



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

Case No: PB#123

Address: 169 Monsignor O'Brien Highway

Owner: Irwin Zonis, Marvin Zonis, & Ellcrest LTD Partnership

Applicant: Lechmere Residence LLC, c/o Joseph J. Corcoran, VP,
Corcoran Jennison Co., Inc. 150 Mount Vernon Street, suite 500,
Dorchester, MA 02125

Application Date: November 7, 1996

Public Hearing: December 17, 1996

Planning Board Decision: December 17, 1996

Date of Filing Decision: January 22, 1997

Application: Special Permit for multifamily use in the Industry A-1/Special District 1, Section 4.26, to renovate a nonresidential building into 104 residential units; special permit to alter a non conforming building, Section 8.22.2a.

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

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COMMUNICATIONS SECTION

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Application

1. The special permit application for multifamily use in a Special District 1, Section 4.26, and a special permit to alter a non conforming structure, Section 8.22.2 a, filed on November 7, 1996, containing photographs of the existing site, the plans for the proposed renovation, existing conditions and land use, as well as the zoning relief to be sought. The application also contained a traffic analysis, dated August 14, 1996, by Glenn Cannon, of Sam Parks Associates, Inc., and drawings of the site entitled "Lechmere Residences"; Russell and Scott Architects Inc.; sheets A-1 to A-5, and a landscape planting plan; dated 10-25-96; various scales.

Other Documents

1. Letter to the Planning Board from the East Cambridge Planning Team, dated December 17, 1996, outlining the support for the proposal by the Planning Team.
2. Letter to Joseph J. Corcoran, from Lester Barber of CDD dated 11/26, 1996, outlining the application and section 8.22.2(b) as it applies to the project.
3. Development Consultation Procedure, Certificate of Compliance, dated 12/4/96.

4. Letter to Paul Dietrich, from Lauren M. Preston, Deputy Traffic Director, dated December 5, 1996, with comments on the project.
5. Photographs submitted at the public hearing, undated, of the Keystone residential project, also undertaken by the applicant, to illustrate a similar renovation project.

Public Hearing

The Planning Board held a public hearing on December 17, 1996, where Mr. Joseph J. Corcoran, the applicant, and Craig Capone of Russell & Scott Architects, Inc., Associates, the architects, presented the application. Mr. Corcoran explained the site and the existing uses in the building. He outlined the plan to convert the building into 104 residential units and explained the similarities with the previous Keystone Apartment Project also done by this company. The plan involves renovation of the basement and first level into parking spaces with a ground floor entrance on Monsignor O'Brien Highway. The second through eighth floors will be converted to residential units. There will be a driveway from Water Street as the service entrance at the rear of the building. There will be public space for a laundry, business center, fitness room and library located on the second floor. The unit count will be approximately 10 studios, 41 one bedrooms, and 53 two bedrooms. The parking lot entrance on O'Brien Highway will be right turn in and right turn out from the site. There are ongoing discussions with the Traffic, Parking, and Transportation Department to improve the pedestrian and vehicle access on Monsignor O'Brien Highway. There is expected to be 20% of the tenants who will not own cars; the majority of the tenants are expected to be using the MBTA across the street or walking to shopping in the immediate vicinity.

There was some concern by the Board that the existing streets are not adequate for the current uses in the area. There is concern that there will be a large number of U turns which could be potentially dangerous. The applicant felt there would be a small number.

Mr. Cocroran discussed the other processes they must complete, including a Board of Zoning Appeal variance request for 104 units (5 more than permitted). This process before the Planning Board is for a special permit for use.

There was discussion of the provisions of Section 8.22 and how the number of parking spaces were to be calculated for the existing uses

versus the proposed use. The project proposes 62 spaces in the building and 18 in the area abutting the building. The building requires 93 spaces under the current ordinance regulations. At one space per unit the 104 dwelling units would require an additional 11 parking spaces. When added to the existing 26 spaces, a requirement for 37 parking spaces is produced by the proposal.

The East Cambridge Planning Team submitted a letter of support with the following comments: that the parking be assigned to units, the developer continue to work on the safety aspects of the pedestrians crossing and vehicles exiting at Monsignor O'Brien Highway, and that there be preference to local residents on the construction project.

The Board discussed granting the special permit with the condition that two years after the certificate of occupancy, there be a review of the parking utilization for the building.

There was some discussion of holding the number of parking spaces to 37, and if that was not enough to reduce the number of units to such level as to equal the number of cars generated by the occupants of the building. There was also concern that any leased spaces off of the site would be creating a pressure of moving those existing cars from the leased spaces onto the residential streets.

The developer explained that this project is receiving no subsidy, that the project is to be developed at 100 units minimum (104 units is better), and that to have a property manager on the site as proposed, a minimum of 100 units must be in the building.

There were no objections from the Board to the change in the use of the building.

There was some discussion of the landscaping materials and the continued review with the public planting committee.

The project does not require an Environmental Impact Review.

The Board concluded that the issues of the number of parking spaces above that required by the Ordinance, charging separately for parking or the use of Local 40 during construction were not a part of the special permit's jurisdiction. The Board can require active participation by the City in reviewing of the safety issues related to Monsignor O'Brien Highway.

The facade will be repaired the concrete with a coating to seal the surface; the brick will be repointed where it is needed; the windows will be replaced; all with the intent of returning the building to its original condition. The first floor louver design was discussed at the window locations

There were two statements in support of the application and no statements in opposition.

Findings

The Planning Board reviewed the application documents, the site plan and information presented by the applicant at the public hearing and finds the following.

1. The project meets the criteria for the issuance of a multifamily special permit, Section 10.47.4 of the Zoning Ordinance.

a. Key features of the natural landscape should be preserved to the maximum extent feasible.

The site is already substantially built out, with little in the way of significant natural features. An existing Ailanthus tree will be preserved and additional landscaping on the lot and street trees will be provided to enhance the environment for both the residents and the general public.

b. New buildings should be related sensitively to the existing built environment.

The proposal is to use an existing building which will be renovated to restore its character and enhance its appearance with the result that the general environment will be upgraded.

c. The location, arrangement, and landscaping of open space should provide some visual benefits to abutters and passersby as well as functional benefits to the occupants of the development.

No useable open space is required in the Special District 1 for residential uses. In addition the site is substantially committed to the building itself and the parking and circulation necessary to service the building. However, new trees will be installed on the public sidewalk, dead trees will be replaced; the existing parking

areas will be redesigned to screen cars from the sidewalk; foundation plantings will be added on the Water Street end of the building. Much of this landscaping will be visible to and of benefit to the general public.

d. Parking areas, internal roadways, and access and egress points should be safe and convenient.

Existing open air parking has been redesigned to operate more efficiently and safely. Entrances have been located at suitable locations to ensure adequate sight lines. The appearance of the lot will be significantly improved with landscaping. The plans have been reviewed by the Traffic, Parking and Transportation Department and have been found acceptable with some modifications to the layout and further review to enhance safety.

e. Parking area landscaping should minimize the intrusion of on site parking.

Parking areas have been significantly upgraded and will be screened from the public street. The property to its rear abuts industrial property, including land owned by the MBTA.

f. Service facilities such as trash collection apparatus and utility boxes should be located so that they are convenient for residents, yet unobtrusive.

Trash is collected through a trash chute to a compactor located at the basement level. The trash container will be rolled outside to be picked up from the access drive. The electrical transformer and generator are located in the rear of the building, facing the MBTA right of way and generally out of view from the public street.

2. The proposal meets the criteria established for the issuance of any special permit., Section 10.43.

a. Housing is a permitted use in the Special District 1. As the structure is pre-existing it does not conform to all dimensional requirements of the Special District 1, but where possible those requirements are met. Importantly the main entry to the building will continue to face O'Brien Highway

b. The traffic generated or the pattern of egress and access will not cause congestion, hazard, or substantial change in the established character of the neighborhood. The housing use will minimize the movement in and out of the site at peak commuter hours; it is anticipated that many residents of the building will not use cars and will access the site by foot. The proposal is to provide less parking than would normally be required if the proposal were constructed completely anew; it is therefore anticipated that there will be significant use of the nearby transit station. The applicant will continue to work with the Traffic, Parking, and Transportation Department with regard to accommodating both traffic and pedestrian movements from the site onto and across the busy O'Brien Highway.

