

199 Pemberton Street
NARRATIVE FOR SPECIAL PERMIT APPLICATION

October 22, 2018

A. General Narrative

The Applicant proposes to construct two attached dwelling units (Townhouses) on an 11,176 square foot lot that is improved by a single family dwelling with an attached garage (applicant's personal residence) known as 199 Pemberton Street (the "Site"). The site is located near the corner of Pemberton and Sargents Street in the Residence B zoning district. The proposed new construction is positioned on the Southern portion of the lot and will require an additional curb cut to allow for two surface parking spaces adjacent to the proposed dwellings. A full storm-water management system will be designed in accordance with Cambridge Department of Public works requirements prior to applying for a building permit.

The curb cut will require a zoning variance from the Board of Zoning Appeal and approval of the Curb Cut by the Cambridge City Council if the Planning Board approves the requested Special Permit.

Zoning Relief Requested:

The Applicant is requesting the following Special Permits and Variances under the Ordinance in connection with the project.

- Special Permit pursuant to Ordinance section 5.53 Principal dwelling greater than 75' from the street.
- Special Permit pursuant to Ordinance section 10.43.
- Variance pursuant to section 6.43.3

Zoning Requirements for Granting Requested Relief

The provisions of the Ordinance set forth below apply to the requested Special Permits for the project. Application of each provision of the Project follows the provision in italics.

A. Generally Applicable Criteria for Approval of a Special Permit

Pursuant to section 10.43 of the Ordinance, Special Permits will normally be granted where provisions of this Ordinance are met, except when particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public good because:

- a) It appears that requirements of this Ordinance cannot or will not be met

With the requested Special Permits and other relief described in this application, the Project will meet all requirements of the Ordinance.

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

Traffic generated and or patterns of access or egress will not cause congestion, hazard or substantial change in established neighborhood character because the proposed Townhouses are consistent with the residential character of the district and will still allow for off-street parking and ample open space on the lot.

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

The Project will not adversely affect the continued operation or future development of adjacent uses and will add much needed low scaled newly constructed dwelling units that are suitable for families.

- 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 or

No nuisance or hazard will be created to the detriment of the health, safety of the Citizens of the City by the proposed development and valuable family style housing will be added to the existing housing stock.

This Project is consistent with Cambridge's goals of health, safety and welfare as set forth in Section 19.30 (Citywide Urban Design Objectives) of the Ordinance to foster development which is responsive to the existing or anticipated patterns of development.

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

The Project will not impair the integrity of the district nor derogate from the intent and purpose of the Ordinance. When complete the residences will be consistent with the residential character of the neighborhood which include single and multifamily dwellings similar to the proposed Project.

B. 5.53 Special Permit Criteria

Pursuant to section 5.53 of the Ordinance, the Planning Board by Special Permit may allow more than one structure containing a principal residential use on a lot where a portion of all structures are not greater than seventy-five (75) feet from the lot line when the following criteria are met.

- a) That development in the form of two or more structures on the lot will not significantly increase or may reduce the impact of the new construction should it occur in a single structure; or

The proposed development of two separate residential structures allows for reduction of the visual massing of one connected row of buildings as well as increased light and air for the occupants of the proposed additional units. Further the separate building preserves much of the rear yard vistas of the lot.

- b) That two or more structures may provide identifiable benefits beyond that provided should all construction be in a single structure. In making its findings the Board shall consider the impact of the new construction on the following:

1. The extent to which the preservation of a large contiguous open space on the rear of the lot or series of adjacent lots is achieved through the provision of a rear yard setback significantly greater than required and through the dedication of that rear yard Green Area. As defined in the Ordinance,

The proposed Townhouses are sited on the Southern portion of the lot and do not negatively affect the existing contiguous open space of the rear yard. Additionally the site will utilize existing trees and shrubs to lessen the impact on neighboring abutters.

