

CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

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CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

## NOTICE OF DECISION

Case Number:	267
Address:	22 Cottage Park Avenue, 27 Cottage Park Avenue
Zoning:	Residence B (Res B) / Special District 2 (SD-2)
Applicant:	Marc S. Resnick, Trustee of Cottage Park Realty Trust, c/o The Beantown Companies, Inc., 183 Harvard Avenue, #2 Allston, MA 02134
Owner:	Marc S. Resnick, Trustee of Cottage Park Realty Trust, c/o The Beantown Companies, Inc., 183 Harvard Avenue, #2 Allston, MA 02134
Application Date:	December 6, 2011
Date of Planning Board Public Hearing:	January 3, 2012
Date of Planning Board Decision:	January 3, 2012
Date of Filing Planning Board Decision:	February 8, 2012

**Application:** The Applicant seeks a Planning Board Special Permit (Section 5.28.2) for the conversion of an existing commercial building at 22 Cottage Park Avenue into a 16 unit residential building and a surface parking lot at 27 Cottage Park Avenue. The Applicant also seeks a Planning Board Special Permit (Section 5.23(2)) for a rooftop elevator penthouse, HVAC equipment, and skylights. The project will need separate special permits and variances from the Board of Zoning Appeal.

**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:

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

## **DOCUMENTS SUBMITTED**

### Application Documents and Supporting Material

Special Permit Application, Application Summary, Dimensional Form, Ownership Certificate, Project Narrative, Proposed Site Improvements and Parking Plan, Proposed Exterior Elevations, Proposed Floor Plans, Photographs of Development Parcels and Abutting Lots, Parking Analysis, LEED Project Checklist, Credit Summary, and Affidavit, Check for Filing Fee.

### Other Documents

Signed petition, submitted to the Planning Board on January 3, 2012.

Memo to the Planning Board, from John Bolduc, Environmental Planner, dated December 27, 2011.

Memo to the Planning Board, from Sue Clippinger, Director, Traffic Parking and Transportation Department, dated January 3, 2012.

## **APPLICATION SUMMARY**

On December 6, 2011, the Applicant submitted a proposal to convert an existing commercial building to residential use. The proposed project involves 3 parcels of land which include a 4-story commercial building on a 13,959 square foot lot at 22 Cottage Park Avenue, a 10,215 square foot lot at 27 Cottage Park Avenue with an existing Quonset hut structure, and a 4,494 square foot lot located at 18 Cottage Park Avenue with an existing 2-family house. The applicant seeks to convert the commercial building into 16 residential units, and extend the existing lobby area. The project also proposes the demolition of the Quonset hut structure and the creation of twenty one (21) off street parking spaces at 27 Cottage Park Avenue, as well as interior renovations to the house at 18 Cottage Park Avenue. The house at 18 Cottage Park Avenue is not directly related to the projects at 22 and 27 Cottage Park Avenue; however the Applicant is seeking a variance from the Board of Zoning Appeal to subdivide the currently combined parcel that includes 18 Cottage Park Drive and 22 Cottage Park Drive.

## **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. 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.*

With the granting of this Special Permit and the granting of all requested variances and special permits from the Board of Zoning Appeal, the requirements of this Ordinance will be met.

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

The project involves the re-use of an existing commercial building into an appropriately scaled 16 unit multi-family dwelling and will not result in a substantial change to the character of traffic. The project's parking facilities have been designed to minimize potential impacts on parking availability and traffic patterns. The project will also allow for the potential creation of 3 additional on-street parking spaces as a result of reducing the width of the existing curb cut at 27 Cottage Park Avenue.

*(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.*

The proposed project will add 16 residential units with off street parking in the neighborhood and will not adversely affect adjacent uses. The project site is currently surrounded by residential uses and a relatively large commercial parcel which is anticipated to become a residential use at some point in the future.

*(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.*

The project will not create any nuisance or hazard. The new residential use will not have a negative health or safety impact on the neighborhood. The development will conform to all applicable health and safety regulations.

*(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 proposed project is consistent with the intent and purpose of Section 5.28.2 of the Zoning Ordinance and will not impair the integrity of the district which anticipates a transition from commercial to residential use.

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

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

The project involves the re-use of an existing commercial building into an appropriately scaled 16 unit multi-family dwelling. The 16 residential units will be sufficiently sized and will feature a range of square footage and layouts that are typical for housing of this kind in the neighborhood.

