



CITY OF CAMBRIDGE
 MASSACHUSETTS
 BOARD OF ZONING APPEAL
 831 MASSACHUSETTS AVENUE
 CAMBRIDGE, MA 02139
 617-349-6100

BZA APPLICATION FORM

Plan No: BZA-006869-2015

GENERAL INFORMATION

The undersigned hereby petitions the Board of Zoning Appeal for the following:

Special Permit : _____ Variance : v Appeal : _____

PETITIONER : President & Fellows of Harvard College - C/O Tanya Iatridis, HPPM

PETITIONER'S ADDRESS : 1350 Massachusetts Avenue, Suite 573 Cambridge, MA 02138

LOCATION OF PROPERTY : 1350 Massachusetts Ave Cambridge, MA 02138

TYPE OF OCCUPANCY : Institutional / Commercial ZONING DISTRICT : Business B Zone/Harvard Square Overlay District

REASON FOR PETITION :
Additions

DESCRIPTION OF PETITIONER'S PROPOSAL :

Petitioner proposes building additions and alterations that require zoning relief for FAR, height and alteration and enlargement of a nonconforming structure.

SECTIONS OF ZONING ORDINANCE CITED :

- Article 20.000 Section 20.54.6 (Maximum Ratio of Floor Area to Lot Area).
- Article 20.000 Section 20.54.2 (Building Height).
- Article 8.000 Section 8.22.3 (Non-Conforming Structure).
- Article _____ Section _____

Original Signature(s) : 
 (Petitioner(s) / Owner)

Tanya Iatridis
 (Print Name)

Address : Harvard Planning + Project Management
1350 Massachusetts Ave, Cambridge, MA

Tel. No. : 617-495-3630 02138

E-Mail Address : tanya_iatridis@harvard.edu

Date : 5/12/2015

BZA APPLICATION FORM

SUPPORTING STATEMENT FOR A VARIANCE

EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH MGL 40A, SECTION 10:

- A) A Literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:

Requested Relief

President and Fellows of Harvard College, a Massachusetts educational and charitable corporation, seeks three zoning variances from the requirements of the Business B Zoning District and Harvard Square Overlay District of the Cambridge Zoning Ordinance ("CZO") to allow proposed alterations and additions to the Richard A. and Susan F. Smith Campus Center located at 1350 Massachusetts Avenue. The following zoning relief is requested:

Variance 1: Floor Area Ratio - Request for 0.1 FAR increase

(CZO 20.54.6 - Maximum Ratio of Floor Area to Lot Area (FAR) in Harvard Square Historic Overlay District)

- To permit an increase in FAR by 0.1, representing 7,512 square feet of Gross Floor Area (GFA), a 2% increase in existing GFA. FAR will increase from 4.38 (328,231 SF) to 4.48 (335,743 SF), above the as-of-right FAR of 4.0.

Variance 2: Building Height Limitations - Request to add 3'-11" of height to 2% of roof area

(CZO 20.54.2, Building Height Limitations in the Harvard Square Overlay District)

- To permit a slight increase in height (3'-11") above the existing 112' roof for one tenth floor room of 600 square feet. The proposed height of this room is 116', which is far lower the existing rooftop elements which are 125' - 154', but above the 60' as-of-right height and 80' special permit height.

Variance 3: Alteration and Expansion of a Nonconforming Structure

(CZO 8.22.3, Nonconformity)

- To allow a legally nonconforming structure requesting FAR and height zoning relief to be expanded by 2% from existing.