2. Incentives for the location of buildings and parking facilities in the front half of a lot in a pattern compatible with the development pattern prevailing in the neighborhood.

The existing single family will utilize the attached garage and the parking for the Townhouses will be at grade adjacent to the two new units in the front portion of the lot which is consistent with the parking patterns of the neighborhood.

3. The extent to which two or more structures provides an enhanced living environment for residents on the lot,

The construction and siting of the proposed Townhouses in a separate structure allows for the existing massing of the front facing single family to be preserved. The additional residences in the middle of the lot will be consistent with the style and character of the neighborhood.

4. Incentives to retain existing structures on a lot, particularly any structure determined to be a Preferably Preserved Significant structure by the Cambridge Historical Commission,

The proposed two family dwelling will reflect the architectural style and character of the neighborhood and will complement the existing single family dwelling.

5. The opportunities presented to reduce the visual impacts of parking from the public street and from adjacent lots,

The proposed parking spaces are located 25 feet from the Pemberton Street property line, behind the existing house and the adjacent property house front facades. The existing 5' fence at the shared property line will remain to shield the neighboring properties from the two automobile parking spaces.

6. The increased opportunities presented to reduce visual impacts of parking from the public streets and from adjacent lots.

The siting of the proposed residences maintains the visual screening of parking from public streets and the addition of planting along the side property line also reduces the impact of parking on residential abutters.

C. 19.20 Project Review Special Permit

In granting a Project Review Special Permit under Section 19.20 of the Ordinance, the Planning Board is required to make the following findings:

1. The project will have no substantial adverse impact on city traffic within the Study area as analyzed in the required traffic study.

The Project will meet the required parking requirements of the Ordinance and will have no substantial adverse impact on traffic. No traffic study is triggered by the Project.

2. The Project is consistent with the urban design objectives of the city as set forth in Section 19.30 of the Ordinance.

As described below, the Project conforms with the Citywide Urban Design Objectives set forth in Section 19.30 of the Ordinance.

D. 19.30 Citywide Urban Design Objectives

1. Pursuant to Section 19.31 of the Ordinance, new projects should be responsive to the existing or anticipated pattern of development. Indicators include:

- a) Heights and setbacks provide suitable transition to abutting or nearby residential zoning districts that are generally developed to low scale residential uses.

The proposed building height is below the maximum allowed in the district and is not incongruous to neighboring properties on along Pemberton and surrounding streets. The proposed roof orientation of the new townhouses was designed to minimize and visual negative impact on abutters. Further the setbacks adjacent to the closest abutters was increased from 7.5' (required by zoning) to 15' to provide a buffer and increase light and air between the properties.

- b) New buildings are designed and oriented on the lot so as to be consistent with the established streetscape on those streets on which the project lot abuts. Streetscape is meant to refer to the pattern of building setbacks and heights in relationship to public streets.

The abutting properties on both sides of the Project are similar townhouse style developments and the railroad tracks abut the rear of the property. The Project will have a lower profile roof than the adjacent properties and was intentionally designed to minimize visual obstruction from neighboring third floor windows.

- c) In mixed-use projects, uses are to be located carefully to respect context, e.g. retail should front onto a street, new housing should relate to any adjacent existing residential use etc.

The project is residential only.

- d) Where relevant, historical context are respected e.g. special consideration should be given to buildings or buildings that are preferably preserved on adjacent to the Site.

The site is not in a historic district nor is there any demolition being proposed.

2. Pursuant to Section 19.32 of the Ordinance, development should be pedestrian and bicycle-friendly, with a positive relationship to its surrounding. Indicators include

- (a) Ground floors, particularly where they face public streets, public parks, and publicly accessible pathways, consist of spaces that are actively inhabited by people, such as retail stores, consumer services businesses and restaurants where they are allowed, or general office, educational or residential uses and building lobbies. Windows and doors that normally serve such inhabited spaces are encouraged to be prominent aspect of the relevant building facades. Where a mix of activities are accommodated in the building, the more active uses are encouraged facing public street, parks and pathways.

