



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

Case No: PB#148

Address: 7 & 11 Temple Street

Owner: Cambridge Young Women's Christian Association, 7 Temple Street, Cambridge, Mass. 02139

Applicant: Cambridge Young Women's Christian Association, 7 Temple Street, Cambridge, Mass. 02139

Zoning District: Business B; Office 3; Central Square Overlay District

Application Date: March 30, 1999

Public Hearing: May 18, 1999 and September 7, 1999, continued for written comment and receipt of revised plans until November 9, 1999

Planning Board Decision: November 9, 1999

Date of Filing Decision: December 3, 1999

Application: Request for a special permit under the provisions of the Central Square Overlay District, Section 11.300. and Section 11.500. Planning Overlay Special Permit (IPOP) for a 77 unit residential building. In the Central Square Overlay District the petitioner requested a waiver from the as-of-right yard requirements, permission to exceed the as-of-right height limit and the required sky exposure plane, and permission to reduce the number of required parking spaces.

Decision: DENIED.

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 of the Planning Board

Case No: PB#148

Address: 7 & 11 Temple Street

Owner: Cambridge Young Women's Christian Association, 7 Temple Street,
Cambridge, Mass. 02139

Applicant: Cambridge Young Women's Christian Association, 7 Temple Street,
Cambridge, Mass. 02139

Zoning District: Business B; Office 3; Central Square Overlay District

Application Date: March 30, 1999

Public Hearing: May 18, 1999 and September 7, 1999, continued for written
comment and receipt of revised plans until November 9, 1999

Planning Board Decision: November 9, 1999

Date of Filing Decision: December 3, 1999

Application Documents

A Special Permit Application, submitted to the Planning Board on March 30, 1999 and certified complete, containing a project narrative; dimensional form; ownership form; Large Project Review submittal including survey, photographs, site plan, elevations, and floor plans; and a traffic study certified complete by the Traffic, Parking and Transportation Department on March 24, 1999.

Other Documents Submitted

Letter to the Central Square Advisory Committee (CSAC), from Bette Anderson,
President of Federal Management, Inc., et al, dated 5/24/99

Letter to the Planning Board from Susan E. Clippinger, Director of Traffic, Parking and
Transportation, dated 5/28/99, re: summary of the IPOP analysis.

Letter to the CSAC from the applicant, dated 5/25/99, re: suggestions to the plans.

Central Square Advisory Committee Development Consultation, Certificate of
Compliance, dated May 27, 1999, with attachments from the meeting.

Amended Dimensional Form dated 6/1/99.

Letter to the Planning Board from Charles M. Sullivan, dated 6/1/99, re: reviewing the application.

Letter to the Planning Board, from Stephen H. Kaiser, dated 6/15/99, re: Traffic Comments on YWCA site.

Letter to the CSAC, from the applicant, dated 8/5/99, re: amended submission.

Central Square Advisory Committee Development Consultation, Certificate of Compliance, dated August 10, 1999

Letter to George Metzger, Chair of the CSAC, from John Pitkin, et al, of the Association of Cambridge Neighborhoods, dated 8/10/99, re: the recommendation to the Planning Board on Schochet/YWCA housing.

Letter to the Planning Board from Judy Housman, dated 8/11/99, re: the scale of development.

Letter to the Planning Board from David Hoicka, dated 8/24/99, opposing the extension to the hearing process.

Letter to the Planning Board from James Rafferty, dated 8/31/99, re: the changes in the application.

Letter to Liza Paden, CDD staff, from James J. Rafferty, dated 8/20/99, extending the time for the public hearing to September 7, 1999.

Memo to the Planning Board from Elie Yarden, dated 9/7/99, regarding "Homes without parking or Streets without people."

Letter to the Planning Board from Nancy Lawrence, President of the Board of Directors of the YWCA, dated 9/14/99, including attached letters of support of the YWCA's mission and a letter from Lucie Searle, addressing outstanding issues of the Planning Board.

Memo to Roger Boothe, from Hugh Russell, dated 9/25/99, regarding possible changes.

Letter to the Planning Board from Loretta Davis, YWCA and Lucie Searle, Schochet Associates, dated 11/8/99, regarding Hugh Russell's memo of 9/25/99

Public Hearing

On June 1, 1999, the Planning Board held a public hearing on the application for an Interim Planning Overlay Permit and a special permit to waive the setback requirements for the residential use in the Office 3 district, allow the height to exceed 55 feet and to reduce the amount of parking required. This hearing was kept open for public comment

and continued discussion between the applicant and the Central Square Advisory Committee (CSAC). The CSAC met with the applicant during the summer and submitted a revised report on the application and the changes to the application. Due to several changes in the membership of the Planning Board, the applicant waived the 90-day time limit for the decision and agreed to a new public hearing in front of the newly appointed Planning Board.