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

Parking for bicycles will be provided on site via eight (8) bicycle spaces inside of the residential building and eight (8) bicycle spaces adjacent to the building entrance. The project site is  $\frac{3}{4}$  mile from the MBTA Red Line Station at Davis Square and is within  $\frac{1}{2}$  mile of four bus routes on Massachusetts Avenue. The existing lobby area will be extended to make the building entrance handicap accessible.

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

The proposed project will preserve the existing building at 22 Cottage Park Avenue and convert it to residential use. The housing provided will be an appropriate style and density for the neighborhood and will limit potential negative impacts. The project includes the installation of landscaping, fencing, and other exterior improvements to the properties at 22 and 27 Cottage Park Avenue. The building at 22 Cottage Park Avenue will meet the requirements of the most current applicable LEED building rating system at the level "certified" or better.

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

The project involves the demolition of an existing dilapidated Quonset hut structure and the residential reuse of an existing commercial building which will not overburden the City's water or sewer system. The traffic generated by the 16 residential units will not overburden existing neighborhood roads.

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

By preserving the commercial building and converting it to residential use the Applicant will create housing of an appropriate style and density for the neighborhood while preserving a building that is part of the neighborhood's historic fabric. The Applicant has obtained necessary approvals from the City of Cambridge Historical Commission for the project.

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

The project involves the creation of 16 new residential dwelling units which range in square footage and layout. The mix of unit configurations and sizes will provide a variety of suitable housing options for a mix of household and lifestyles within the structure of the existing building.

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

The existing conditions at 22 Cottage Park Avenue and 27 Cottage Park Avenue do not currently include open space. The proposed project includes appropriately designed green space at both 22 Cottage Park Avenue and at 27 Cottage Park Avenue, as well as screening and buffering for the benefit of neighbors and abutters.

**2. Conversion of Non Residential Structures to Residential Use (5.28.2)**

*(5.28.28.1) Criteria Applicable to All Projects*

- a) *Provision of Parking. Where it is proposed to add dwelling units above the limits established in the base zoning regulations, the Board shall evaluate the impact of increased numbers of dwelling units above that normally permitted in the district on the demand for on-street parking by residents and visitors to the proposed building, particularly in neighborhood where off street parking is limited.*

*In reaching a determination, the Board may require that the Applicant provide elements of a Parking Analysis as set forth in Section 6.35.3 of the Zoning Ordinance. Where a project is subject to additional criteria as specified in Section 5.28.28.2 below a parking Analysis shall be required to be included with the Special Permit Application.*

The total parking that will be provided is sufficient to address concerns regarding increased demand for on-street parking created by the new dwelling units. The project will exceed the required minimum off street parking by including 21 accessory parking spaces at 27 Cottage Park Avenue for the 16 residential units at 22 Cottage Park Avenue. The project will also allow for the potential creation of 3 additional on-street parking spaces as a result of reducing the width of the existing curb cut at 27 Cottage Park Avenue. There will be a maximum of one (1) parking space located at 22 Cottage Park Avenue.

- b) *Privacy Considerations. Where significant variations from the normally required dimensional standards for the district are proposed, the Board shall evaluate the impact on residential neighbors of the new housing use and any other proposed use as it may affect privacy. The location and size of windows, screening elements, decks, entries, security, and other lighting, and other aspects of the design, including the distribution of functions within the building, shall be reviewed in order to assure the maintenance of reasonable levels of privacy for abutters. In reviewing a proposed development plan, the Board shall consider, among other factors, the potential negative impacts of the new*

*activity on abutters as a result of the location, orientation, and use of the structure(s) and its yards as proposed.*

The project will allow for the maintenance of reasonable levels of privacy for abutters. The project will not involve any substantial extension of or addition to the current building at 22 Cottage Park Drive, and will not decrease front, side, or rear yard setbacks in any significant way. The proposed parking lot at 27 Cottage Park Avenue will be screened and buffered from surrounding residential uses by vegetation and/or fencing. There will not be any significant increase in the size and number of windows nor any decks, yards or other outdoor recreation areas as part of the proposed residential building. Security and other outdoor lighting will be designed and installed so as to minimize any potential negative impacts on abutters and neighbors.

