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CITY OF CAMBRIDGE, MASSACHUSETTS  
**PLANNING BOARD**  
CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

(Summary)

Planning Board Case #17

In reference to the petition of Unihab/Cambridge, Inc. for a Planning Board Special Permit to construct a Planned Unit Development on the northeast side of the Lechmere Canal; the Special Permit has been GRANTED with the following conditions:

1. The development project shall remain generally as represented in the Final Development Plan and as explained in the Final application form including the following:
  - (a) the maximum gross floor area shall not exceed 201,989,
  - (b) the total number of units shall not exceed 160, and
  - (c) the minimum gross floor area of retail space shall not vary more than 10%.

These requirements may change only as a result of required studies and approved modifications pursuant to Section 12.37 and as outlined in the complete decision.

2. Design Review is required by the Community Development staff of final plans as they are produced.
3. In accordance with Section 10.45, the Planning Board waives the zoning requirement limiting the maximum height to 85 feet. The maximum building height, as defined in Article 2.000, shall not exceed 93 feet.

A copy of this summary and the complete decision have been filed in the office of the City Clerk on November , 1981. Appeals, if any, shall be made pursuant to Section 17, Chapter 40A, Massachusetts General Laws and shall be filed with the Superior Court Department, Middlesex County within twenty days after the date of filing of the complete decision in the City Clerk's office.

Elizabeth McCarthy  
Secretary to the Planning Board



CITY OF CAMBRIDGE, MASSACHUSETTS  
**PLANNING BOARD**

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

PUD DEVELOPMENT PLAN DECISION

CASE NO.: PB-17  
PETITION: Special Permit for a Planned Unit Development  
PROJECT: Lechmere Canal Condominiums "Graves Landing"  
APPLICANT: Unihab/Cambridge, Inc.  
DISTRICT: BA/PUD-4  
DEVELOPMENT PARCELS LOCATION: Monsignor O'Brien Highway between  
Lechmere Square and Commercial Avenue  
APPLICATION DATE: July 10, 1981  
FIRST PUBLIC HEARING: August 4, 1981  
PLANNING BOARD DETERMINATION: August 4, 1981  
FINAL DEVELOPMENT PLAN SUBMISSION: October 2, 1981  
SECOND PUBLIC HEARING: October 6, 1981  
PLANNING BOARD DECISION: November 10, 1981

THE DEVELOPMENT PLAN

The Final Development Plan being proposed requires a special permit to construct a Planned Unit Development (PUD) consisting of a single 265,813 square foot residential structure with a floor area ratio (FAR) of 1.93 and a building height of 93 feet. It would contain 160 condominiums, a 57,264 square foot garage and approximately 9,400 square feet of retail space.

The proposed development project consists of both private and public actions. The development parcel contains property to be conveyed to the city and developed as a public park, a parcel to the north of the building site to be taken for widening of Monsignor O'Brien Highway and a parcel being developed by Unihab for residential use.

The Application

In support of the Final Development Plan petition the applicant submitted the following documents:

1. Planned Unit Development Application, Final Development Plan; "Graves Landing-Lechmere Canal Condominiums"; Unihab/Cambridge, Inc.; dated and submitted on October 2, 1981.
2. Plans and elevations, numbers 1-12 entitled "Lechmere Canal Housing, Unihab/Cambridge, Inc."; dated and submitted October 2, 1981.
3. Sketch drawings by Unihab of possible modifications, submitted on October 6, 1981.

Other Documents:

1. Urban Design Sketch, Cambridge Community Development Department, October 20, 1981.
2. Letters of Agreement, extending decision date from 11/1/81 to 11/10/81, from Unihab/Cambridge, Inc. dated 10/26/81 and the Planning Board dated 10/28/81.

The Hearing

A public hearing was held in accordance with Section 12.363 of the Cambridge Zoning Ordinance and Section 9 of Chapter 40A of the Massachusetts General Laws, on October 6, 1981.

The applicant, Arthur Klipfel, Unihab/Cambridge, Inc., introduced Jeffrey Barron, project architect, to present the final development plan to the Board. Mr. Barron summarized the modifications made in the development proposal in response to the Board's earlier determination of August 4, 1981.

1. Retail/commercial space (9,400 square feet) has been included with a request that the Board recognize the constraints put upon Unihab in locating a buyer. This request as specified in the final application would allow the applicant to sell this space as residential if an agreement to sell the space for retail use could not be reached by September 1982.

