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CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

CASE NO: PB#36
PREMISES: 1274 Massachusetts
ZONING DISTRICT: Business B and Harvard Square Overlay District
PETITIONER: Massachusetts Avenue Limited Partnership
APPLICATION DATE: August 11, 1983
DATE OF HEARING: September 8, 1983
PETITION: Special Permit for reduction in parking (51 to 34 spaces) and Special permit for increase in height (60 to 65 feet).
DATE OF PLANNING BOARD DECISION: November 1, 1983
DATE OF FILING THE DECISION: November 3, 1983

Decision (summary): Granted the requested reduction in parking provided and the requested increase in height.

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 date of filing of the above referenced decision with the City Clerk.

Copies of the complete decision and final plans, if applicable, are on file with the office of Community Development and the City Clerk.

November 3, 1983
Date

Clifford Barber
Authorized Representative
to the Planning Board



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CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

CASE NO.: PB #36

PREMISES: 1274 Massachusetts Avenue

PETITIONER: Massachusetts Avenue Limited Partnership/
Niles Associates, General Partner

APPLICATION DATE: August 11, 1983

PUBLIC HEARING DATE: September 8, 1983

PETITION: Special Permit to exceed the as-of-height
allowed in the Harvard Square Overlay District
and to permit a reduction in the required
amount of off-street parking.

DATE OF PLANNING BOARD DECISION: November 1, 1983

Petition:

The petitioner proposes to construct a new 45,000 square foot office building with ground floor retail at 1274-1290 Massachusetts Avenue. The proposed building requires two special permits from the Planning Board including: (a) a special permit under Article 11.543 to permit a maximum allowable height of 65 feet exceeding the as-of-right height of 60 feet and (b) a special permit under Article 6.35 to permit the reductions of required parking from 51 spaces to 34 spaces.

Documents

In support of the petition the following documents were submitted:

1. Special Permit Application, 1274 Massachusetts Avenue Limited Partnership/Niles Associates, Inc., General Partner; certified complete on August 11, 1983.
2. Site Plan and elevations, dated August 11, 1983 by Symmes, Maini and McKee Associates, Inc.
3. Photographs of subject premises submitted August 11, 1983.
4. Letter from Sidney C. Graves, Project Manager from Symmes, Maini and McKee Associates, Inc. dated September 16, 1983 to the Planning Board responding to concerns expressed by the Cambridge Traffic Department.

5. Letter from John Niles, Niles Associates, Inc. to the Planning Board dated September 15, 1983.
6. Letter from John Niles, to the Planning Board, dated October 24, 1983 indicating a willingness to open the lot to public use under appropriate circumstances.

Public Hearing - September 8, 1983

John Niles, President of Niles Associates, Inc., General Partner, explained the details of the special permit request that includes: a special permit to allow a maximum building height of 65 feet, 5 feet above the 60 foot as-of-right height limit and a special permit to reduce the required amount of off-street parking from 51 spaces to 34 spaces including 12 tandem spaces. Mr. Niles stated that the reason for the increased building height is to create a window level consistent with the A. D. Club Building directly adjacent to the proposed building. Mr. Niles explained that no amenity points as specified in section 11.542 could be provided, therefore, a Special Permit in accordance with Section 11.543 is required. In addition, the special permit criteria in Section 11.543 and 10.40 can be met as the proposed development offers other public amenities including quality building design and pedestrian improvements such as: wider sidewalks along both Massachusetts Avenue and Linden Street as the new building will be set back four (4) feet from the property line at these edges; the principle front building facade will follow the same building plane as the adjacent A. D. Club Building; the perceived building height will be minimized by various building plane setbacks and a reduced building height along the street edges; building materials will include water processed brick of a similar quality to brick buildings along Massachusetts Avenue with granite columns at the lower levels and limestone details and sills on the upper levels; and wrought iron railings placed along window balconies on Mass. Ave. following the iron details of other buildings in Harvard Square. The special permit allowing reduced off-street parking is necessary due to the prohibitive limitations of the site. The proposed 34 spaces are the maximum number which will fit in the basement parking level. Mr. Niles indicated that the close proximity to the Red Line Station and the types of retail and office uses to occupy the proposed building will justify less off-street parking at this location.

John McKee, Project Architect, presented illustrations and design drawings of the proposed building outlining various design details. Mr. McKee also briefly explained the changes which have occurred over the past year primarily in response to neighborhood concerns.

