

Planning Board Special Permit Decision Checklist

FINDINGS

Part A: Conformance with General Special Permit Criteria (Required of All Special Permits)

Findings

“After review of the application documents and other documents submitted to the Board, testimony taken at the public hearing, and review and consideration of the [*special permit application documents*], and the general special permit criteria, the Board makes the following findings.”

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”:

- *It appears that the requirements of this Ordinance cannot or will not be met, or*
- *The traffic generated or patterns of access or egress will cause congestion, hazard, or substantial change in established neighborhood character, or*
- *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*
- *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*
- *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 new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.*

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Part B: Article 19.000 (Project Review) Criteria

Findings

“After review of the application documents and other documents submitted to the Board, testimony taken at the public hearing, and review and consideration of the [*special permit application documents*], and the general special permit criteria, the Board makes the following findings.”

Conformance with the Criteria in Article 19.000 (Project Review)

1. Conformance with Traffic Impact Findings required in Section 19.25.1

“The Planning Board finds that the project will have no substantial adverse impact on city traffic within the study area.”

2. Conformance with Urban Design Findings required in Section 19.25.2 (reference to Section 19.30 – Citywide Urban Design Objectives)

- 19.31: *New project should be responsive to the existing or the anticipated pattern of development.*
- 19.32: *Development should be pedestrian and bicycle-friendly, with positive relationship to its surroundings.*
- 19.33: *The building and site design should mitigate adverse environmental impacts of a development upon its neighbors.*
- 19.34: *Projects should not overburden the city infrastructure services, including neighborhood roads, city water supply system and sewer system.*
- 19.35: *New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically.*
- 19.36: *Expansion of the inventory of housing in the city is encouraged.*
- 19.37: *Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city.*

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Part J: Relief from Parking Requirements – Reduction of Required Parking

Findings

“After review of the application documents and other documents submitted to the Board, testimony taken at the public hearing, and review and consideration of the [*special permit application documents*], and the general special permit criteria, the Board makes the following findings.”

Conformance with Special Permit Criteria in Section 6.35.1 – Reduction of Required Parking:

The Board of Zoning Appeal may grant a special permit to reduce the amount of parking provided it determines that: the lesser amount of parking will not (1) cause excessive congestion, (2) endanger public safety, (3) substantially reduce parking available for other uses, or otherwise adversely impact the neighborhood, or (4) that the lesser amount of parking will provide positive environmental or other benefits to the users of the lot or the neighborhood, including the provision of affordable housing. The Board shall consider the following

- (a) The availability of surplus off-street parking;
- (b) Proximity to an MBTA Transit Station;
- (c) Availability of public or commercial facilities in the vicinity, Subject to Section 6.23 (permanent control of the rights to parking spaces);
- (d) Shared use of parking spaces serving other uses having peak user demands at different time, limited to no more than 75% of the minimum parking requirement for each use;
- (e) Age or other occupancy restrictions likely to lower auto usage;
- (f) Impart of the parking requirement on the physical environment of the affected lot;
- (g) Required parking for affordable units, particularly those making use of increased FAR or dwelling unit density.

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Part L: Flood Plan Special Permit
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Findings

“After review of the application documents and other documents submitted to the Board, testimony taken at the public hearing and review and consideration of the Application Documents, the Board makes the following findings:

1. No filling or other encroachment shall be allowed in Zone A areas or in the floodway which would impair the ability of these Special Flood Hazard Areas to carry and discharge flood waters, except where such activity is fully offset by stream improvements such as, but not limited to, flood water retention systems as allowed by applicable law.
2. Displacement of water retention capacity at one location shall be replaced in equal volume at another location on the same lot, on an abutting lot in the same ownership, on a noncontiguous lot in the same ownership, or in accordance with the following requirements.
3. All flood water retention systems shall be suitably designed and located so as not to cause any nuisance, hazard, or detriment to the occupants of the site or abutters. The Planning Board may require screening, or landscaping of flood water retention systems to create a safe, healthful, and pleasing environment.
4. The proposed use shall comply in all respects with the provision of the underlying zoning district, provisions of the State Building Code, Wetlands Protection Act, and any other applicable laws.
5. Applicants for development in the Alewife area shall be familiar with area-specific and general city-wide land use plans and policy objectives (e.g. Concord-Alewife Plan, A Report of the Concord Alewife Planning Study, November 2005; Toward a Sustainable Future, Cambridge Growth Policy, 1993, Update, 2007; Section 19.30 - Urban Design Objectives of this Zoning Ordinance) and shall demonstrate how their plan meets the spirit and intent of such documents in conjunction with the requirements of this Section 20.70 - Flood Plain Overlay District and Section 20.90 – Alewife Overlay Districts 1-6.
6. The requirement of Section 20.74(3) has been met [that the Application contains Certification and supporting documentation by a Massachusetts registered professional engineer demonstrating that such encroachment of the floodway ... shall not result in any increase in flood levels during the occurrence of the 100-year flood].”