- c) *Reduction in Private Open Space. Where it is proposed to reduce the amount of on-site Private Open Space below what is required in the applicable district, the Board shall evaluate the proposal in light of the following:*
- 1. The extent to which screening and buffering from neighbors will be accomplished*
  - 2. The quality and viability of the proposed open space as they are designed*
  - 3. The tradeoff in benefits and negative impacts of the loss of green space in order to provide the required amount of parking, including consideration of the feasibility of alternate parking arrangements that might produce additional green area, such as placing some or all parking within the structure*
  - 4. The availability of common recreational spaces within the building to compensate for the loss of usable outdoor open space*

The existing conditions at 22 Cottage Park Avenue and 27 Cottage Park Avenue do not currently include open space. The proposed project does not include private open space but there will be appropriately designed green space located at both 22 Cottage Park Avenue and at 27 Cottage Park Avenue, as well as screening and buffering for the benefit of neighbors and abutters. The Board is also sensitive to utility companies' need to maintain truck access via a driveway to a transformer located in the rear of the building at 22 Cottage Park Avenue as well as a desire to have a handicap parking space adjacent to the building.

- d) *Community Outreach. The Planning Board shall consider what reasonable efforts have been made to address concerns raised by abutters and neighbors to the project site. An Applicant seeking a special permit under this Section 5.28.2 shall solicit input from affected neighbors before submitting a special permit application. The application shall include a report on all outreach conducted and meetings held, shall describe the issues raised by community members, and shall describe how the proposal responds to those issues.*

During the past year, the Applicant has met extensively with neighbors, abutters, and neighborhood groups. Numerous modifications to the project have been made in order to

address concerns raised by these parties. Furthermore, during this process, the zoning designation for a portion of the property at 22 Cottage Park Avenue was rezoned from a Business A2 zone to the more restrictive Residence B zone. Prior to submitting the special permit application the Applicant had provided neighborhood groups with detailed plans showing such things as lighting, parking, landscaping, bicycle parking, handicapped entrances and parking, dimensions for every room, additional windows, dimensions of new windows and changes to the height of the building. The Applicant had also revised the plans in regards to air conditioning unit locations, trash and recycling, rainwater drainage system, and the rear setback of 27 Cottage Park Avenue, to accommodate requests and concerns of neighbors.

*(5.28.28.2) Additional Criteria Applicable to Larger Projects*

*Where the proposed project includes more than 10,000 Gross Square Feet or more than ten (10) dwelling units, and the proposed Gross Floor Area or number of dwelling units is above the maximum allowed under base zoning regulations, the Board shall evaluate the proposal in light of the following:*

- a) *The implications of the size or number of additional dwelling units on the anticipated demand for parking. In order to assist the Planning Board in evaluating parking impacts, an applicant for a special permit shall be required to submit Parking Analysis, as set forth in Section 6.35.3 of the Zoning Ordinance, as part of the special permit application.*

The off-street parking that will be provided will exceed the required rate of one space per dwelling unit. The project will also allow for the potential creation of 3 additional on-street parking spaces as a result of reducing the width of the existing curb cut at 27 Cottage Park Avenue. The Parking Analysis submitted with the application shows that the proposed number of parking spaces will be more than adequate to meet the demand for on-street parking by residents and visitors to the building at 22 Cottage Park Avenue.

- b) *The appropriateness of the proposed layout of floor space within the building for a multifamily residential use, with attention to the typical range of unit sizes and types that would be expected for housing in the neighborhood. Considerations may include the suitability of proposed unit configuration for a variety of households, the extent to which unusual unit sizes or shapes may impact parking or overall quality of life for neighbors, and the availability of customary amenities for residents such as storage, utilities, common rooms and recreational facilities.*

The project involves the creation of 16 generously sized residential dwelling units which have a range in square footage and layout that is typical for housing of this kind in the neighborhood. The mix of unit configurations and sizes will provide a variety of suitable housing options for a mix of household and lifestyles within the structure of the existing building. The project provides ample opportunities for bicycle and personal property storage, utilities, and common spaces within the building. Sufficient off street parking

will be provided and the project is not anticipated to negatively impact the overall quality of life for neighbors.

- c) *The potential mitigating effects of the proposed occupancy of dwelling units. For instance, units designed for elderly residents or live/work spaces for professionals or artists may provide desirable housing options for Cambridge residents with fewer adverse impacts on parking or neighborhood character.*

The project is not designed for a particular type of residential occupancy. However, the range of generously sized units and available storage space is accommodating to families with children and will not adversely impact the character of the neighborhood.

