

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION

Permit No: #206

Address: 75 Ames Street

Applicant/Owner: Cambridge Center West Garage LLC
111 Huntington Avenue, Third Floor
Boston, Massachusetts

Zoning District: MXD

Planning Board Decision: June 21, 2005

Date of Filing Decision: September 2, 2005

The proponent requests an extension of time to commence the construction of the approved residential development for an additional year as outlined in the letter to the Planning Board staff from Kevin T. Sheehan, Boston Properties, dated 4/16/09.

At the regularly scheduled Planning Board meeting of May 19, 2009, the Planning Board voted to grant a year extension of time to September 5, 2010 for good cause as set forth in Section 10.46..

Voting in the Affirmative to GRANT the extension were H. Russell, P. Winters, W. Tibbs, S. Winter, P. Singer, H Cohen, and C. Studen, Associate Members appointed by the Chair, constituting at least two thirds of the members of the Planning Board necessary.

For the Planning Board

William Tibbs (Emp)

William Tibbs, Chair

2009 JUN -4 P 2:56
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS



KEVIN T. SHEEHAN
Project Manager

April 16, 2009

City of Cambridge Planning Board
City Hall Annex
344 Broadway
Cambridge, MA 02139

Attn: Liza Paden

**Re: Special Permit No. 206
75 Ames Street**

Dear Members of the Planning Board:

We respectfully request an 18-month extension of time to commence the construction of the residential project located at 75 Ames Street approved pursuant to Special Permit No. 206.

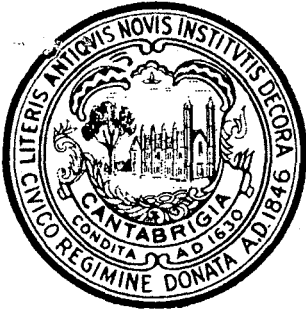
Good cause exists to grant the extension. We continue to actively seek a joint venture development partner with whom to execute the project, and we are hopeful that both the real estate market and the capital markets will improve to allow the project to proceed as planned.

Sincerely,

Kevin T. Sheehan

cc: Michael A. Cantalupa
Madeleine C. Timin, Esq.

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CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION

Permit No: #206

Address: 75 Ames street

Applicant/Owner: Cambridge Center West Garage LLC
111 Huntington Avenue, Third Floor
Boston, Massachusetts

Zoning District: MXD

Planning Board Decision: June 21, 2005

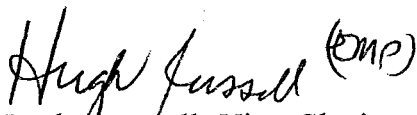
Date of Filing Decision: September 2, 2005

The proponent requests an extension of time to commence the construction of the approved residential development for an additional year. Letter to the Planning Board staff from James J. Rafferty, Adams & Rafferty, attorney for the proponents, dated 8/1/07.

At the regularly scheduled Planning Board meeting of August 21, 2007, the Planning Board voted to grant a year extension of time to September 2008 for good cause.

Voting in the Affirmative to GRANT the extension were H. Russell, P. Winters, W. Tibbs, S. Winter, A. Finlayson, and P. Singer and H Cohen, Associate Members appointed by the Chair, constituting at least two thirds of the members of the Planning Board necessary.

For the Planning Board


Hugh Russell, Vice Chair.

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

2007 SEP -6 1 P 2:49

2007 SEP 2 49

ADAMS & RAFFERTY

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Kathleen E. Lombardi
klombardi@adamsrafferty.com

August 1, 2007

Ms. Liza Paden
Cambridge Community Development
344 Broadway
Cambridge, MA 02139

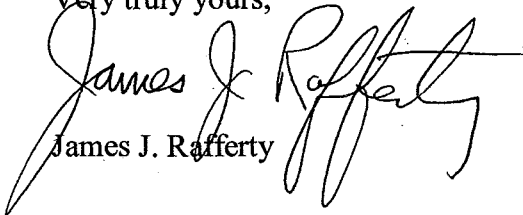
**Re: Case No. PB # 206
Residences at Seven Cambridge Center
75 Ames Street**

Dear Ms. Paden:

Please accept this correspondence as a request by the petitioner in the above-captioned matter to extend the Special Permit issued by the Planning Board in September 2005 for an additional year.