In commercial districts, such active space consists of retail and consumer service stores and building lobbies that are oriented towards the street and encourage pedestrian activity on the sidewalk. However, in all cases such ground floor spaces should be occupied by uses (a) permitted in the zoning district within which the structure is located, and (c) compatible with the principal use for which the building is designed.

The project is in residence B district that only permits residential dwellings. Further the proposed new construction is setback from the street and there is ample green space and screening opportunities.

(b) Covered parking on the lower floors of a building and on-grade open parking, particularly where located in front of a building, is discouraged where a building faces a public street or public park and publicly accessible pathways.

All of the parking will be accommodated at grade.

(c) Ground floors should be generally 25-50% transparent. The greatest amount of glass would be expected for retail uses with lesser amount for office, institutional or residential use.

Not applicable

(d) Entries to buildings are located so as to ensure safe pedestrian movement across street, encourage walking as preferred mode of travel within the city and to encourage the use of public transit for employment and other trips. Relating building entries as directly as possible to crosswalks and to pathways that lead to bus stop and transit stations is encouraged; siting buildings on a lot and developing site plans that reinforce expected pedestrian pathways over the lot and through the district is also encouraged.

(e) Pedestrians and bicyclists are able to access the site safely and conveniently; bicyclists should have, secure storage facilities conveniently located on-site and out of the weather. If bicycle parking is provided in a garage, special attention must be paid to providing safe access to the facilities from the outside.

There is ample room on the site for bicycle parking although bicycle parking is not triggered or required by the Ordinance.

(f) Alternate means of serving this policy objective 19.32 through special building design, siting, or site design can be anticipated where the building form or use is distinctive such as freestanding parking structures, large institutional buildings such as churches and auditoriums, freestanding service buildings, power plants, athletic facilities, manufacturing plants, etc.

The Project complies with the policy objective 19.32.

3) Pursuant to Section 19.33 of the Ordinance, the building and site design should mitigate adverse environmental impacts of the development upon its neighbors. Indicators include:

a) Mechanical equipment that is carefully designed, well organized or visually screened from its surroundings and is acoustically buffered from neighbors. Consideration is given to the size, complexity and appearance of the equipment, its proximity to residential areas, and its impact on the existing streetscape and skyline. The extent to which screening can bring order, lessen negative impacts and enhance the overall appearance of the equipment should be taken into account.

The project is designed to minimize negative impacts on its surroundings and enhance the overall appearance of the existing streetscape. Mechanical equipment will be located at grade and mostly shielded by the building and fencing to minimize views from the street and neighboring abutters.

b) Trash that is handled to avoid impacts (noise, odor, and visual quality) on neighbors e.g. the use of trash compactors or containment of all trash storage and handling within a building is encouraged.

To avoid impacts on neighbors, trash will be shielded largely from the public view and neighboring abutters.

c) Loading Docks that are located and designed to minimize impacts (visual and operational) on neighbors.

Not applicable/

d) Stormwater Best Management Practices and other measures to minimize runoff and improve water quality are implemented.

The Applicant has discussed the project with the Department of Public Works and Water Department to ensure Stormwater Best Management Practices are implemented.

e) Landscaped areas and required Green Area Open Space, in addition to serving as visual amenities, are employed to reduce the rate and volume of storm water runoff compared pre-development conditions.

The site exceeds the open space requirement and will implement permeable materials wherever practicable to reduce the rate and volume of storm water runoff.

f) The structure is designed and sited to minimize shadow impacts on neighboring lots, especially shadows that would have a significant impact on the use and enjoyment of adjacent open space and shadows that might impact the operation of a Registered Solar System as defined in Section 22.60 of the Ordinance.

The proposed building height (31-6') is significantly lower than allowed in the district (35') and will not cause excess shadow or visual detriment to neighboring uses.

g) Changes to the grade across the lot are designed in ways to minimize the need for structural retaining walls close to the property line.