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Special Permits in the Alewife Overlay Districts (AOD)

20.93.2 Criteria for Development Consultation Review and Review of Applications for Special Permits and Variances.

In reviewing applications for variances, special permits or development consultation reviews the permit or special permit granting authority shall be guided by the objectives, criteria, and guidelines contained in the publication Concord-Alewife Plan in addition to the requirements of Sections 10.30 (Variances) and 10.40 (Special Permits) and this Section 20.90. These guidelines are also intended to assist in shaping any contemplated physical change within the Alewife Overlay Districts. With respect to consistency with the Concord-Alewife Plan, special emphasis shall be placed on preservation of key rights-of-way for infrastructure projects as indicated in the Priority Infrastructure Plan.

20.95.34 Waiver of Yard Requirements

The Planning Board shall consider the following in making its findings:

- a. The objectives of the Concord-Alewife Plan continue to be met.
- b. The stormwater management objectives for the area continue to be met both on the site and as the site may be a part of a larger system for managing stormwater runoff.
- c. The reduction or waiver of yard requirements provides for more efficient development of land; encourages or facilitates a more logical pattern of buildings, streets, parks and open space; or enhances the urban, pedestrian character of the area as envisioned in the Concord-Alewife Plan.

20.97.2 Pooled Parking

In granting such a special permit the Planning Board shall consider the following:

1. The facility advances the objective of the Concord-Alewife Plan.
2. A shared facility is established that aids in implementation of effective Transportation Demand Management measures to reduce dependence on the single occupancy automobile.
3. The facility is appropriately located to serve the development it serves.
4. The facility is well designed, does not diminish the pedestrian-friendly quality the area around it, and is otherwise consistent with the urban design objective of the Concord-Alewife Plan.

20.97.3 Waiver of Gross Floor Area Provisions for Parking Facilities

In granting such a special permit the Planning Board shall consider the following:

1. The facility advances the objective of the Concord-Alewife Plan.
2. A shared facility is established that aids in implementation of effective Transportation Demand Management measures to reduce dependence on the single occupancy automobile.
3. The facility is well designed, does not diminish the pedestrian –friendly quality the area around it, and is otherwise consistent with the urban design objective of the Concord-Alewife Plan
4. The additional bulk of building above grade is well designed and does not have an unreasonably negative impact on its abutters or the public realm.
5. The extent to which the construction of an above grade parking structure facilitates the creation of at grade soil permeability.

Special Permits in the Parkway Overlay District
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20.62 Purpose. It is the purpose of this Section 11.60 *[sic]* to augment base zoning regulations in designated areas in order to create unified identifiable images of designated areas, to enhance public safety by reducing visual confusion and haphazard development, to encourage development which will protect and enhance the use and enjoyment of public open space resources. The Parkway Overlay District has been designated specifically for the areas adjacent to arterial roadways located in parklike settings such as the Fresh Pond Reservation.

20.63.5 In reviewing applications for any special permit in the Parkway Overlay District, the Planning Board shall consider compliance with the requirements specified in this Section 20.60, the recommendations made in the Cambridge Community Development Department's 1979 report entitled *Alewife Revitalization*, and the criteria specified in Section 10.43.

20.63.7 The development standards specified in this Section 20.60 shall apply to all development within the Parkway Overlay District not exempted by subsections 20.63.2, 20.63.3, and 20.63.4. Divergence from these standards may be allowed only by issuance of a special permit from the Planning Board as specified in Subsection 10.45. The Board may grant such a permit upon its determination that the development proposed will better serve the objectives of this Section 20.60 than if the standards were followed and that the criteria specified in Section 10.43 will be satisfied.