On September 7, 1999 the applicant presented the amended proposal which had been presented and discussed with the Central Square Advisory Committee. James Rafferty, attorney for Schochet Associates, Michael Hass of ADD Inc, architect for the project, and David Beraducci, landscape architect, presented the application. Mr. Rafferty discussed the decrease in units from 77 to 63, of which 7 would be affordable as required by Section 11.200 of the Cambridge Zoning Ordinance, the inclusionary housing provision. The height was reduced from 8 stories to 7. The number of parking spaces remained unchanged from the original 56 in the parking garage. The YWCA would continue to own the land and receive rent from the designated developer.

The Board reviewed a number of issues associated with the site: the parking garage and the location of its entry, lighting in the courtyard, possible alternative site layouts and building modifications, the shadow study, and the comments of the Central Square Advisory Committee contained in their report.

The Planning Board closed the hearing to oral comment, keeping the record open for written comment to be submitted one week before the next scheduled deliberation.

At the deliberation meeting of September 21, 1999, the Board reviewed the outstanding issues again: the size of the building for the site and the building's impact on its Central Square setting. The Board pointed out that the proposal would generate no negative traffic impacts of note.

The Board asked the proponents if the proposal could be modified in response to the concerns raised by the Board. The applicants indicated they would be willing to try to respond positively.

At its deliberation on of November 9, 1999, the Planning Board closed the public hearing and began the deliberation of the two special permits. The Planning Board asked the applicants if they had been able to modify the proposal; they responded that they could not respond and still meet their financial objectives for the project.

Findings

After review of the application documents, testimony presented at the public hearings and subsequent information provided by the applicant, staff of the City of Cambridge, the Central Square Advisory Committee and the general public, the Planning Board makes the following findings.

1. Conformance to the general criteria for the issuance of special permits contained in Section 10.40 of the Zoning Ordinance:

A special permit will normally be granted where specific provisions of this Ordinance are met, except where the particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting such permit to be to the detriment of the public interest because of the following.

a. The requirements of the Ordinance cannot be met.

The requirements of Section 11.300 of the Ordinance cannot be met, as set forth below. While the Board finds the fundamental program represented by the application, i.e. additional housing to support the services now provided by the YWCA, to be consistent with the objectives of the Zoning Ordinance, its specific execution in the form of a very dense building on a very tight site is not consistent with the objectives of the Ordinance.

b. Traffic generated or patterns of access and egress will cause congestion, hazard, or substantial change in established neighborhood character.

The Board was troubled by the garage entry both as to its specific design and its location. However, while such an entry is not particularly friendly to pedestrians walking along Temple Street, the Board did recognize that no location along the periphery of the site is ideal. If other aspects of the project had been acceptable the Board might have found this garage entry location acceptable.

c. The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance will be adversely affected by the nature of the proposed use.

The density of the proposal, even as modified through the public hearing process, has resulted in a building that negatively impacts its abutters, both commercial abutters on Massachusetts Avenue and residential and institutional abutters facing Bishop Allen Drive and Inman Street. The loss of open space on the Y lot as a result of the new construction would negatively impact present and future residents of the buildings on the site; loss of that open space as a result of an overly dense building that does not meet the required setbacks in the Office 3 district will negatively impact adjacent property owners.

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 proposed new building would crowd its site, fit uncomfortably with the existing historic building, significantly reduce the available on site open space, tower over one story buildings on Massachusetts Avenue and uncomfortably relate to existing residential buildings on the same city block.

e. For other reasons, the proposed use would impair the integrity of the district or the adjoining district, or otherwise derogate from the intent and purpose of this Ordinance.

While in many aspects the proposal advances the objectives of the Overlay District and meets the purposes of that district and adjacent base districts, the Board finds that the specific density and bulk aspects of the proposal result in a project that is contrary to the intent of the Ordinance.

2. Consistency with the principles enumerated in the Central Square Action Plan.

The Central Square Action Plan was published in November 1987 after two years of work with the affected communities in Central Square. The Plan is meant to be a policy and design guide with regard to physical and economic change in Central Square. It is a guide not only for the Planning Board in its role as administrator of portions of the zoning ordinance, but also for other city agencies with other official responsibilities in other aspects of public service, for the business community and property owners, and for residents as well. The Planning Board does not find the proposal consistent with the goals and objectives of the Action Plan insofar as those goals and objectives are achievable through zoning:

a. Encourage responsible and orderly development.