Project Description

Harvard University has a decentralized campus serving the undergraduate college and twelve graduate and professional schools. To promote a more integrated campus for all members of the Harvard community and visitors, the University is proposing to transform three floors of the Smith Campus Center (SCC) to create a campus center that builds community with an emphasis on connectivity and transparency, and engages the building with Harvard Square. The SCC aims to provide flexible, accessible and sustainable spaces that permit a wide range of uses including eating, gathering, meeting, studying, performing and exhibiting the arts. The heart of the SCC will include a large, open plan interior "living room," as a companion to the exterior "living room" of Harvard Yard. It will also establish a welcoming and vibrant entrance to Harvard University for visitors, current and prospective Harvard affiliates, and the Cambridge community. The project will maintain food services throughout the first floor of the building. The majority of the first floor and half of the second floor, which house the Welcome Area, Common Spaces and food venues, will be open and available to the public. The project calls for a transformational improvement of the public realm with enhanced amenities and unique spaces that do not exist elsewhere in Harvard Square. Given its envisioned role as a campus hub, the SCC is ideally located just steps away from the MBTA station and Harvard Yard in Harvard Square.

To achieve this vision for the campus center, Harvard proposes to renovate and selectively reconstruct portions of the SCC building, the former Holyoke Center. This building was originally constructed in the early 1960's as a mixed use educational institutional and commercial building and was designed by renowned architect Josep Lluís Sert. The project has been carefully designed to respect Sert's original planning and design principles relating to connectivity, scale, massing, light, and façade and roofscape. The building is also located in the Harvard Square Conservation District. The project received a Certificate of Appropriateness in April 2015 after the Cambridge Historical Commission determined that a majority of the objectives of the Harvard Square Conservation District are satisfied by the design. (See Appendix for Certificate of Appropriateness.)

The existing first and second floors are highly fragmented with limited connectivity between the first floor pavilions and the arcade, between the first and second floor levels, and within the second floor. In light of these limitations of the existing structure, the proposed project will selectively demolish approximately 10,000 square feet and add net new floor area of 7,500 square feet both internal to the building via parking and mechanical space conversions as well as several exterior additions. The proposed Smith Campus Center project will meet all of the provisions of the Cambridge Zoning Ordinance with the exception of the three elements which require zoning relief and are described below.

1. FAR

The existing Smith Campus Center building was built as-of-right beginning in the early 1960's over two phases and is located in the Harvard Square Overlay District. The purpose of the Overlay District is to "facilitate the protection and enhancement of the historic resources and character of Harvard Square while not unreasonably limiting the opportunities for appropriate contemporary changes to the built environment in the Harvard Square area." (CZO 20.52)

Over the years, the building has undergone a number of alterations and small additions, and has previously received zoning relief for FAR. A recent comprehensive analysis of the building indicates that the existing FAR is 4.38, which exceeds the allowable FAR of 4.0 for non-residential uses in the Business B zoning district within the Harvard Square Overlay District (CZO 20.54.6). To make the campus center program and layout feasible given the physical constraints of the existing building and site, the proposed project requires a slight increase in FAR by 0.1. This represents 7,512 net new square feet, resulting in an FAR of 4.48, which is a 2% increase in overall GFA from existing. The newly created GFA will be partially offset by new spaces that are exempted from the GFA calculation, such as new mechanical spaces, elevator machinery rooms, and exterior landscape. This 7,512 net new SF is located on several levels of the building:

Floor 10	554 SF
Floor 2/Mezz	5,971 SF
Floor 1	-38 SF
Basement	1,592 SF

The specific program areas that comprise the net new floor area are described in detail below:

- **Basement: Underground Garage Conversion for Support Space:** The basement level, which is a total of approximately 60,524 square feet of gross square footage (GSF), will require a support kitchen for the commercial food venues, support storage, and an elevator shaft space, for a total of 1,592 square feet of newly converted gross floor area (GFA). Since a significant portion of the basement area does not currently count toward the FAR calculation because of its exempted use as an underground parking facility, the variance request is to convert a small portion of the underground garage into FAR. This reprogramming of existing space will allow the project to (a) maximize use of the first floor for public uses, (b) create a more efficient kitchen operation that can easily service the food venues above, (c) leverage adjacencies to service ramps, trash rooms, storage, delivery areas, and (d) contain cooking smells.