CONCORD-ALEWIFE DESIGN GUIDELINES

Urban design guidelines are recommended to guide the character of future development in the Concord-Alewife Study Area. These are as follows:

AREAWIDE GUIDELINES

- Break up large blocks into smaller blocks, of sizes similar to those in surrounding Cambridge neighborhoods, to improve circulation and be compatible with surrounding neighborhoods.
- Vary the design of individual buildings to create an architecturally diverse district.
- Street level facades should include active uses such as frequent residential entrances, with setbacks for stoops and porches; neighborhood-serving retail including shops, restaurants, cafes; services for the public or for commercial offices such as fitness centers, cafeterias, daycare centers; community spaces such as exhibition or meeting spaces; and commercial lobbies and front entrances.
- Encourage awnings/ canopies to provide shelter and enliven ground-floor façades.
- Design residential buildings with individual units and front doors facing street, including row house units on the lower levels of multi-family residences.
- Utilize low impact development principles in building and site design as a way to meet City, State, and Federal stormwater requirements. Examples of low impact development strategies include green roofs, bioswales, filter strips, and retention/detention ponds. For additional detail refer to the DPW *Proposed Concord – Alewife Area Stormwater Management Guidelines*.
- Compliance with Leadership in Energy and Environmental Design (LEED) certification standards and other evolving environmental efficiency standards is encouraged.
- Use site design that preserves future rights-of-way identified in the Circulation Concept Plan.
- Improve existing streets to meet City standards, including streetscape improvements.
- Strengthen bicycle and pedestrian links to adjacent areas. Provide links that strengthen physical and visual connections to open space resources.
- Screen service areas from major streets.
- Parking below-grade is preferred. If above-grade parking is to be provided, design it so it is not visible from nearby residential neighborhood, from public streets, or from pathways; line above-ground structured parking with active uses (shops, cafes, lobbies) along important public ways; use parking structures to visually and acoustically screen the rest of the area from the railroad tracks.
- Design and locate lighting and signage in support of the district's pedestrian-friendly quality.
- Use site design to minimize shadows on other buildings or on public streets, open spaces, parks, and plazas.
- Design residential development to include a range of units of various sizes and with various numbers of bedrooms, including three or more bedrooms, with the overall goal of providing dwelling units for families with school age children.

LOCATION SPECIFIC GUIDELINES

QUADRANGLE (AOD-1, 2, 3, 4)

- Scale and use in areas adjacent to Cambridge Highlands should be compatible with the residential neighborhood and serve as a transition between the Highlands and the rest of the Quadrangle.
- Use streetscape and other improvements to define Wilson Road as part of a major east-west connection through the Quadrangle.
- Develop a vegetated buffer between the Highlands and Quadrangle that also provides a north/south link to adjacent open spaces.
- Create an open space system characterized by parks and green spaces of varying scales and uses.
- Use pooled resources to create a new central public open space in the Quadrangle that incorporates stormwater management.
- Locate active uses around the future open space to create a safe and active environment throughout the day and evening.
- Provide pedestrian links to strengthen physical connections to the shopping center.
- Create building height / façade setbacks between 85' and 105'.
- Create a consistent edge along Concord Avenue, with combination of residential and retail uses.
- Use streetscape and other improvements to define Smith Place and Spinelli Place as major north-south entries into the Quadrangle, and to establish Concord Avenue as a major gateway.
- Provide pedestrian links to strengthen connections to Fresh Pond Reservation, consistent with the Fresh Pond Master Plan.
- Strengthen streetscape and other improvements to define Concord Avenue.
- Site new development to allow for a future above-grade crossing between the Triangle and the Quadrangle.

SHOPPING CENTER (AOD-5)

- Provide pedestrian links to create strong physical and visual connections to Danehy Park.
- Improve the pedestrian connection to Alewife Station and to North Cambridge.
- Create a new street network, including a north-south main street.
- Ensure that a significant number of entrances for building(s) face Alewife Brook Parkway and/or new main street.
- Create a strong pedestrian link across the Alewife Brook Parkway to connect the east and west parts of the Study Area.
- Create building height / façade setbacks between 55' and 85'.

TRIANGLE (AOD-6)

- Create a pedestrian-friendly environment along CambridgePark Drive.
- Provide small setbacks (5 to 15 feet) from the right-of-way for café seating, benches, or small open spaces.
- Screen service areas from CambridgePark Drive.
- Provide pedestrian links that strengthen physical connections to Alewife Reservation, consistent with its master plan

- Create building height / façade setbacks between 85' and 105'.
- Site new development to preserve right-of-way for future crossing of the railroad tracks to connect the Triangle and Quadrangle.