

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

Case No: PB#167

Address: One Bow Street; 1230 Massachusetts Avenue

Zoning: Business B/Harvard Square Overlay District

Owner: The Harvard Cooperative Society

Applicant: MassBow Partners, LLC

Application Date: August 16, 2000

Public Hearing: September 12, 2000

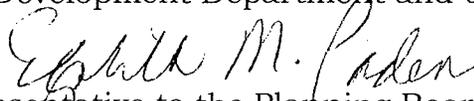
Planning Board Decision: September 12, 2000

Date of Filing Decision: September 28, 2000

Application: Harvard Square Overlay District Special Permit to waive the Parking and Loading Requirements and to permit height to exceed sixty feet (Sections 11.54.4 and 11.54.2) for renovation of the existing two story building for office and retail use and for the addition of three new floors of office use for a total development of 41,676 square feet of gross floor area.

Decision: The Waiver of Parking and Loading Requirements, Section 11.54.4 was GRANTED with conditions. Special Permit for additional height, Section 11.54.2 was continued for further deliberation.

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

For further information concerning this decision, please call Liza Paden at 617-349-4647, TTY: 617-349-4621, email lpaden@ci.cambridge.ma.us.

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Application

1. Special Permit application, certified as complete on 8/16/00, containing special permit criteria, dimensional form, ownership certificate, plans, photographs and drawings of site map, locus, deed plans, existing conditions photographs, proposed building perspective, elevations and floor plans.
2. Letter to the Planning Board from MassBow Partners, dated 9/7/00; re: addendum materials to the application and the revisions.
3. Letter to the Planning Board from Charles Sullivan, Executive Director of the Cambridge Historical Commission, dated 9/11/00; re: Historical Commission review for the proposal.
4. The Harvard Square Advisory Committee Report, for Case designated "Coop Annex Building at Bow Street and Massachusetts Avenue"

Findings

1. The Planning Board finds the proposal consistent with the intent and objectives of the Harvard Square Overlay District with regard to the Waiver of Parking and Loading Requirements, Section 11.54.4. With regard to the relief sought from Building Height Limitations, Section 11.54.2 of the Overlay District, the Board is not prepared to make a decision at this time and may deliberate further on that aspect of the application in the event that the applicant elects to pursue that aspect of the special permit application. Therefore, in this Decision the Board has moved to divide the application into two special permit requests and shall consider them independently.

2. With regard to the Waiver of Parking and Loading Requirements, the Planning Board finds the development as proposed in the application documents or an alternate development proposal that may be advanced by the permittee, not requiring relief from the Building Height Limitations of the Harvard Square Overlay District, consistent with the intent of the Zoning Ordinance generally, the objectives of the Harvard Square Overlay District, and the requirements of Sections 10.43 and 11.54.4 of the Ordinance, as set forth below.

3. The proposal is in compliance with the general purposes of the Harvard Square Overlay District (Section 11.52):

- a. Preservation and enhancement of the District's unique functional environment and visual character.

A significant architectural feature in the Bow and Arrow Street area will be preserved and restored. Additions to that existing building can be accomplished in such a way that the historic building is respected and the pattern of new development in the recent past is continued.

- b. Mitigation of the functional impacts on residential neighborhoods.

The site is two blocks from the Riverside neighborhood across Mt. Auburn Street and two to three blocks from the start of residential Mid-Cambridge. It is generally buffered from those neighborhoods by intervening commercial and institutional uses. Development of a PTDM plan would assure adequate mitigation of traffic impacts on residents.

- c. Maintenance of a diversity of development, open space patterns, and building scale.

The Bow and Arrow Streets district is particularly noted for its diversity of building scale and form. This proposal retains the existing structure and gives emphasis to its two-story scale by thoroughly restoring it. Additional floors can be added to that structure that would be both consistent with the scale and character of the existing façade and consistent in height with recent new construction and many of the older historic structures in the area.

4. Compliance with the general development guidelines outlined in Harvard Square Development Guidelines

- .1. Retention and upgrading of the existing inventory of old buildings.

The existing building is a contributing building in the National Register District. It will be retained and its façade fully restored. The Cambridge Historical Commission has reviewed the proposal at its September 7th meeting, acting on this building as if the Neighborhood Conservation District proposed for Harvard Square were enacted, and has found that redevelopment of the site on the scale proposed in the application documents is consistent with the issuance of a Certificate of Appropriateness.

2. Respect for the diversity of building form and scale.

The site is a 10,000 square foot lot in keeping with the many other smaller lots in this area. While considerable new construction will be added to the site, the resulting building will add to the diversity of material and building form found in this sub district and will retain the prominent two story form that now fronts on Bow Street.

3. Expansion of a high quality public environment.

Improvements to the public street in front of the project will be the principal upgrade of the public environment.

4. Expansion of the network of pedestrian walkways.

There will be no public pathways.

5. Expansion of residential living within the Square.

No housing is proposed.

6. Creative solutions to the Square's parking problems.

The project will not provide a significant amount of parking.

5. Compliance with the specific guidelines for the Bow and Arrow Streets subdistrict.

The guidelines anticipate that new construction will occur on a number of sites in this district. Much of that new construction has already occurred, including the public improvements to Quincy Square. Maintenance of the diversity of building forms and scale already evident in the district is encouraged in the future by the guidelines. The project is in general consistent with those objectives in the context of retaining and restoring the existing two-story building and potentially adding additional floors to the existing facade.

