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CITY OF CAMBRIDGE, MASSACHUSETTS  
**PLANNING BOARD**

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

PUD Final Development Plan

CASE NO.: PB #35  
PETITION: Special Permit for a Planned Unit Development  
PROJECT: "Ten Canal Park"  
APPLICANT: Unihab/Cambridge, Inc.  
DISTRICT: BA/PUD-4  
APPLICATION DATE: June 15, 1983  
FIRST PUBLIC HEARING: July 5, 1983  
SECOND PUBLIC HEARING: August 16, 1983  
DATE OF PLANNING BOARD DETERMINATION: July 19, 1983  
DATE OF EXTENSION OF DECISION: October 20, 1983  
DATE OF PLANNING BOARD FINAL DECISION: October 18, 1983

The Development Proposal

The development proposal is for a permit to construct a six story mixed use office building containing first floor retail space and enclosed parking for 40 automobiles. The total gross floor area proposed is 109,800 square feet with an FAR of 1.61. The proposal includes 33,724 square feet of usable open space which is based on 32,024 square feet of land conveyed to the City of Cambridge for use as public open space and 17 00 square feet of open arcade. The applicant is requesting as part of the special permit a reduction in the amount of required parking from 63 spaces to 40 spaces.

The Application

In support of the petition, the applicant submitted the following documents:

1. Planned Unit Development Application, Final Development Plan submitted by Unihab/Cambridge, Inc. on August 12, 1983.
2. Required site plans, elevations and cross-sections, pages 1-8, dated August 12, 1983, by Unihab/Cambridge, Inc.
3. Plans and Elevations, dated October 18, 1983, by Unihab/Cambridge, Inc., Sheets 6 and 7.

Other Documents

1. Letters dated July 1, 1983 and July 14, 1983 from Lauren Preston, Traffic Engineer, City of Cambridge, commenting on the proposed parking garage and access.
2. Letter dated September 20, 1983 from the East Cambridge Stabilization Committee in support of the proposed office development.
3. Letters dated September 22 and October 6, 1983 from Unihab/Cambridge Inc., extending the date of decision on the application to October 20, 1983.

Findings

After consideration of all information provided and comments made, 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 June 15, 1983; a first public hearing on July 5, 1983, a Planning Board determination on the Development Proposal on July 19, 1983; submission of Final Development Plan on August 12, 1983; and a second public hearing on August 16, 1983.
  2. The Final Development Plans were submitted to the Cambridge Department of Traffic and Parking in accordance with Section 12.351 and 10.473. The Traffic Department's response in a letter dated July 14, 1983 to recommended changes was satisfactory.
  3. The Final Development Plans were presented to the East Cambridge Stabilization Committee at a Planning Board hearing on August 16, 1983, and at a regular meeting of the Stabilization Committee on September 15, 1983. The East Cambridge Stabilization Committee voted to support the proposed office/retail development on this site as transmitted in a letter to the Board dated September 20, 1983.
  4. Existing Policy Plans. The Final Development Plan is generally consistent with the East Cambridge Riverfront Plan (May 1978). Though the proposed office development does not follow exactly the specific uses and scale suggested in the Riverfront plan, the proposed office development will achieve the principal objectives of the plan as outlined below:
    - locating retail uses along the Canal, thereby creating an active and inviting pedestrian environment;
    - constructing higher buildings away from the existing residential area.
- (a) The Board finds that while the specific proposal exceeds the suggested building height of the Riverfront Plan, the proposed office/retail development as scheduled will have a significant positive impact on the Lechmere Canal Development area in that it is the first major development to go forward in this area.

The Board finds that it is imperative to create some physical evidence that there is a strong financial commitment by the private development community in the Lechmere Canal area. Therefore, the Board finds that the positive benefit of a "first major development" in the canal area outweighs the negative aspect of excessive building height and scale.

The Board finds that the proposed building height and scale will create shadow effects on areas of the Lechmere Canal Park and MDC Park contrary to the development objectives in the Riverfront Plan. The Board will not generally approve buildings of this height around the Lechmere Canal. However, the applicant maintains development rights for land dedicated to the City for the Lechmere Canal Park. The applicant is only utilizing a portion of such rights even with the building at the height and scale herein proposed. Should this project be delayed or re-evaluated by the applicant, the Board suggests that one possible solution to reduce the overall building height is to relocate the off-street parking in the building to another location.

- (c) The Board finds that the developer's request, page 3 of the Final Development Plan application, to have the option to rent the retail space for office use or other commercial use for a period of 10 years after initial occupancy or upon completion of the planned adjacent shopping mall, whichever comes first is inconsistent and contrary to the major objectives of the Riverfront Plan and the PUD-4 development guidelines. The major objective to create an active and lively environment along the canal edge cannot be achieved without the location of retail/restaurant uses at this edge. It is critical that this retail activity commence immediately upon completion of the development project.

In addition, should the applicant relocate the off-street parking to another location, this recaptured usable floor area should be devoted to active retail uses.

- (d) In reviewing the proposed development plan the Board finds the following efforts would be beneficial:
- (1) Efforts to enhance the presence and quality of the first floor restaurant/retail uses. The building should be designed to easily accept a second floor retail concept that could be part of a larger crescent retail complex on the adjacent Lechmere site as proposed in the ECRP and additional city studies presented to Unihab.

- (2) Efforts to reduce the impact of the delivery and parking entrance on the MDC Park and future development on the Sonesta site.
  - (3) Efforts so that future design work on elevations shall further emphasize human scale, shall include warm and inviting materials, and shall reinforce its location on the canal through its details, i.e. railings, awnings, signage, lighting, etc.
  - (4) Efforts to reduce shadows on the Lechmere Canal Park, MDC Park and adjacent development sites, i.e. Sonesta and the Lechmere site, if at a future date there are changes on the massing of the building.
- (e) In addition to the above findings, the Board finds that specific design details and development features have not been formulated nor refined. Therefore, periodic design review shall be a condition of the final PUD Special Permit to ensure compliance with the intended urban design guidelines of the Riverfront Plan, this final development plan decision, and the objectives of the PUD-4 District. This design review shall include, but is not limited to, review and final approval of the following design features:
- (1) final selection of building materials including color and texture;
  - (2) design details of the transition from the private development site to the public parking areas and adjacent Lechmere site;
  - (3) final outside lighting scheme;
  - (4) final landscape plans;
  - (5) the final width of the arcade which shall be a minimum of 5 feet from column to window/wall on the curved canal side and which shall be continued on the MDC park side if parking is removed from the building at a future date.
  - (6) the arcade openings which shall be consistent in shape and size.
5. The Final Development Plan conforms to the General Development Controls set forth in Section 12.50 and specific Development Controls of the PUD-4 District as listed below:

| Uses:                    | <u>Required/Allowed</u>          | <u>Proposed</u>  |
|--------------------------|----------------------------------|------------------|
|                          | Residential,<br>Office<br>Retail | Office<br>Retail |
| FAR:                     | 2.0                              | 1.61             |
| Floor Area:              | 137,122 s.f.                     | 109,800 s.f.     |
| Development Parcel Size: | 43,560 s.f.                      | 68,561 s.f.      |
| Height:                  | 85'                              | 70.85'           |
| Usable Open Space:       | 13,712 s.f.                      | 33,724 s.f. (1)  |
| Off-Street Parking:      | 63                               | 40 (2)           |

- (1) The 33,724 square feet of usable open space includes 32,024 square feet of land conveyed to the City of Cambridge and 1700 square feet of open arcade.
- (2) In accordance with Section 10.45 and 6.35, the Planning Board finds the following:
  - (a) The reduced amount of parking, 40 spaces, will not cause excessive congestion, nor substantially reduce parking availability for other uses in the East Cambridge area.
  - (b) The reduced amount of parking is in response to the City's suggested design modifications to encourage the location of retail activity along the Canal in addition to site constraints on below grade parking created by subsurface soil conditions.
  - (c) The site is in close proximity to the MBTA Green Line and the City's 530 car public parking garage on First Street, now under construction.
  - (d) The applicant has indicated that they would enter into an arrangement with the City to lease 23 or more parking spaces with the East Cambridge Parking Garage at market rate prices.

6. In accordance with Section 12.40 of the Zoning Ordinance, the special permit shall lapse if construction does not commence within 12 months of the date of granting of the special permit. The Board finds that since unique circumstances surrounding this development proposal justify a building height/scale inconsistent with the objectives of the Riverfront Plan and that these conditions should not exist 12 months from now. Therefore, if building construction does not commence in the required 12 month period and an extension is requested, the Board will reconsider the previous findings and the applicability of modifying this decision.

Decision

The Board 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 subject to the conditions as set forth herein which have been agreed to in writing by the developer:

1. Grants a special permit to construct a PUD in accordance with this decision.
2. Conditionally permits the following uses which are allowed by Section 13.50:
  - office
  - retail
  - accessory off-street parking
3. Requires that all major dimensional features of the development plan shall remain generally as represented in the Plans dated October 18, 1983, except as modified elsewhere in this decision.
4. Requires that the applicant submit project drawings to the Community Development Department at 25% and 75% stage of design development phase and working drawings at the 50% and 90% stages. Design Reviews and certification at the 25% design development and 50% working drawing stages shall be conducted during a ten working day period following submission. Design Review and certification at the 75% design development and 90% working drawing stages shall be conducted during a five working day period following submission. The applicant shall submit a final set of 100% working drawings. The purpose of these submissions will be for the staff to determine compliance with the Final Development Plan, this final development plan decision, the objectives of the East Cambridge Riverfront Plan, and the PUD-4 District regulations. The applicant shall be encouraged to further respond to concerns elaborated in the Findings section of this document, with recognition of the constraints in the design as approved. The applicant shall receive written certification that such reviews have been made. If the applicant and Community Development Department staff disagree on any specific design issue and a compromise cannot be reached through the design review process, the applicant may request final approval from the Planning Board at a regular board meeting.

5. Grants a Special Permit within the scope of PUD Review as follows:

|                                     | <u>Required</u> | <u>Granted</u> |
|-------------------------------------|-----------------|----------------|
| (a) Off-Street Parking Section 6.35 | 63              | 40             |

6. The applicant shall continue to meet with landscape architects from Carol Johnson & Associates to coordinate the transition to the Lechmere Canal Park and MDC Park.
7. As specified in finding number 4(c), the ground floor retail/restaurant space shall not be replaced by office use as requested by the applicant. This retail space may only be replaced with office use upon submission by the applicant of written documentation of the efforts made to rent such space for retail use and provided that within 30 days of such submission the Planning Board does not make a written determination that the documented efforts have not been adequate. This submission to the Board shall not be made before a 12-month period following issuance of a certificate of occupancy. This replacement to office use shall be temporary and shall not extend for more than four years at which time this space shall be converted to retail use. The applicant shall strive to maintain a clearance of 12 feet throughout the first floor retail space should modifications to the approved design make such clearance possible. Additions of height up to two feet, if necessary to meet this objective, shall be considered within the scope of this permit.
8. The applicant shall use an authentic New England waterstruck brick, Kane Gonic, or equal approved by the Community Development Department.

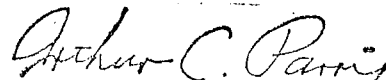
Severability

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 Arthur Parris, John Woolsey, Alfred Cohn, Caroline Meith, and Joyce Bruckner.

Respectfully submitted,

for the Planning Board



Arthur C. Parris  
Chairman

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

October 20, 1983  
Date

ATTEST: A true and correct copy of the decision filed with the office of the City Clerk on Oct 20, 1983 by Roba Barber, 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