

CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 57 CINMAN STREET, CAMBRIDGE 02139

## NOTICE OF DECISION

Case No: PB#169

Address: 823 Main Street

Zoning: Business A and the Central Square Overlay District

Owners/Applicants: 823 Main Street Realty Nominee Trust, c/o  
Deborah A. Ciolfi, Trustee, One Broadway, Cambridge, MA 02142

Application Date: 10/31/00

Public Hearing: December 19, 2000

Planning Board Decision: December 19, 2000

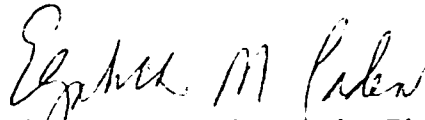
Date of Filing Decision: January 17, 2001

Application: Central Square Overlay District Special Permit to waive the setback requirements for the residential portion of a mixed use development.

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

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

2001 JAN 17 P 3:24  
CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

2001 JAN 19 AM 9:53  
COMMUNITY DEVELOPMENT

Case No: PB#169

Address: 823 Main Street

Zoning: Business A-2/Central Square Overlay District

Owners/Applicants: 823 Main Street Realty Nominee Trust, c/o  
Deborah A. Ciolfi, Trustee, One Broadway, Cambridge, MA 02142

Application Date: October 31, 2000

Public Hearing: December 19, 2000

Planning Board Decision: December 19, 2000

Date of Filing Decision: January 17, 2001

### **Documents Submitted**

Special Permit Application submitted, certified complete on October 31, 2000, containing the project description, supporting statement, dimensional form, and site photos.

### **Other Documents Submitted**

Board of Zoning Appeal application.

Letter to the Planning Board from Susan E. Clippinger, Traffic Director, dated 12/12/00, with comments and review.

Central Square Advisory Committee report of the meeting of 11/9/00.

### **Findings**

#### **1. The Planning Board makes the following findings as outlined in with Section 11.305 – Standards for issuance of special permits**

- a. The proposed development is consistent with the goals and objectives of the Central Square Action Plan:

The development design plan is responsible and orderly for this location at the edge of the residential community. Among the uses proposed is a small retail space for which the proponent is committed to making efforts to attract a local tenant. The

project will replace a more intensive use that would more significantly impact nearby residents.

In addition, the development will contain four residential units (one of which is to be an affordable unit) and community-accessible meeting space.

The proposal contains active people-oriented open spaces; the development will improve the physical and visual environment through the creation of green space and landscaping. The building will have substantial “green building” features that are a very positive benefit.

- b. The building and site designs are consistent with the “Urban Design Plan of Central Square”, and address the positive urban design elements of the Main Street area. The scale of the building is in keeping with the existing mix of heights and densities of Main Street.
- c. The building and the site designs adequately screen the parking provided and are sensitive to the contributing buildings in the vicinity by locating the parking below grade.
- d. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and
- e. No national Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

**2. 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 building is being designed to meet all of the use regulations, development standards, off street parking and loading

requirements, and sign and illumination regulations of the Cambridge Zoning Ordinance. Variances are being sought from the Board of Zoning Appeal for useable open space, Floor Area Ratio, Setbacks, height, parking and ground floor open space uses. A variance will be sought from the Board of Zoning Appeal for the supplementary loading area, should that prove to be necessary. The variances sought are in part technical in nature and in part useful to permit desirable uses and activities to occur on the site. The resulting building form is not inconsistent with construction in the vicinity. With the issuance of the variances, the building will conform to the requirements of the Ordinance.

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

The applicant will install a vehicle exiting warning device at the garage exit. The use mix in the building will not contribute to traffic congestion on the adjacent streets. Therefore the Board finds that no nuisance or hazard will be created or substantial change in the character of the neighborhood caused by the traffic generated by this project.

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

The Board finds that the design will not adversely affect the continued operation of adjacent uses or future development.

***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.***

No nuisance or hazard will be created.

***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.***

The proposed use is consistent with the uses allowed in the Industry B and Business B districts that are located directly across the street or in the vicinity, as well as the adjoining Residence C-1 District.

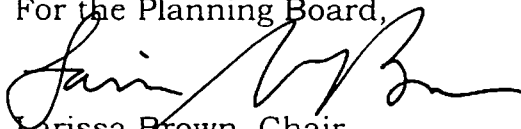
## Decision

Based on a review of the application documents, comments made at the public hearing and other comments received by the Board, and based on the above findings, the Planning Board **GRANTS** the requested Central Square Overlay Special Permit to waive the setback requirements (Section 11.304.4) imposed on residential uses in this Business A district subject to the following conditions and limitations:

1. All use, building construction, and site plan development shall be in general conformance with the plans and application documents submitted to the Planning Board as referenced above and dated October 2, 2000. Appendix I summarize the dimensional features of the project as approved. Changes that may be imposed by the Board of Zoning Appeal shall be permitted within the scope of this special permit. The Community Development Department shall certify to the Superintendent of Buildings that all conditions of this permit have been met before issuance of a building permit.
2. The affordable housing unit in the building will meet the City of Cambridge standards as outlined in Section 11.200 of the Zoning Ordinance for a period of no less than 20 years.
3. The project proponent shall have completed and have accepted a Parking and Transportation Management Plan before the issuance of the Building Permit.
4. The driveway design shall have incorporated a system of warning lights for both the pedestrians and oncoming drivers approved by the Traffic, Parking, and Transportation Department before the issuance of the Building Permit.
5. The blank wall façade facing Bishop Allen Drive shall have an artistic or at least creative treatment of the blank wall until such time an abutting project is approved and built. The details of that treatment shall be approved by the Community Development Department.
6. The retail use should front onto Main Street or be designed as to not preclude a direct access onto Main Street.

Voting in the affirmative to **GRANT** the Planning Overlay Special Permit were P. Winters, associate member appointed by the Chair to act in the place of an absent member, L. Brown, T. Anninger, F. Darwin, W. Tibbs, H. Russell and B. Shaw, constituting more than the two thirds of the members of the Board necessary to grant a special permit.

For the Planning Board,



Larissa Brown, Chair

A copy of this decision #169 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 17, 2001, 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

PB#169 - 823 Main Street

APPENDIX I

	Allowed/Required	Existing	Proposed	Granted
	BA/Res C-2B			
<b>FAR</b>	1.0/1.75	1.09	2.33	2.33
<b>Floor Area</b>	5,950/10,412	6,490	13,854	13,854
<b>Max Height</b>	35/45	26	45	45
<b>Max Angle above cornice line</b>				
<b>Min Lot Size</b>	5,000	5,950	5,950	5,950
<b>Min Lot area/du</b>	600			
<b>Max # du</b>	9	0	4	4
<b>Min Lot Width</b>	NA	64/64	64/64	64/64
<b>Min Yard Setbacks</b>				
<b>Front (Main)</b>	None/27.7'	0	0/18.25	0/18.25
<b>Side Left</b>	None/17.5'	0	0	0
<b>Side Right Cherry</b>	None/25.6'	27	0/25.75	0/25.75
<b>Rear (Harold)</b>	None/27.7'	0	0/4.5 & 16.3	0/4.5 & 16.3
<b>Ratio Usuable O.S.</b>	None/15%	0	42%/52%	42%/52%
<b>Off Street Parking</b>				
<b>Min #</b>	14/4	4	14	14
<b>Max #</b>				
<b>Handicapped</b>			1	1
<b>Bicycle spaces</b>				
<b>Loading Bays</b>	0/NA	1	0	0