No minimum	66,599	No Change
Total GFA (sq ft)	0	See below (1)	250,000	250,000
Residential Base	0	0	0	Consistent with Application Documents and applicable zoning requirements
Non-Residential Base	0	See below (1)	250,000	
Inclusionary Bonus	Not applicable	Not applicable	Not applicable	
Total FAR	0	See below (1)	3.75	Consistent with Application Documents and applicable zoning requirements
Residential Base	0	0	0	
Non-Residential Base	0	See below (1)	3.75	
Inclusionary Bonus	Not applicable	Not applicable	Not applicable	
Lot Width (ft)	Not applicable	No minimum	No change	No Change
Height (ft)	69'-11" (2)	250 max	211.5	Consistent with Application Documents and applicable zoning requirements
Front Setback (ft)	Not applicable	None required	As shown	
Side Setback – Left (ft)	Not applicable	None required	As shown	
Side Setback – Right (ft)	Not applicable	None required	As shown	
Rear Setback (ft)	Not applicable	None required	As shown	
Open Space (sq ft)	31,526	12,557 min (3)	18,058	Consistent with Application Documents and applicable zoning requirements
Private Open Space	Not applicable	Not applicable	Not applicable	
Permeable Open Space	Not applicable	Not applicable	Not applicable	
Off-Street Parking Spaces	631 (4)	127 min	No change (4)	Consistent with Application Documents, zoning and other applicable requirements
Handicapped Parking Spaces	16	Not applicable	No change	
Bicycle Spaces	168	Not applicable	No change	
Loading Bays	Not applicable	3	3	

(1) Allowed Gross Floor Area is determined cumulatively under the regulations of Section 14.30.

(2) Height of existing above-grade parking garage (to remain).

(3) Calculated for the lot as per the regulations of Section 14.40.

(4) Required parking will be accommodated in the existing on-site garage, which has remaining capacity to satisfy the parking demand.