Board member Cohn voiced his concern over the openness of such an agreement and that some price standard would have to be built into any agreement. It was suggested that a comparable value to the residential units be set as this standard.

2. Building Mass and Bulk. No major modifications have been proposed in the final plans. Some minor changes have been made with regard to the development perimeter and transition areas. (These are outlined in finding no. 4(e).) Mr. Barron indicated that further building modifications were being pursued. If they were found to be economically and structurally feasible, he hoped the Board would regard them as minor modifications to the PUD special permit. These anticipated minor modifications are as follows:

- (a) moving the south building facade up to 20' from the property line along the proposed public park;

- (b) parking would extend completely under the building which would raise the first level to a higher elevation (14.5); and
- (c) the overall depth of the building would increase by 4'.

Responding to Mr. Barron's presentation on the final plans with regard to the perimeter and transition areas, Dennis Carlone, consultant to the Community Development Department, voiced his concern over the westerly end of the building in that it does not adequately recognize the Wilder/Manley site which is slated for office/commercial use. More building bulk, possibly an addition of 2-4 stories along that edge, would create a more active and appropriate facade.

3. Architectural Details. The applicant recognizes the Board's concern and expects to include suggestions made in the earlier development proposal with regard to architectural details. As design development and working drawings have not been finalized, the applicant feels that this is not the appropriate time to make commitments on such details.
4. Off-Street Parking. The development proposal has been revised to be in complete compliance with Article 6.000 of the ordinance. In response to the Board's requested modifications, the street opening width has been increased to 18', a low wall has been provided between the upper and lower level ramps and a stop sign is provided at the exit point. A bicycle storage area which includes 84 spaces has also been provided.
5. Height Variance. Based on engineering advice a more vertical building is proposed. The unusually poor soil conditions on this site requires an extensive system of end bearing piles and grade beams. The additional expense for these structural features represents a substantial financial hardship to the applicant.

Board member Cohn questioned the validity of this kind of financial hardship in seeking a variance.

Arthur Klipfel informed the Board of their intent to extend the development to the north and east when properties currently owned by Regina T. Homburger and Cities Service Company become available. Mr. Klipfel asked the Board as to whether or not these modifications would be considered minor.

Chairman Parris asked Mr. Klipfel whether or not the model or plans presented already included these modifications. Mr. Klipfel stated that the model did represent the development of these properties but due to legal restraints the plans could not be drawn to include them.

Board member David Kennedy stated that he was not comfortable with so many strings attached to the PUD decision, including the flexibility over the inclusion of retail space and all the other possible modifications.

No one testified in favor or in opposition to the PUD special permit. A letter was submitted to the Board from the East Cambridge Stabilization Committee stating that the applicant had presented the final development plans to them.

### Discussion and Review

The Planning Board reviewed the documents submitted with the Final Development Plan, considered comments made at both public hearings and comments made by the Community Development staff in reaching its decision.

Discussions took place on Friday, October 9, 1981 between the applicant and the staff on various design and massing issues. These discussions centered around design alternatives presented to the Board by the applicant at the second public hearing on October 6, 1981. Other minor issues discussed included design details such as building materials, landscape design and the procedure for periodic administrative review of working drawings to ensure that the final design details conform to the general intent of the Planning Board special permit.

### Findings

After consideration of all information available to it the Board has made the following findings:

1. All procedural requirements of Section 12.30 have been met with the submission of a Development Proposal Application on July 10, 1981; a first public hearing on August 4, 1981; a Planning Board favorable Determination on the Development Proposal on August 4, 1981; submission of the Final Development Plan on October 2, 1981; and a second public hearing on the Final Development Plan on October 6, 1981.
2. The Final Development Plan contained revisions which adequately addressed the conditions outlined in the Determination approved by the Board on August 4, 1981. Further refinements suggested by the applicant and the Community Development Department staff as noted previously and illustrated in sketch drawings as possible minor modifications should be pursued as working drawings are developed.
3. The Final Development Plan conforms to the General Development Controls set forth in Section 12.50 of the Ordinance.
  - (a) Existing Policy Plans. The Final Development Plan is generally consistent with the East Cambridge Riverfront Plan (May 1978), in that the proposed residential use with ground floor retail (even though limited) within the proposed building mass is primarily the same development scheme as outlined in the Riverfront Plan. The Final Development Plan does deviate slightly from the development guidelines in the East Cambridge Riverfront Plan in the following areas:

- (1) 160 residential units are proposed while only 120 units are suggested in the Riverfront Plan.
  - (2) Eight stories are proposed as opposed to the six stories suggested in the Riverfront Plan.
  - (3) The linear span of the building along the canal is reduced from 500 feet to 430 feet. (This deviation is due to unforeseen site constraints.)
  - (4) The original Plan envisioned that the entire ground floor would be retail, whereas the submission only proposes that a portion of the ground floor be for retail use.
- (b) Utilities. All work materials and methods for the proposed site utilities shall be performed in strict accordance with the City of Cambridge Standards and state codes.
- (c) Landscaping. All open areas within the development parcel which are not used as driveways or walkways shall be landscaped as indicated in the Final Development Plans. The final landscaping materials layout and design shall be compatible with and complementary to the landscaping of the proposed public park within the Lechmere Canal area.
- (d) Environmental Performance Standards. The applicant proposes to seek all necessary environmental clearances or permits as required by local, state or federal authorities.
4. The Final Development Plan conforms to the requirements for PUD-4 District as specified in Section 13.50, except as noted in the following paragraph c.
- (a) All proposed uses are allowed by subsection 13.52. Residential development for this parcel is considered both appropriate and desirable as is the proposed retail/restaurant space located at the westerly end of the building. The Board strongly believes that this retail space should remain as part of this development yet understands the financial and marketing constraints on the applicant in locating a retail/restaurant firm and that some flexibility may be necessary.
  - (b) All dimensional regulations are in conformance with the requirements of Section 13.53. An agreement has been made between the applicant and the City to convey 27,434 square feet of land to the City for a public park. It is anticipated that the City will take, by eminent domain, a parcel of land for the widening of Monsignor O'Brien Highway. The Board finds that such agreements will not result in a violation of any dimensional requirements of the PUD-4 district.
  - (c) The building height (93') slightly exceeds the permitted maximum (85') for this district. The Board finds that owing to circumstances relating to the unusually poor soil conditions

at this site an extensive system of end bearing piles and grade beams are required. Therefore, a literal enforcement of the provisions of the ordinance would involve substantial hardship to the applicant, that such relief may be granted without nullifying or substantially derogating from the intent or purpose of the ordinance. In addition, the proposal does handle treatment of the upper floors in an interesting manner; the step back of the penthouse units and the use of colorful awnings create a dramatic break in the building mass, minimizing one's perception of the building height. These features are considered a critical factor in the Board's determination for permitting the excess height.

- (d) The total amount of usable open space proposed is 40,411 square feet (38%), of this 27,434 square feet is to be conveyed to the City for a public park along the Lechmere Canal edge. The Board finds that the total amount of open space is sufficient, particularly in light of the fact that this development is located adjacent to the City's proposed Lechmere Canal Park. The Board is concerned over landscaping and other site design details crucial in developing a final design which will complement and connect with the proposed public open space. Therefore, the Board requires the applicant to devote particular attention to these final design features and submit results to the Community Development Department staff and landscape architects for the public park for review as specified on page 11 of this decision.
- (e) In response to the Board's recommended modifications to the development proposal in regard to the development perimeter and transition, the applicant has adequately redesigned the following areas:

- (1) Northeast perimeter along Monsignor O'Brien Highway: A wooden trellis is proposed along the outside edge of the upper level parking deck in addition to the originally proposed landscaping and pedestrian walkway. These features create a softening effect of the parking area while defining the public-private edge.

The Board finds that further study is necessary to refine the general intent of a well defined transition of public vs. private property, particularly with regard to the containment along the eastern and western edges and the vehicular entrance into the site. Therefore, the applicant shall consider suggestions illustrated in the urban design sketch drawings by the Community Development Department dated October 20, 1981.

- (2) Southwest perimeter along the proposed Lechmere Canal Park: The applicant has redesigned the major entrances leading from the public park and included retail space at the lower level which will create a more active environment at this interface.

Again, refinements/modifications are expected and will be pursued by the applicant to develop an appropriate transition between the residential open space and public park.

- (3) Northwest edge along public park property: (This edge faces the Wilder/Manley site, slated for office/commercial development).

The final development plan proposes a more active and inviting end elevation. This is due primarily to the addition of retail space with large windows located at this westerly edge.

The Board continues to be concerned about the massing at the edge and requests the applicant to make further design studies of this end elevation as final drawings are developed.

- (4) Residential entrances: The entrances into the residential structure located on the upper level parking deck have been redesigned. The Board finds these new entrances to be more inviting and appropriate to this development. The residential entrances from the public park have also been redrawn as required by the development determination. As noted in paragraph (e) (2), the Board expects further refinements of these park entrances as working drawings are developed. Special attention should be made in determining the type of materials and colors to be used along this edge to complement the public park and other proposed developments in the Lechmere Canal area.

- (f) The proposed off-street parking facilities required by the zoning ordinance meet the requirements of subsection 13.57, and Article 6.000. These facilities are subject to change should the purchase of the Cities Service Company property take place and if the minor modifications outlined on page 9 are implemented. The Board shall review and approve any such changes to the off-street parking facilities.

5. Data submitted with the Final EIR, dated March 15, 1979 for the Lechmere Canal and Triangle Area Development Project included an analysis of proposed roadway improvements in conjunction with alternative development for this area, including the residential use of this site. It was found that the effects of increased traffic volumes resulting from the proposed development are offset by public roadway and intersection improvements contemplated for this project area.
6. The Board finds that the Development Plan will provide benefits to the City which will outweigh any adverse effects as required in Section 12.353(3) of the ordinance.



- (a) The development plan is adequate in the quality of site design, integration of land uses, compatibility with adjacent land uses, and the provision of open space amenities designed to benefit the general public.
- (b) It is anticipated that this development will have a positive fiscal impact on the City.

7. Throughout the development process the applicant has indicated that future modifications and additions to the development plan are anticipated. These include:
- (a) minor modifications as outlined on pages 2 and 3 of this decision,
  - (b) the construction of additional units within phase II of the development as explained on page 5 of the final application form and
  - (c) conversion of the retail space currently proposed on the lower levels of the westerly end of the building to residential use.
- Both the minor modifications and the phase II development addition are contingent upon the acquisition of adjacent properties. The acquisition of the Cities Service site will provide land area for the relocation of the vehicular entrance and additional on-grade parking spaces. These alterations would be required as a result of the proposed minor modifications to the building design, including the relocation of the parking garage completely under the building. The anticipated addition to the Phase II development which might include the construction of approximately 24 additional housing units is contingent upon the acquisition of the Regina T. Homburger site.

Each of these modifications and/or additions to the development plan will alter either the number of proposed residential units and/or the total gross floor area of the building. The removal of retail space would result in an increase of the number of units from 160 to 168 and the development of phase II will potentially increase the number of units by 24.

Decision

Based upon the above Findings, and having determined that the Final Development Plan meets the evaluation criteria set forth in the applicable provisions of the Zoning Ordinance and contains the revisions previously requested by the Board, and subject to the conditions as set forth herein which have been agreed to in writing by the developer, the Board hereby:

1. approves the Final Development Plan pursuant to Section 12.36, Final Development Plan, as so designated on the documents, plans and graphics submitted to the Board; identified as items #1 and #2, pg. 2 of this Decision
2. grants a Special Permit to construct a PUD in accordance with this decision;
3. permits the following principal uses, which are allowed by Section 13.521 and accessory uses:

Principal

1. multi-family dwellings
2. retail business and consumer service establishments

Accessory

1. automobile parking garage
4. approves the lot size and setbacks as shown in the Final Development Plan, pursuant to Sections 13.532 and 13.534.

The special permit to construct a PUD is hereafter conditional on the following:

A. Dimensional Limitations on Approved Development

1. The maximum gross floor area as defined in Article 2.000 shall not exceed 201,989 square feet.
2. The mix of uses and gross floor area devoted to each will be substantially as indicated in the final development plans and application, items #1 and #2, pg. 2 of this Decision. The minimum gross floor area of retail space shall not vary more than 10% from the total gross floor area proposed in the final development plans.
3. The total number of residential units shall not exceed 160.
4. All other aspects of the development plan shall remain generally as represented in the documents submitted on October 2, 1981 as part of the Final Development Plan application except as modified by conditions below.

B. Required Further Studies, Conditions with respect to Architectural Details and Design Features

1. Unihab shall pursue the following modifications as discussed at the October 6, 1981 public hearing:
  - (a) moving the south building facade up to 20 feet from the property line along the proposed public park;
  - (b) extending the parking completely under the building which would raise the first level to a higher elevation (14.5); and
  - (c) increasing the overall building depth by 4'.
2. Further study shall be made of the end elevations. A wall or some other appropriate form of massing shall be added along the westerly edge of the site extending from the rear building wall to the north as illustrated in the urban design sketch dated October 20, 1981.
3. A high quality brick facing in conformity with other historic brick facings used in Cambridge such as Kainegonic brick be used. As proposed, the lower levels shall vary in either color or material. The material at these levels shall be of equal or superior quality to the remaining brick facing.
4. The perimeter of the development site shall be given special attention as design development stages begin. The applicant shall consider the alternatives suggested in the urban design sketch dated October 20, 1981. Materials used shall be identical or equal in quality to the building base. Cast iron or steel shall be used as the fencing material.
5. The balcony railing detail shall express a nautical effect, similar to the nearby Rowland Foundation building, where brick capped with a railing 6" above is used.
6. Elements of color shall be used throughout the development, especially through the use of awnings and planters at the balconies.
7. Unihab shall investigate the potential of adding a limited number of bay windows in an effort to further vary the strong building mass.
8. Those areas at the upper level is facing Monsignor O'Brien Highway which are shown in the final development plans to be inset from the principle building plane shall vary in color and/or material. It is suggested that material equal to or similar to the material used at the base of the building be employed.

C. Changes to be Considered Minor Modification

The Board considers the following potential modifications minor amendments to the Final Development Plan as approved in Condition A above pursuant to Section 12.317 of the Zoning Ordinance. Such modifications shall require written approval of the Board pursuant to Section 12.371.

1. Changes outlined in Condition B1 above and changes in the layout and design of the parking which is identified in finding number 7 and which the Board understands to be contingent upon the acquisition of the adjacent Cities Service site under the terms of the development agreement with the applicant and the City of Cambridge.
2. Reduction in the amount of retail space required in Condition A2 above and its replacement by additional rental housing units or office space. Such reduction shall not be considered by the Board prior to the execution of the purchase and sale agreements on 50% of the development's residential units, and provided that such retail space has been offered at a selling price not to exceed that comparable to the selling price of the residential space. Comparable shall mean fair market value.

This replacement of required retail space to housing or office use shall be temporary and shall not continue for more than five (5) years from the completion date of Phase I. Upon expiration of this five (5) year period, said space shall be devoted exclusively to retail/restaurant use.

3. Increase in the number of dwelling units constructed to no more than 168 should the Board permit a reduction or elimination of the required retail uses and by an additional twenty-four (24) units and the necessary increase in floor area should the adjacent Regina T. Homburger site become available. In no case shall the gross floor area ratio or lot area per dwelling unit in the development exceed 20 and 600 square feet per dwelling unit respectively, the maximum permitted by the Zoning Ordinance.
4. A 50% reduction in the amount of required retail/restaurant space which is a direct result of the incorporation of condition B1 above.

D. Other Conditions

1. The applicant shall meet with the Community Development Department and landscape architects from Carol Johnson and Associates to review landscape designs and details as explained in finding number 4(d).

2. All signs proposed to be erected within the development parcel shall be reviewed by the Community Development Department in accordance with the small development consultation procedure in Section 11.43 and approved prior to the granting of a building permit for said sign.
3. In accordance with Section 10.45, the Planning Board waives the zoning requirement limiting the maximum height to 85 feet, as explained in finding number 4(c).
4. The applicant shall submit project drawings to the Community Development Department at the 90% completion stage of the design development phase, and working drawings at the 50% and 90% completion stages. The purpose of these submissions will be for the staff to determine compliance with the Final Development Plan, including the design intent expressed in the accompanying graphic materials and with this decision and the conditions imposed hereby.

The applicant shall receive written certification that such reviews have been made. Such reviews and certification shall be conducted in each event during a ten working day period following each submission.

Compliance with each of the conditions contained in this decision shall be conclusively evidenced by a written certification signed by the Board. The Board reserves the right to the extent permitted by law, to waive compliance, in whole or in part, with any or all of such conditions by a written instrument signed by the Board; such waiver shall not constitute an amendment to the Final Development Plan.

#### Severability

If any other term, provision, finding or condition of this Decision is determined by a court of competent jurisdiction to be invalid, that determination shall not affect the validity of their Decision as a whole or any other term, provision, finding or condition.

This Approval of the Application for a PUD Special Permit under Section 12.364 of the Zoning Ordinance has been made by the affirmative vote of five (5) members of the Planning Board which is more than two-thirds of the total membership of the Board. Voting to grant the Special Permit were Board members Parris, Cohn, Dietrich, Kennedy, Malenfant, O'Connor and Woolsey.

Respectfully submitted,

For the Planning Board

*Arthur C. Parris*  
Arthur C. Parris

ATTEST: I, Arthur A. Klipfel, duly authorized representative of Unihab/Cambridge, Inc., have read this decision prior to action by the Planning Board and hereby agree to the foregoing conditions as approved by the Planning Board.

Unihab/Cambridge, Inc.

By Arthur A. Klipfel  
Arthur A. Klipfel

11.16.81  
Date

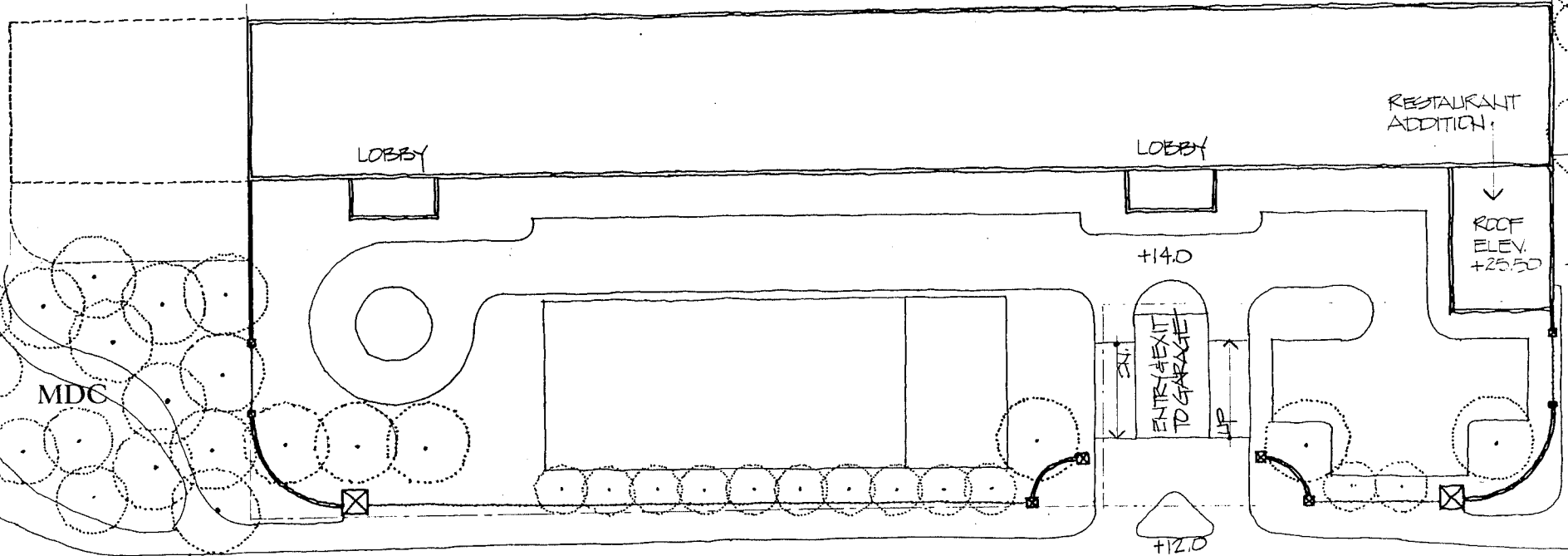
ATTEST: A true and correct copy of the decision filed with the office of the City Clerk on \_\_\_\_\_ by \_\_\_\_\_ authorized representative of the Cambridge Planning Board. All plans referred to in the decision have likewise been filed with the City Clerk on such date.

Twenty days have elapsed since the filing of this decision. No appeal has been filed \_\_\_\_\_. Appeal has been filed but has been dismissed or denied \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_  
City Clerk, City of Cambridge

CANAL PARK



Plan  
Elev.

MAIN FACADE BEYOND