The grade will only be changed to assist with drainage as required by the City Departments.

h) Building Scale and wall treatment, including the provision of windows, are sensitive to existing residential uses on adjacent lots.

The Project is designed to be congruous with the adjacent residential abutters by implementing plantings of shrubs and other vegetation along the side property line, maintaining appropriate setbacks adjacent to residential uses, and limiting light spillage along the sensitive edges of the property.

i) Outdoor lighting is designed to provide minimum lighting necessary to ensure adequate safety, night vision and comfort, while minimizing light pollution.

Architectural lighting will be designed to shield lamps from view and minimize light pollution. Pedestrian lighting, as appropriate, will be implemented along the front, side yard areas and parking areas for safety and visual enhancement of landscape in the evenings.

j) The creation of Tree Protection Plan that identifies important trees on the site, encourages their protection, or provides for adequate replacement of trees lost to development on the site.

Not applicable

4) Pursuant to Section 19.34 of the Ordinance, projects should not overburden the City infrastructure services, including roads, city water supply system and sewer system.

a) The building and site design are designed to make use of water-conserving plumbing and minimize the amount of stormwater run-off through the use of best management practices for stormwater management.

As described above, the Project's stormwater management system will be designed to incorporate best management practices and will follow the guidance of the Department of Public Works.

b) The capacity and condition of drinking water and wastewater infrastructure systems are shown to be adequate, or the steps necessary to bring them up to an acceptable level are identified.

Sanitary Sewer Service Infrastructure

Prior to applying for a building permit Applicant's Civil Engineer will prepare an engineering site plan that satisfies the City of Cambridge Department of Public Works that the capacity of the municipal sewer in Pemberton Street is adequate for the two proposed townhouses.

Water Service Infrastructure

Prior to applying for a building permit Applicant's Civil Engineer will prepare an engineering site plan that satisfies the City of Cambridge criteria and will confirm the Cambridge Water Department that the municipal water service in Pemberton Street is adequate for the two proposed townhouses.

c) Buildings are designed to use natural resources and energy resources efficiently in construction, maintenance, and long-term operation of the building, including supporting mechanical systems that reduce the need for mechanical equipment generally and its location on the roof of a building specifically. The buildings are sited on the lot to allow construction of adjacent lot to do the same. Compliance with the Leadership Energy and Environmental Design (LEED) certification standards and other evolving environmental efficiency standards are encouraged.

The building size does not trigger a requirement for LEED although energy savings best practices will be implemented where practicably given the Applicants limited resources.

5) Pursuant to Section 19.35 of the Ordinance, new construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically. Indicators include

a) New Educational institutional construction that is focused with the existing campuses.

N/A to the Project.

b) Where institutional construction occurs in commercial areas, retail, consumer service enterprises, and other uses that are accessible to the general public are provided at the ground (or lower) floors of buildings. Where such uses are not suitable for programmatic reasons, institutional uses that encourage active pedestrian traffic to and from the site.

N/A to the Project

c) In large, multiple-building, non-institutional developments, a mix of uses, including publicly accessible commercial activity, is provided where such uses are permitted and where the mix of uses extends the period of time the area remains active throughout the day.

N/A to the Project

d) Historic structures and environments are preserved.

N/A to the Project

e) Preservation or provision of facilities for start-up companies and appropriately scaled manufacturing activities that provide a wide diversity of employment paths for Cambridge residents as a component of the development; however, activities heavily dependent on trucking for supply and distribution are not encouraged.

N/A to the Project

6) Pursuant to Section 19.36 of the Ordinance, expansion of the inventory of housing in the City is encouraged. Indicators include

a) Housing is a component of any large, multiple building commercial development. Where such development abuts residential zoning districts substantially developed to low-scale residential uses, placement of housing within the development such that it acts as a transition/buffer between uses within and without the development.

b) Where housing is constructed, providing affordable units exceeding that mandated by the Ordinance. Targeting larger family-sized middle income units is encouraged.

N/A to the Project

7) Pursuant to Section 19.37 of the Ordinance, enhancement and expansion of open space amenities in the city should be incorporated into new development in the city. Indicators include:

a) On large-parcel commercial development, publicly beneficial open space is provided.

N/A to the Project

b) Open space facilities are designed to enhance or expand existing facilities or to expand networks of pedestrian and bicycle movement within the vicinity of the development.

c) A wider range of open space activities than presently found abutting area is provided.

The Project will preserve significant open space and existing mature trees on the lot.

IV. CONCLUSION

As described above, the Project is appropriate for the site and surroundings and is of scale that is consistent with the pattern of residential development in the neighborhood. Additionally, the siting of the proposed two dwelling units will preserve contiguous open space in the rear yard. Accordingly, for the reason set forth in this application, the

Applicant respectfully requests that the Planning Board approve the requested Special Permit relief.

Outreach Summary:

On August 14th the Applicants hosted a neighborhood meeting at the site and invited abutters, neighbors and other community members totaling 71 households utilizing a list provided by the Community Development Department (CDD). In advance of the meeting a flyer was also provided to CDD that was also posted on their website as well.

Additionally, a second follow up meeting mostly with direct abutters and those who would be impacted by the proposal was held on September 19th 2018 at the site. This meeting focused on changes and updates to the plan including increasing the side yard setback from 7.5' to 15'.

Lastly, representative of the Applicants (attorney Sean D. Hope and architect Jeffrey Baron) attended the North Cambridge Stabilization Committee Meeting on September 27th 2018 and presented the plans, drawings and model of the proposed projects.

Below are the notes from the aforementioned meetings:

August 14th Meeting:

- Questions about the design and number of units.
- Direct abutter expressed concern over the 7.5' setback of the East property line.
- Had questions about the proposed solar panels and location of the AC condensers.
- Discussed rear yard setback line adjacent to train tracks.
- Requested information about permitting and construction timeline.

September 19th Meeting:

- Improvements to the side yard setback were discussed.
- A few abutting neighbors not present at the August meeting had questions about the requested relief and over all proposal.
- Questions regarding trash and hvac location were answered.

DIMENSIONAL FORM

Project Address: 199 Pemberton Street

Application Date: October 22, 2018

	Existing	Allowed or Required (max/min) Residence B	Proposed	Permitted
Lot Area (sq ft)	11,176sf	5,000/none	11,176sf	
Lot Width (ft)	86.25'	50'/none	86.25'	
Total Gross Floor Area (sq ft)	1,605sf	4,661sf	3,927sf	
Residential Base	1,605sf	4,661sf	3,927sf	
Non-Residential Base	0	0	0	
Inclusionary Housing Bonus	0	0	0	
Total Floor Area Ratio	.14	.5/.35	.35	
Residential Base	.14	.5/.35	.35	
Non-Residential Base	0	0	0	
Inclusionary Housing Bonus	0	0	0	
Total Dwelling Units	1	3	3	
Base Units	1	3	3	
Inclusionary Bonus Units	0	0	0	
Base Lot Area / Unit (sq ft)	11,176sf	2,500sf min	3,725.3sf	
Total Lot Area / Unit (sq ft)	11,176sf	2,500sf min	3,725.3 sf	
Building Height(s) (ft)	22'	35'	29.5'	
Front Yard Setback (ft)	5.5'	15'	5.5'	
Side Yard Setback – Right (ft)	7.7'	7.5'	30'+*	
Side Yard Setback – Left (ft)	29.5'	7.5'	15'	
Rear Yard Setback (ft)	94.9'	32.4'	32.5'	
Open Space (% of Lot Area)	82%	25%	47%	
Private Open Space	>60%	53%	40%	
Permeable Open Space	82%	25%	47%	
Other Open Space (Specify)	N/A	N/A	N/A	
Off-Street Parking Spaces	1	3	3	
Bicycle Parking Spaces	0	0	0	
Loading Bays	n/a	n/a	n/a	

Use space below and/or attached pages for additional notes:

* Setback from the proposed townhouse.