Thank you for your attention to this matter.

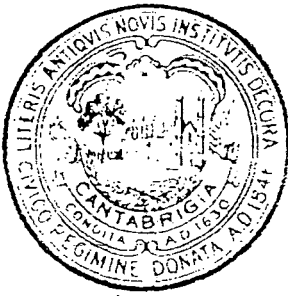
Very truly yours,


James J. Rafferty

c.c. Michael A. Cantalupa- Senior Vice President
Jeffrey Lowenburg - Vice President

JJR/ca.zonng.Boston.Properties.Ltr.extension.08.01

*not a partnership



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

2005 SEP -2 A 9:53
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

NOTICE OF DECISION

Permit No: #206
Address: 75 Ames street
Applicant/Owner: Cambridge Center West Garage
111 Huntington Avenue, Third Floor
Boston, Massachusetts
Zoning District: MXD
Application Date: May 20, 2005
Public Hearing: June 7, 2005
Planning Board Decision: June 21, 2005
Date of Filing Decision: September 2, 2005

Application: Project Review Special Permit – Sections 14.32.4 and 19.20 to construct a 24 story residential building with ground floor retail and seven levels of accessory parking.

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 with the City Clerk and the Community Development Department, 344 Broadway, Cambridge, MA 02139

Authorized Representative to the Planning Board

For more information regarding this special permit, please contact Liza Paden at the Community Development Department, 344 Broadway, Cambridge, 617 349 4647, TTY 617 349 4621, or lpaden@cambridgema.gov.

Application Documents

Special Permit application including Ownership Certificate; drawings entitled *The Residences at Cambridge Center, 75 Ames Street*, dated May 19, 2004; Project Narrative; Dimensional Form; Ownership Certificate; Application Fee; Certifications of Receipt from Traffic, Parking and Transportation, Department of Public Works, and Water Department, dated May 23, 2005.

Other Documents Submitted

1. Letter to Scott Thornton from Jason Schrieber, dated May 26, 2005, certifying the Traffic Study complete and reliable.
2. Memorandum to the Cambridge Planning Board from Susan Clippinger, dated 6/7/05 reviewing the findings of the traffic study and suggesting appropriate mitigation measures.
3. Letter to the Planning Board from Michael Cantalupa, dated June 17, 2005, transmitting revised building plans, dated June 21, 2005, and a description of the changes made in response to Planning Board comments.
4. Memorandum to the Cambridge Planning Board from Susan Clippinger, dated 6/21/05 revising recommendations made to the Planning Board in the June 7, 2005 memorandum.
5. LEEDS Checklist, undated.

Findings

Based on its review of the application documents, supplemental materials, and other documents submitted to the Board, testimony taken at the public hearing and submitted in written form to the Board, and the review and consideration of the relevant special permit criteria, the Planning Board finds that based on the revised plans submitted to the Board and dated June 21, 2005 this residential project within the MXD Zoning District is in harmony with the general purpose and intent of the Cambridge Zoning Ordinance. The Planning Board makes the following additional findings with respect to the project:

1. Traffic Impact Findings – Section 19.25.1

The Planning Board finds, based on the information presented in the Traffic Study and comments made by City staff, that the project will have no substantial adverse impact on city traffic within the study area.

2. Urban Design Findings – Section 19.25.2

The Planning Board finds the project is consistent with the Urban Design Objectives of the city as set forth in Section 19.30 of the Zoning Ordinance, as further set forth in Section 4 below.

3. Conformance with the General Criteria for Issuance of a Special Permit- Section 10.43

As provided in Section 10.43 of the Cambridge Zoning Ordinance, a special permit will normally be granted where specific provisions of this Ordinance are met, except when the particulars of the location or use, not generally true of the district or of the uses permitted in the district, would cause granting of such permit to be to the detriment of the public interest. because:

a. The requirements of this Ordinance cannot be met.

The MXD district was amended specifically to encourage this type of residential use. The project fulfills the intent of the Ordinance in creating a specific allocation of Gross Floor Area in the MXD zoning district for housing at a location close to the heart of Kendall Square. All other requirements of the MXD district are met.