- **Floors 1 and 2: Welcome Area Pavilion:** An essential component of the SCC program is to create a transparent Welcome Area to Harvard University for visitors and the community. The location of the Welcome Area is proposed at the front door of the building which is adjacent to the Harvard MBTA station and the Harvard Yard. At the first and second floors, a new, highly transparent, double height Welcome Area Pavilion addition engages the exterior plaza for better comfort, utility and accessibility and is consistent with Sert's original design principles. Sert's pavilion design language is utilized to provide adequate space to meet fundamental visitor and community needs such as an information desk, events information, ticketing services, indoor / outdoor seating, chess program, public restrooms, indoor / outdoor commercial dining, and meeting space. The proposed design requires the demolition of the first floor greenhouse (945 SF) and the reconstruction of the first and second floor Welcome Area Pavilion. The first floor of the pavilion has approximately 1,000 net new square feet which extends approximately 10' from the existing greenhouse and allows an integrated, indoor open plan Welcome Area that increases seating to be used for all seasons. The seating can be used by the public and is not limited to food venue customers. During temperate weather, the transparent first floor sliding doors of the Welcome Pavilion can be opened to integrate indoor with outdoor seating and activities. The second floor is approximately 2,900 net new square feet which is double height, an important feature of Sert's design. The new Welcome Area Pavilion aligns with and takes advantage of the existing structure of the underground garage. Without the newly created addition, Harvard would not be able to create a Welcome Area that would adequately serve its visitors and the community.

- **Floors 1, 2 and Mezzanine: Holyoke Street Pavilion:** Along Holyoke Street, a new pavilion is proposed replacing Sert's existing pavilion. The proposed use will be an indoor gathering space - indoor living room that will serve as a

social, cultural, and intellectual destination, bringing together members of the community in a space that is publicly accessible. Sert's original pavilion is constructed on a site that accommodates a major grade shift between the arcade and the Holyoke Street level. The original pavilion was designed with a series of fragmented, separate smaller spaces with minimal natural light and no interior connectivity between the spaces and between the arcade and the street. In addition, the existing rooftop does not have structural capacity to be an interior floor. In order to achieve the intent of the new program and meet Sert's design principles, the proposed project demolishes the existing pavilion and reconstructs a transparent pavilion that maximizes natural light and landscape elements (10,496 SF) and includes a small infill addition on the first floor (341 SF). The central gathering space on the first floor transitions the level difference between the arcade and the street gracefully and visually and physically connects the mezzanine and second floor spaces. If the existing pavilion is not reconstructed it would not be possible to meet the programmatic requirements and meet Sert's design principles.

- Floor 2: Dunster Street Pavilion Roof Terrace: The proposed SCC project maximizes and improves outdoor space on the first and second floors to create usable gathering space. The Dunster Street Pavilion will transform an existing unoccupied mechanical roofscape into a usable exterior green roof that will be publicly accessible. New GFA (212 SF) is required to create circulation to access that space. Without the new GFA the proposed exterior green roof could not be accessed by stairs which would not provide adequate egress.

- Floor 10: Projecting Bay: The tenth floor program calls for a small but highly transparent projecting bay (116 SF) that will create a new beacon and focal point at the roofline of the building, converted from a portion of an existing roof terrace (that counts towards existing GFA). Used as an event space that will be an active and animated use, the projecting bay signals a civic gesture to the broader community.

- Floor 10: Mechanical Conversion to Program Space: Existing mechanical space within the building that is no longer required due to more efficient systems will be converted to usable program space for the campus center meeting and events space (438 SF).

A literal enforcement of the provisions will prevent the campus center from meeting the critical programmatic and layout requirements that will serve the Harvard and Cambridge community and from establishing comprehensive circulation and accessibility paths through the building.