OWNERSHIP CERTIFICATE

Project Address: 199 Pemberton St. **Application Date:** _____

This form is to be completed by the property owner, signed, and submitted with the Special Permit Application:

I hereby authorize the following Applicant: Sean Hope
at the following address: 675 Massachusetts Ave. #5, Cambridge
to apply for a special permit for: S.53, G.43.3
on premises located at: 199 Pemberton St.
for which the record title stands in the name of: Brian Folkins, Rosemarie Straijer-Amador
whose address is: 199 Pemberton St., Cambridge 02140

by a deed duly recorded in the:
Registry of Deeds of County: Middlesex Book: 15680 Page: 373
OR Registry District of the Land Court, Certificate No.: _____ Book: _____ Page: _____

Brian Folkins - Amador
Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)

To be completed by Notary Public:

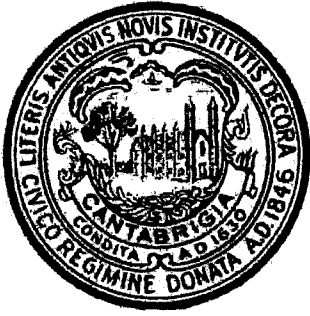
Commonwealth of Massachusetts, County of Middlesex

The above named Brian & Rose Amador personally appeared before me,
on the month, day and year July 10, 2018 and made oath that the above statement is true.

Notary: [Signature]

My Commission expires: August 28, 2020





CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

SPECIAL PERMIT APPLICATION • COVER SHEET

In accordance with the requirements of the City of Cambridge Zoning Ordinance, the undersigned hereby petitions the Planning Board for one or more Special Permits for the premises indicated below.

Location of Premises: 199 Pemberton Street

Zoning District: Residence B District

Applicant Name: Rosi and Brian Amador

Applicant Address: 199 Pemberton Street

Contact Information: brian@musicamador.com

Telephone #	Email Address	Fax #
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List all requested special permit(s) (with reference to zoning section numbers) below. *Note that the Applicant is responsible for seeking all necessary special permits for the project. A special permit cannot be granted if it is not specifically requested in the Application.*

Special Permit sections 5.53 and 10.40
Variance section 6.43.3 (c)

List all submitted materials (include document titles and volume numbers where applicable) below.

Existing and proposed Site plan, proposed landscape plan, proposed floor plans, Exterior Elevations, context and site photos, physical model and dimensional table.

Signature of Applicant: _____

For the Planning Board, this application has been received by the Community Development Department (CDD) on the date specified below:

Date

Signature of CDD Staff

FEE SCHEDULE

Project Address: 199 Pemberton Street

Application Date: October 12, 2018

The Applicant must provide the full fee (by check or money order) with the Special Permit Application. Depending on the nature of the proposed project and the types of Special Permit being sought, the required fee is the larger of the following amounts:

- If the proposed project includes the creation of new or substantially rehabilitated floor area, or a change of use subject to Section 19.20, the fee is ten cents (\$0.10) per square foot of total proposed Gross Floor Area.
- If a Flood Plain Special Permit is being sought as part of the Application, the fee is one thousand dollars (\$1,000.00), unless the amount determined above is greater.
- In any case, the minimum fee is one hundred fifty dollars (\$150.00).

Fee Calculation

New or Substantially Rehabilitated Gross Floor Area (SF): \$3,056.00 × \$0.10 = \$305.60

Flood Plain Special Permit Enter \$1,000.00 if applicable: n/a

Other Special Permit Enter \$150.00 if no other fee is applicable: \$150.00

TOTAL SPECIAL PERMIT FEE Enter Larger of the Above Amounts: **\$305.60**