c. The continued operation of adjacent uses will not adversely be affected, nor will future development or reuse of nearby lots in a manner consistent with the requirements of the Special District 1. In fact the substantial physical improvement of the building and its lot will make further development in the District more likely as the built environment is substantially improved.

d. No nuisance or hazard will be created to the detriment of the health, safety, and/or welfare of the occupants of the proposed use or the citizens of the City. The future residents will be in a convenient urban location and will join many other residential units now in place or under construction in nearby areas. They will serve to strengthen the existing residential neighborhood in East Cambridge. The city as a whole will benefit from additional housing units added to the supply of existing housing that is very difficult to expand and will significantly benefit from a much improved physical structure.

e. The proposed residential use will not impair the integrity of the district or adjoining districts or otherwise derogate from the intent and purpose of the Ordinance. Residential use is a permitted use in the District and preservation and enhancement of worthy, existing structures is generally an objective throughout the City. The new residential activity will make full use of a building that has been underutilized and deteriorating for many years.

3. As the conversion of an existing industrial structure to residential use does not require the provision of a full complement of parking spaces (37 spaces are required, 80 are provided for 104 dwelling units proposed) the

Planning Board will not require more parking than is proposed in the submittal plans. The site is adjacent to an MBTA green line transit station and convenient to many necessary services; furthermore the applicant has indicated that from his experience with similar projects in similar locations, all tenants will not require a parking space. The number of spaces provided appears sufficient to the Board to support the number of dwelling units proposed.

4. The number of units proposed exceeds that allowed in the district by six (99 allowed, 104 proposed). A variance will be sought from the Board of Zoning Appeal for the additional units. Five additional units at this site is acceptable to the Planning Board and, should they be approved by the BZA, shall be considered as approved as part of this special permit as well.

5. To the extent that the renovation of the building may require relief granted under the provisions of Section 8.22.2a, the Planning Board grants such relief as the proposed renovation will substantially improve the appearance of the building and will make it a more inviting and appealing presence along O'Brien Highway. All improvements and changes will render the building a better neighbor and a positive presence in this evolving and improving mixed use commercial district.

Decision

After review of the application documents, and discussions at the public hearing and based on the above findings, the Planning Board **GRANTS** the Special Permit #123 as requested in the application for the renovation of the existing building for residential use as outlined in the special permit application, subject to the following conditions:

1. The project shall be subject to continuing design review by the Community Development Department. Final plans submitted for issuance of a building permit shall be generally consistent with the applications plans identified above and with the approved dimensional limitations as approved by the Board and set forth in Appendix I (except that modifications to the number of dwelling units allowed that may be approved by the Board of Zoning Appeal shall be deemed consistent with the project as approved by this special permit). Before issuance of a building permit the Community Development Department shall certify to the Superintendent of Buildings that the final plans are consistent with all the conditions of this Decision.

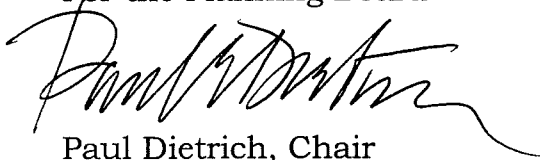
2. The applicant shall continue to work with the Community Development Department and the Traffic, Parking and Transportation Department to address concerns raised with regard to pedestrian crossing safety issues at O'Brien Highway.

3. The permittee shall cooperate with the Traffic, Parking, and Transportation Department in implementing reasonable changes to O'Brien Highway and its signalization that the Department may recommend to improve safety conditions with regard to persons and vehicles entering and exiting this site.

4. The trees planted in the public sidewalk shall be approved by the City Arborist and shall be provided with irrigation a manner acceptable to the Arborist.

Voting to GRANT the special permit were P. Dietrich, S. Lewis, A. Cohn, W. Tibbs, C. Mieth, and F. Darwin (alternate appointed by the Chair to sit in the absence of H. Russell) constituting two-thirds or more of the membership of the Planning Board. H. Salemme opposed the special permit.

For the Planning Board



Paul Dietrich, Chair

A copy of this decision 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 22, 1997**, by Elizabeth J. Malenfant, authorized representative of the Cambridge Planning Board. All plans referred to in the decision have likewise been filed with the City Clerk on such date.

Twenty (20) days have elapsed since the filing of this decision. No appeal has been filed.

DATE:

City Clerk

City of Cambridge