### 3. Height Exceptions (5.23.2)

The Board finds that skylights on the flat roof of the proposed residential building at 22 Cottage Park Avenue will not impact abutters and the proposed elevator shaft will not be visible to, or impact abutters. The mechanical equipment will be located towards the center of the roof and will still be subject to the requirements of the Noise Ordinance.

## **DECISION**

Based on a review of the Application Documents, testimony given at the public hearing, and the above Findings, the Planning Board hereby **GRANTS** the requested Special Permits subject to the following conditions and limitations. Hereinafter, for purposes of this Decision, the Permittee shall mean the Applicant for the requested Special Permits and any successor or successors in interest.

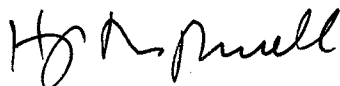
1. All use, building construction, and site plan development shall be in substantial conformance with the Application Documents dated December 6, 2011, and all supplemental documents and information submitted by the Applicant to the Planning Board as referenced above. Appendix I summarizes the dimensional features of the project as approved.
2. The project shall be subject to continuing design review by the Community Development Department (CDD), including the design of the front entrance of the building and the layout of compact parking spaces. Before issuance of each 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.
3. The project shall have a maximum of twenty one (21) accessory off street parking spaces and no more than one (1) off street parking space located at 22 Cottage Park Avenue, and the remainder or all of the parking spaces shall be located at 27 Cottage Park Avenue.
4. The proponent shall continue to work with the Traffic, Parking and Transportation Department on an appropriate method of bike storage for the project.



5. All authorized development shall abide by all applicable City of Cambridge Ordinances, including the Noise Ordinance (Chapter 8.16 of the City Municipal Code).
6. 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.
7. This Special Permit shall be conditioned upon the Permittee receiving all necessary variances and special permits from the Board of Zoning Appeal for the project permitted herein.

Voting in the affirmative to GRANT the Special Permits were Planning Board Members H Russell, T. Anninger, P. Winters, B. Tibbs, S. Winter, T. Cohen, and Associate Member A. Nur, 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 #267 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 February 8, 2012, by Taha Jennings, 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 # 267**

**Address: 22 Cottage Avenue**

	Allowed/Required	Existing	Proposed	Granted
<b>Total FAR</b>	0.5/0.35; 0.65	2.54	2.55	2.55*
Residential	0.5/0.35; 0.65	0.00	2.55	2.55*
Non-Residential	0.5/0.35; 0.65	2.54		
Inclusionary Bonus	N/A	0.00		
<b>Total GFA in Sq. Ft.</b>	N/A (max)	35,510	35,590	35,590*
Residential	N/A (max)	0	35,590	35,590
Non-Residential	N/A (max)	35,510		
Inclusionary Bonus	N/A			
<b>Max. Height</b>	35'	34'4"/36'2"	34'4"/36'2"	Existing
Range of heights	N/A	N/A	N/A	
<b>Lot Size</b>	5,000 (min)	13,959	13,959	No change
<b>Lot area/du</b>	2,500/4,000 (min)	N/A	872.44	872.44
<b>Total Dwelling Units</b>	17*	0	16	16
Base units	17*	0	16	16
Inclusionary units	0	0	0	To be determined
<b>Min. Lot Width</b>	50'	118.6'	118.6'	118.6'
<b>Min. Yard Setbacks</b>				
Front	15'	<5'	<5'	Existing
Side, Left	7'6"	9'6"	9'6"	
Side, Right	7'6"	<5'	<5'	
Rear	25'	<5'	<5'	
<b>Total % Open Space</b>	40%	0%	0%	Consistent with plans
Usable	40%	0%	0%	
Other	0%	0%	0%	
<b>Off Street Parking</b>	16(min)	0	25	21(maximum)
Min #	16(min)	0	25	21(maximum)
Max #	N/A			
Handicapped	1	0	1	1
<b>Bicycle Spaces</b>	8	0	16	16 (minimum)
<b>Loading Bays</b>	0	0	0	0

*\*Upon granting the Special Permit pursuant to Section 5.28.2 of the Zoning Ordinance, and contingent upon variances being sought from the Board of Zoning Appeal.*