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

The project introduces a residential use into the heart of the commercial Kendall Square development and is located near to public transportation. It introduces a use long desired in Kendall Square at a location that will not cause traffic hazards or congestion, nor substantially change the character of the neighborhood in a negative way.

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

The project introduces a new, residential use that will greatly enhance the operation of existing and anticipated development in the Kendall Square area. Far from adversely affecting adjacent uses, the project will further animate these areas and provide residential opportunities for employees of those buildings. The proposed residential use at this

location serves the public good and will not adversely affect other non-residential uses allowed in the MXD district.

d. Nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupants of the proposed use or the citizens of the City.

No nuisance or hazard will occur as a result of the project. A twenty-four hour residential presence in the district will be a significant benefit to the health and safety of visitors to Kendall Square. The permitted uses in the MXD district do not include uses that would be noxious to or adversely affect this proposed residential use.

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

The residential use is fully consistent with the intent of the MXD district

f. The new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.

The project is consistent with the Urban Design Objectives as more fully set forth in Section 4 below.

4. Conformance with the Citywide Urban Design Findings in Section 19.30.

The Planning Board finds that the project satisfies the Citywide urban Design Objectives of Section 19.30 for the reasons summarized below.

19.31 – New Project should be responsive to the existing or the anticipated pattern of development.

The project and its associated improvements greatly enhance the visual and functional quality of its immediate urban environment by introducing more people to the area, making Ames Street a more interesting and lively street and by providing parking spaces on the street to serve visitors to the Kendall Square district. The new building has been designed to complete the frontage along Ames Street between Main Street and Broadway. The existing surrounding buildings exhibit a variety of scales and materials. The new building's design, orientation, massing, and proportions will enhance the urban pattern in this area.

19.32 – Development should be pedestrian and bicycle friendly, with positive relationship to its surroundings.

Significant improvements will be made to the pedestrian and bicycle environment through the introduction of visually interesting uses and services at the ground floor of the building and by making improvements to Ames Street that will benefit all who will be moving through Kendall Square by means other than the automobile. Ground floor spaces facing Ames Street will include retail uses. Covered parking on the lower floor will be located away from Ames Street and concealed. Building entrances are located to ensure safe pedestrian movement across streets and along sidewalks. Safe, covered bicycle storage will be provided, with safe access to the outside. Curb cut crossings will include raised crosswalks to allow pedestrians to cross at the same grade as the sidewalk, and to slow entering and existing cross traffic. Street plantings will further enhance the pedestrian environment.

19.33 – The building and site design should mitigate adverse environmental impacts of a development upon its neighbors.

Introduction of residential use in this area is a direct benefit to the neighborhood. The new building, the new building will also screen the above ground parking garage that is located behind the site and will provide a uniform and interesting building edge all along Ames Street where surface parking has prevailed for more than a decade in the past.. Mechanical equipment will be visually and acoustically screened; rooftop equipment will not be visible from the street. The mechanical penthouse and rooftop screening will be clad in materials sympathetic to the fenestration and massing of the residential floors below.

19.34 – Projects should not overburden the city infrastructure services, including neighborhood roads, city water supply system and sewer system.

The utility and other city infrastructure in Kendall Square has been substantially upgraded over the past two decades as part of the redevelopment of the area. The water, sewer, and drainage systems serving the area including both this project and Seven Cambridge Center were reviewed and approved by the Cambridge Public Works and Water Departments in June of 2004. The sanitary sewer system will include a retention tank capable of holding four hours of peak flow discharge to help alleviate the Cambridge sewer system's combined sewer overflow problems during storm events. The project will substantially improve

management of stormwater on this site in conformance with new and evolving environmental regulations. On-site stormwater retention and infiltration systems will reduce peak flow rates to below existing conditions for very category of storm event.

19.35 – New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically.

The project introduces a vital element of residential living into the heart of Kendall Square and will add to the significant new inventory of housing that is growing up in a series of large projects in the vicinity. The building's physical presence will greatly enhance the visual environment on Ames Street, which has for decades been dominated by parking lots, parking garages and loading docks.

19.36 – Expansion of the inventory of housing in the city is encouraged.

There will be up to 187 new housing units constructed.

19.37 – Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city.

There will be open space amenities on the lot that are designed to complement the open space on the adjacent Broad Institute lot. This project's contribution to the public realm will be in the substantial upgrade of the character of the pedestrian environment of Ames Street.

Decision

Based on a review of the application documents, comments made at the public hearing, and based on the above findings, the Planning Board **GRANTS** the requested Project Review Special Permit subject to the following conditions and limitations:

1. All use, building construction and site plan development shall be in substantial conformance with the updated plans and application documents submitted to the Planning Board as referenced above, dated May 19, 2005 as revised on June 21, 2005. Appendix I summarizes the dimensional features of the Project as approved.
2. The project shall be subject to continuing design review by the Community Development Department (CDD) in coordination with the Design Advisory Committee of the Cambridge Redevelopment Authority.

Before issuance of the first Building Permit for the project after the granting of this special permit, the Community Development Department (CDD) shall certify to the Superintendent of Buildings that the final plans submitted to secure the Building Permit are consistent with and meet all conditions of this Permit.

3. The project is required to implement the mitigations measures outlined in the letter to the Planning Board from Susan Clippinger, dated June 21, 2005 and referenced above.

4. All authorized development shall conform to the requirements of the City of Cambridge *Noise Control Ordinance*, Chapter 8.16 of the City Municipal Code.

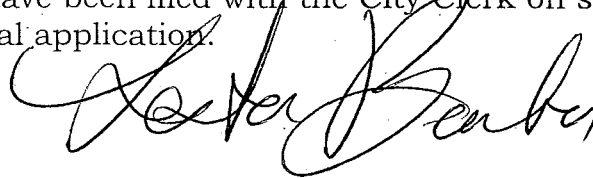
Voting in the Affirmative to GRANT the Special Permit were B. Shaw, H. Russell, P. Winters, L. Brown, T. Carpenter, T. Anninger, and J. Molinsky Associate Member appointed by the Chair to this application review, constituting at least two thirds of the members of the Planning Board necessary to grant a Special Permit.

For the Planning Board


Barbara Shaw, Chair

A copy of this decision, #206 shall be filed with 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 2, 2005 by Lester Barber, authorized representative of the Cambridge Planning Board. All plans referred to in the decision have been filed with the City Clerk on said date or as part of the original application.



Twenty (20) days have elapsed since the filing of the decision.

No appeal has been filed.

DATE:

Appendix I – Dimensional Form

Special Permit # 206

Address: 75 Ames Street

	Allowed/Required	Existing	Proposed	Granted
Total FAR*	4.0	0	3.07	3.07
Residential	4.0			
Non-Residential				
Inclusionary Bonus				
Total GFA in Sq. Ft.*	264,699 sf	0	204,228 sf	204,228
Residential	200,000 sf	0	199,529 sf	199,529 sf
Non-Residential	4,699 sf		4,699 sf	4,699 sf
Inclusionary Bonus	60,000		?	?
Max. Height	250 ft	0	250 ft	250 ft
Range of heights				
Lot Size	NA	66,599 sf	66,599 sf	66,599 sf
Lot area/du	NA	NA	NA	NA
Total Dwelling Units	Not limited	0	Up to 187	Up to 187
Base units				
Inclusionary units				TBD
Min. Lot Width	NA	NA	NA	NA
Min. Yard Setbacks				
Front	0	0	4.78 ft	4.78 ft
Side, Left	0	0	7.73 ft	7.73 ft
Side, Right	0	0	18.08 ft	18.08 ft
Rear	0	0	338.76 ft	338.76 ft
Total % Open Space	13,376 sf	10,819 sf	20,231 sf	20,231 sf
Usable				
Other				
Off Street Parking	192**	768***	Up to 192	Up to 192
Min #				
Max #				
Handicapped	NA	20	20	20
Bicycle Spaces	0	46 (UC adjacent)	46 (UC adjacent)	46 (UC adjacent)
Loading Bays	1.5	0	2	2

* Development in the MXD district is regulated by Gross Floor Area rather than FAR except as the density of a particular building on a lot is regulated; see Section 14.30. ** Based on 187 residential units and 4,699 sf of non-residential use. *** Under construction at Cambridge Center West garage, including parking available for the project, Seven Cambridge Center (Broad Institute) and other uses within Kendall Square