2. Height

At the time of the original construction, the allowed height in the Business B district was 100 feet plus a one-story penthouse. As designed and built, the first nine floors of the Smith Campus Center building were 97', and the tenth floor was considered a 15' penthouse for a total building height of 112'. In 1979, new height restrictions as established by the creation of the Harvard Square Overlay District made Smith Campus Center nonconforming for height.

As envisioned by the proposed project, the tenth floor on the Massachusetts Avenue frontage will have a new highly transparent projecting bay as part of a series of meeting and event spaces. The projecting bay, constructed within the existing eastern terrace, will signal the new use and forms a compositional relationship with Sert's existing roof monitors and the new Welcome Area Pavilion. The projecting glazed volume at the tenth floor is 3'-11" taller than the existing 112'-1" roofline to 116'. This slight height increase is very limited in size, comprising only one room 23'-6" in façade length and representing approximately 600 square feet, 2% of the total roof area. The requested increase will be set in the context of a roof with many other taller elements including three stair towers at 125'-9", a cooling tower and two mechanical rooms at 130', and two elevator machine rooms, one at 131' and the other at 154'. The proposed increase will have no shadow impact and will subtly add visibility of the building form from view-points north of Harvard Square, Massachusetts Avenue at Cambridge Common, the Science Center, and Harvard Yard. The overall transparent bay will serve as a civic gesture to Harvard Square, a contemporary expression similar in nature to the historic bell towers, cupolas, and steeples that currently punctuate the Harvard Square skyline.

A literal enforcement of the provisions will require the projecting bay to remain at the 112' height which would diminish the visual impact of the rooftop beacon in Harvard Square.

3. Nonconformity

The Smith Campus Center is considered to be nonconforming with respect to FAR, height, parking, and loading. As a result of the proposed FAR and height variance requests, it is also necessary that the project seek zoning relief to allow a legally nonconforming structure to be altered and expanded by 2% from existing. As provided in the State General Laws (Section 6, Ch. 40A), the CZO permits the change, extension, or alteration of a pre-existing nonconforming structure or use as outlined in Article 8.000 so long as the change, extension, or alteration will not be "substantially more detrimental to the neighborhood than the existing nonconforming structure or use." (CZO 8.22). This project has been designed to be sensitive to the building's original design principles and consistent with the Harvard Square Conservation District objectives and will provide a significant number of public benefits.

B) The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons:

Topographical changes around the large site resulted in the existing building design having various ground floor levels that do not align or connect, creating barriers to accessibility, permeability, and the creation of larger consolidated spaces. The second floor rooftop does not have structural capacity to serve as an interior floor. The current configuration of the central arcade and the retail spaces along Holyoke Street conflicts with the proposed Holyoke Street section and façade arrangement. To overcome the incompatible floor level and structural conditions, this pavilion will be reconstructed with a new second floor, resulting in an open plan layout which is fully permeable, accessible, and allows a continuous floor plate for larger gatherings and events.

The unique location of the site at the heart of Harvard Square and Harvard University creates a need to accommodate and orient the many visitors to Harvard Square and the University as well as University affiliates and the Cambridge community. The comfort facilities and other amenities of the Welcome Area require space in the front part of the building where most visitors arrive, closest to Harvard Yard and the MBTA station. Additional GFA is required because the existing building layout creates barriers to expansion within the building. The vehicular ramps to the basement are located directly south of the proposed Welcome Area, creating a barrier to physical expansion southward. The ramps must be maintained for parking and servicing of the building. The adjacent arcade also must be maintained as a critical circulation pathway.

Sert's iconic design for the existing structure also constrains the design of the renovations. The project, and in particular the two-story Welcome Pavilion and the tenth floor bay, has been designed to create quality space while respecting Sert's original planning and design principles relating to connectivity, scale, massing, light, and façade and roofscape.