6. Compliance with criteria for the granting of a Special Permit to waive the parking and loading requirements [Section 11.54.4 (b)].

1. The lot is sufficiently small to contribute to a pattern of small-scale new structures and the retention of existing structures.

The lot is 10,990 square feet in area, at the threshold identified in the Ordinance as meeting this standard. No lots were combined to constitute the development lot.

2. The waiver will result in a more appropriate design for its location and the neighborhood.

Much larger and more intrusive access would have to be provided, most likely off of Plympton Street if the full parking and loading requirements were to be met. Conversion of the some or all of the first floor to parking, in the existing building, would result in a less animated ground floor as active retail uses would be displaced. Any parking and loading access off of Bow Street would be inappropriate.

3. No National Register or contributing building is demolished, or had been demolished in the preceding five (5) years.

The building has been identified as a contributing building in the Harvard Square National Register Historic District and will be restored.

7. Compliance with the general criteria for issuance of a Special Permit.

1. The requirements of the Ordinance can be met.

The criteria for the issuance of the required special permit under the provisions of the Harvard Square Overlay District would be met.

2. Traffic patterns will not cause congestion, hazard, or substantial change in the established neighborhood character.

In general, Harvard Square with its good public transit access, is thought the best location in the city to emphasize non-auto access to activities. This site, although somewhat removed from the center of Harvard Square, is easily within walking distance of the rail and bus service located there. Waiving of the parking requirement in the Overlay District is primarily designed to serve urban design objectives but such a waiver will not cause congestion or hazard. Development of a Parking and Transportation Demand Management (PTDM) plan will assure adequate mitigation of the traffic impacts of the lack of on-site parking. Neither Bow Street nor Plympton Street is a desirable location for accessing substantial parking or loading facilities.

3. Continued operation or development of adjacent uses will not be adversely affected.

The building is designed to be sympathetic to the continued occupancy of adjacent buildings that are themselves located on the shared property lines.

4. No nuisance or hazard will be created to the detriment of the health, safety, and welfare of the occupants or the citizens of the City.

None will be created.

5. The use will not impair the integrity of the district or adjoining districts or derogate from the intent or purpose of the Ordinance.

To a substantial degree, the proposal advances the major objectives of the Harvard Square Overlay District and the base Business B district.

Decision

After review of the application documents and discussion at the public hearing, and based on the above findings, the Planning Board **(1)** moves to separate the application into two separate requests for a special permit to grant additional height (Section 11.54.2) and a special permit to waive parking and loading requirements (Section 11.54.4), **(2)** continues for further deliberation the application for a special permit to grant additional height (Section 11.54.2), and **(3)** GRANTS the Special Permit as authorized in Section 11.54.4 to reduce the number of required parking spaces to two in order to permit the construction of a new building containing 41,676 square feet of Gross Floor Area, as outlined in the above application documents, subject to the following conditions and limitations:

1. The project shall be subject to continuing design review by the Planning Board. Final plans submitted for issuance of a building permit shall be substantially as shown in application documents as revised and referenced above with the exception that, pending final action by the Board on the application for additional height, the building may not exceed sixty feet in height. The dimensional limitations are set forth in Appendix 1. Before issuance of the first building permit for the Project, the Planning Board, at a regular meeting, shall certify to the Superintendent of Buildings that all conditions of the permit have been met.

Within the scope of this permit, the permittee shall be permitted to redesign the building so that it does not exceed sixty feet in height. Where the setbacks on the application plans are reduced in such a redesign, the Planning Board shall not approve the revised design until a public hearing

has been held at which all parties in interest are notified as would be required in Chapter 40A for a special permit.

Any change in the plans that may in the future be required as a result of the granting of the special permit for additional height shall be permitted within the scope of this Decision. Similarly, changes required by the Cambridge Historical Commission shall be permitted within the scope of this Decision.

2. The project shall not be providing 20 of the required parking spaces. The Gross Floor Area of the project is 35,168 square feet, which is 80% of the maximum FAR permitted on the lot. Accordingly, the project meets the criteria of Section 11.54.4.2.a. of the Zoning Ordinance and a payment to the Harvard Square Improvement Fund is not required for the waiver of parking spaces.

3. The building shall be subject to the PTDM plan under development by the proponent in coordination with the PTDM officer as if the project were statutorily subject to the PTDM Ordinance. The requirements of the PTDM plan shall be a condition of this permit.

4. The project is subject to the requirements of Section 11.200 of the Zoning Ordinance "Incentive Zoning" as the proposal, constituting a "Covered Project", exceeds 30,000 square feet. Therefore, prior to the issuance of a Certificate of Occupancy for the project a payment to the Cambridge Affordable Housing Trust in the amount of \$ 39,579.76 [14,567 square feet - 2500 square feet = 12,067 square feet x \$3.28/square foot = \$39,579.76] shall be required.

5. For purposes of dimensional requirements only, to the extent that the two parking spaces to be provided do not conform to any dimensional requirement or Article 6.000, this decision shall also waive the requirement for those spaces.

Voting to grant the special permit were T. Anninger, L. Brown, B. Shaw, H. Russell, W. Tibbs, and F. Darwin, constituting at least two thirds of the membership of the Board. Also present and voting in place of an absent Planning Board member was Associate Member P. Winters, who abstained.

For the Planning Board,


Larissa Brown, Chair

A copy of this decision #167 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 September 28, 2000, by Elizabeth M. 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 the decision. No appeal has been filed.

DATE:
City Clerk
City of Cambridge