The body of zoning regulations and requirements applicable in Central Square, and to this site, embody the City's vision for orderly and responsible physical development. The Board finds that the density and scale of development proposed in this application for this parcel do not adequately meet this requirement for responsible and orderly development.

b. Strengthen the retail base and the market capture of the neighborhoods.

The base zone does not allow retail use and the proposal does not include retail use. The proposal cannot reasonably be expected to contain retail use. By proposing additional residents at the heart of Central Square, where there is great incentive for them to support nearby businesses, the proposal is consistent with this principle.

c. Preserve the Square's cultural diversity.

The zoning regulations cannot mandate who will or will not live in Central Square. Those regulations can, however, permit or encourage residential uses and, where constructed, require that some units be available to affordable households, allowing the potential for a variety of new households to live within the Square. This proposal is entirely residential in use and would provide the required number of inclusionary housing units. Furthermore, the economic

benefit that would accrue to the Y would support the existing wide range of affordable housing already available at the site.

d. Create an active, people-oriented space.

By the nature of its residential use, the proposal does not provide active frontage along the Temple Street or Bishop Allen Drive edges of the site. Because of the density of the proposed building, the existing open courtyard at the entry to the Y's main facility will be significantly reduced, making this space less people-oriented.

e. Improve the physical and visual environment.

The Board finds that the building as proposed unnecessarily detracts from the physical and visual environment in its vicinity. It crowds an historic building on the permit site, reduces the amount of open space currently on the lot, and does not relate well to other buildings in its vicinity.

f. Provide retail establishments that cater to the people of diverse economic and social groups who live in the surrounding neighborhoods.

Retail uses are not allowed in the Office 3 base district.

g. Encourage the development of mixed income housing.

The proposal contains 63 units of housing, of which seven units would be affordable, consistent with the requirements of Section 11.200 of the Zoning Ordinance.

h. Promote compatible retail adjacent to residential uses.

Retail use is not allowed.

3. Conformance to the requirements of the Planning Overlay Special Permit, Section 11.500 of the Zoning ordinance.

a. Submittal of Required Documents

All requirements of Section 11.511 have been met with the submittal of a complete application, including a certified traffic study and confirmation that additional special permits or variances will not be required.

b. Finding of no substantial adverse impact on city traffic.

The Planning Board finds that the residential character of this proposal, the size of the proposal and the location near MBTA transit service at Central Square would

mitigate any **traffic** impacts of this development, as will the signalization of the Prospect Street and Bishop Allen Drive intersection that is now operational.

c. Conformance with Enumerated Growth Policies

(1) Policy 13: Pace of development, maintenance of the tax base, adjustment to changing economic conditions, consistent with urban design plans, disruption of neighborhoods, overburden infrastructure.

The Board does not find the project consistent with the urban design objectives of the city as set forth in the Growth Policy document and the various documents pertaining to the Central Square Overlay District, as set forth above: **the building is too dense for its specific context and the proposed construction would significantly reduce open space on the lot necessary to serve residents of the proposed building and residents in the existing buildings on the site.**

(2) Policy 27: Affordable housing and neighborhood character.

The proposal does meet the goal of providing affordable housing as required in the inclusionary housing ordinance.

(3) Policy 39: Minimize impacts on abutting neighborhoods.

Section 11.500 is specifically designed to address the principal impact that development on a site might have on residential neighborhoods: i.e., significant adverse traffic impacts. The project will have minimal traffic impacts. However, the Board does find that the design of the building does have a negative impact on adjacent lots as enumerated above.

(4) Policy 66: Open space facilities.

The existing courtyard on the site would be significantly diminished and overshadowed by the new building proposed.

Decision

Based on the Findings set forth above the Planning Board DENIES the requested relief under provisions of Section 11.300 and 11.500 of the Zoning Ordinance.

Voting to DENY the special permits were H. Russell, F. Darwin, W. Tibbs, B. Shaw, P Winters, associate member appointed by the Chair to act in the place of an absent member, and L. Brown, representing more than two thirds of the members of the Board. Voting against the motion to DENY the special permits was T. Anninger.

For the Planning Board

Florrie Darwin
Florrie Darwin, Chair

The Planning Board certifies that the decision attached hereto is a true and correct copy of its decision granting the Special Permit #148, and that a copy of this decision and all plans referred to in the decision have been filed with the Office of the City Clerk and the Planning Board. Appeal 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 decision filed with the Office of the City Clerk on 12/3/99, 1999 by *Liza Paden* 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

For more information regarding this special permit, please contact Liza Paden at the Community Development Department, voice: 349-4647; TYY: 349-4621, email lpaden@ci.cambridge.ma.us