C) ***DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:***

1) Substantial detriment to the public good for the following reasons:

The requested relief enables a transformational improvement of the public realm at this site. In response to feedback garnered at a number of public forums including the City of Cambridge's Harvard Square Placemaking workshops, community open houses, and from the Harvard Square Business Association and Harvard affiliates, the Smith Campus Center program and design have been tailored to ensure that the building engages the vibrancy of Harvard Square and meets the needs of Harvard affiliates, visitors, and the Cambridge community. The project calls for improved and expanded seating areas, food venues, and visitor services that are welcoming to all. The areas of the building available and open to the public will significantly increase through this project. Forbes Plaza will be redesigned to include comfortable seating, chess tables, and new plantings that are inviting and allow for flexible outdoor usage for performances and public art. The new transparent Welcome Area pavilion includes seating areas on the first and second floors with views of Harvard Square and Forbes Plaza for full-year enjoyment. The redesigned Mount Auburn Plaza calls for a lush grove of trees to create a more contemplative plaza with seating, chess tables, and more legible and improved site circulation. Dunster Street will be lined with eateries and outdoor dining, with a second floor roof garden overlooking the street for a unique Harvard Square experience that can be enjoyed by the public. The Holyoke Street Pavilion will house food venues and event space, which will create an active street front. Services and amenities will be enhanced including information and ticketing on events and activities at Harvard University, and bike parking. The number of public restrooms will increase and will be relocated to a more convenient location. The sustainable design approach includes green roofs and green walls, plentiful natural light, rainwater collection and reuse, a high performance glass facade that maximizes energy efficiency, an interior garden within the arcade, and healthy building materials. The project creates no detriment to the public good in terms of traffic impact as it will serve the same Harvard affiliate and visitor population as it does today in a location that is highly pedestrian-oriented and transit accessible. Harvard undertook a voluntary traffic study that validates that the project will have no adverse traffic impacts and has reviewed the project with the Cambridge Traffic, Parking and Transportation Department.

The small height increase (for a 600 square foot room with a highly transparent projecting bay) will be only 3'-11" taller than the existing roofline. The small increase will be set in the context of a roof with many other taller elements including three stair towers at 125'-9", a cooling tower and two mechanical rooms at 130', and two elevator machine rooms, one at 131' and the other at 154'.

- 2) Relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:

Both the Massachusetts Zoning Act and the Cambridge Zoning Ordinance allow nonconforming buildings to remain in place, and even to be expanded, so long as the change, extension or alteration is not substantially more detrimental to the neighborhood. The Smith Campus Center project will not create any significant detriment to Harvard Square. The project calls for a continuation of the building's institutional and commercial uses. It will continue to serve the Harvard University population, visitors, and the Cambridge community as it does today during the same general time frame from early morning to late at night. The proposed project calls for no adverse impacts in terms of traffic or shadows, and the project was designed to provide significant public benefits. Therefore, requested relief does not nullify or substantially derogate from the intent or purpose of the Ordinance. Granting the requested variance is consistent with the intent and purpose of the Ordinance and will permit the significant improvement of the functionality and operation of the Richard A. and Susan F. Smith Campus Center and its public amenity to Harvard Square.

- * **If You have any questions as to whether you can establish all of the applicable legal requirements, you should consult with your own attorney.**

BZA APPLICATION FORM

SUPPORTING STATEMENT FOR A SPECIAL PERMIT

Please describe in complete detail how you meet each of the following criteria referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits which have additional criteria, e.g.; fast food permits, comprehensive permits, etc., which must be met.

Granting the Special Permit requested for 1350 Massachusetts Ave Cambridge, MA 02138 (location) would not be a detriment to the public interest because:

- A) Requirements of the Ordinance can or will be met for the following reasons:
- B) Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial change in established neighborhood character for the following reasons:
- C) The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would not be adversely affected by the nature of the proposed use for the following reasons:
- D) Nuisance or hazard would not 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 for the following reasons:
- E) For other reasons, the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance for the following reasons: