



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 AMENDMENT TO PLANNED UNIT DEVELOPMENT SPECIAL PERMIT

Case Number:	141 AMENDMENT #3 (Minor)
Address:	364 Third Street (Cambridge Research Park)
Zoning:	Office-3A / PUD-3
Applicant:	Twining Properties One Broadway, Cambridge, MA 02142
Owner:	c/o Applicant
Date of Final PUD Decision:	March 16, 1999
Amendment #3 Application Date:	July 11, 2011
Amendment #3 Decision Date:	August 2, 2011
Date of Filing Amendment #3:	August 19, 2011

Application: Minor Amendments to confirm that Parcel E-2 can be utilized for a primarily residential building and retail space (as approved in PB#141 Amendment #1) and to allow the substitution of 19,470 square feet of Office/Lab uses in place of 19,470 square feet of Residential uses.

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: Jeffrey C. 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. Letter to the Planning Board from Alex Twining of Twining Properties requesting two Minor Amendments to PB #141 dated July 11, 2011.

FINDINGS

After review of the Application Documents and other materials presented to the Planning Board, 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.

When determining whether a proposed amendment to a PUD Special Permit is major or minor, the Board is guided by the following Section 12.37.2:

Minor amendments are changes which do not alter the concept of the PUD in terms of density, floor area ratio, land usage, height, provision of open space, or the physical relationship of elements of the development. Minor amendments shall include, but not be limited to, small changes in the location of buildings, open space, or parking; or realignment of minor streets.

The Board finds that both proposed changes constitute minor amendments. As stated in Decision #141 (Condition #1e) and affirmed in Minor Amendment #1, “housing may be increased without limit with concomitant reductions in the gross floor area devoted to any of the other uses authorized by this Decision without a Major Amendment being required.” Therefore the proposed alteration of Parcel E-2 from primarily hotel to primarily residential is allowed as a minor amendment.

The proposed modification of Parcel G from a mixed commercial and residential use to primarily commercial use will result in an overall increase of 19,470 square feet of commercial Gross Floor Area, changing the proportion of office/laboratory uses in the Planned Unit Development from 54% to 55% of the total floor area of the project. The Board finds that this constitutes a small change that does not substantially alter the concept of the PUD. Overall, there will be no reduction in the amount of residential Gross Floor Area in the PUD.

According to testimony from the Applicant, the cogeneration plant adjacent to Parcel G has expanded its operations and increased its noise level such that residential development is no longer feasible. However, the development of Parcel G as an office/lab building with retail is a viable use, as demonstrated by the Genzyme building on the adjacent Parcel D, also adjacent to the plant. The Board finds that this rationale justifies the proposed modification to the Final Development Plan.

DECISION

Based on a review of the Application Documents, other materials presented to the Planning Board, and the above Findings, the Planning Board hereby GRANTS the requested Amendment to Special Permit #141, subject to the following conditions and limitations:

1. Except as specifically modified by this Amendment, all use, building construction, and site plan development shall be in substantial conformance with the Final Development Plan approved in Planning Board Special Permit #141, as modified by any prior approved Amendments.
2. Except as specifically modified by this Amendment and any prior approved Amendments, all development shall be subject to the Conditions set forth in Planning Board Special Permit #141. The design review process set forth in Condition #2a of Special Permit #141 shall be required for the two project sites that are the subject of this Amendment.
3. The Board specifically approves the development of residential uses on “Parcel E-2” and commercial office/research uses on “Parcel G,” with retail and consumer service uses on each site, as identified in the Final Development Plan. The approved Gross Floor Area on each of those sites shall remain unchanged. The Board approves the following changes to the distribution of floor area within the PUD:

	Approved Change in GFA (SF)	Approved Total GFA (SF)	Percent of Total GFA of PUD
Office/Lab	+ 19,470	757,970	55%
Residential (incl. 100,000 SF bonus)	+ 135,530	467,530	34%
Hotel	- 155,000	0	0%
Retail (incl. Theatre and Other)	No change	150,500	11%
TOTAL	No change	1,376,000	100%

Voting in the affirmative to GRANT the Special Permits were Planning Board Members Tom Anninger, H. Theodore Cohen, Hugh Russell, William Tibbs, Steven Winter, 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.

For the Planning Board,



Hugh Russell, Chair

A copy of this decision #141 Amendment #3 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 August 19, 2011, by Jeffrey C. 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