Statements In Opposition

Dean Johnson, Harvard Square Defense Fund, voiced concern over the issue of density and the potential traffic impact this development will have in Harvard Square while noting that the building design and the developer attempts to retain the current retail tenants were encouraging features of the development. Mr. Johnson suggested that the Board consider

requiring valet parking and opening the parking garage up to the general public on Saturdays. Mr. Niles responded to that request by stating that the building tenants may require access to the garage during weekends.

Robert LaTremouille, 348 Franklin Street, questioned the Planning Board's legal jurisdiction over this petition as the petitioner is not providing any amenities per Section 11.542, therefore, this variance case requires Board of Zoning Appeal review. Vice Chairman Cohn asked Mr. Niles to have his attorney respond in writing to this legal concern.

Statements In Favor

Thomas Anninger, Neighborhood Ten Association, stated that the developer has been responsive to each point of concern previously raised by the Neighborhood Ten Association including: (1) retaining the existing tenant and/or assuring the quality of retail uses at this location, (2) providing a quality building architecturally, and (3) minimizing the building's bulk and scale. Though Mr. Anninger stated that the building's bulk and scale had been reduced from earlier designs, he also stated that he would like to see as a general policy lower floor areas in Harvard Square to a 3.0 FAR. Mr. Anninger also indicated that in this urban location with such a close proximity to the T Station a reduction in parking is appropriate.

Charles Sage, President of Harvard Square Business Association, voiced his support for the proposed office/retail development stating that it be an asset to Harvard Square.

Justin Slate stated that he supported the proposed development.

Other Public Comment

The following written comments were submitted to the Planning Board in response to the proposed development:

1. Letter dated October 13, 1983, from Charles E. Sage, President of the Harvard Square Business Association requesting that the Planning Board require the developer to offer public parking on site during Saturdays.
2. Letter dated September 21, 1983, from Gladys Gifford, President of the Harvard Square Defense Fund, indicating general support of the proposed development but concern over the reduced parking request and making a request that the Board require that the parking garage be available to the general public on Saturdays.
3. Letter from Lauren Preston, to the Planning Board, dated August 30, 1983, indicating certain problems with the design of the parking facility.

Findings

In reviewing the comments made at the public hearing or submitted to the Board in written form and, in addition, considering information, policies and planning issues long associated with Harvard Square development and familiar to the Board, the Planning Board makes the following findings:

1. Pursuant to the requirements of Section 6.35 of the Zoning Ordinance the Board finds that the requested reduction of parking will not cause excessive congestion, endanger the public safety, substantially reduce parking availability for other uses and will provide some positive benefits to the environment of Harvard Square through a more compatible building design.
2. The site of the proposed development is within four hundred feet of the principal entrance to the Harvard Square Station of the Red Line subway.
3. Imminent improvement to the Red Line will significantly increase the convenience of public transit access to Harvard Square from the northwest sector of the metropolitan area.
4. The legislative history of Article 6.000, revised in 1981, indicates an intent to reinforce and encourage the use of public transit when available (an original version of the revision exempted development within 1200 feet of a transit stop from the parking requirements of Article 6.000), while at the same time mandating adequate parking on large sites which could more adequately accommodate same (i.e. Parcel 1-B and University Place). The regulation did not contemplate the provision of the full complement of required parking for all sites, and most especially not for the small sites so typical of Harvard Square.
5. Public policy on matters affecting public and private development activity in the square has consistently favored encouragement of transit usage and the discouragement of private auto dependence for access to the square, for air, pollution, urban design, adjacent neighborhood congestion, and other environmental reasons.
6. The imposition of the full parking requirement on all small sites undergoing redevelopment in Harvard Square would impose either undesirable physical solutions (as for example parking at street or upper levels of a building) or in other circumstances encourage the assemblage of larger development parcels that could more easily accommodate the required parking, thus destroying the intimate small scale character of the existing development pattern in the square.

7. The provision of publicly accessible parking in Harvard Square, intended to principally serve the occasional retail shopper or other occasional visitor, would best be accomplished through the provision of a limited number of highly visible (and accessible) facilities of moderate size. Limited opportunities for such facilities however may make the provision of smaller facilities useful.
8. The present proposal is not adding substantially to the area now devoted to retail uses on the site and which uses are not now served by publicly available parking.
9. With regard to the request for additional height, the Board recognizes that the necessary amenities detailed in Section 11.542 required for as-of-right height above 60 feet have not been provided. The Board does find that the proposed building does provide the necessary amenities (Section 11.543(5)) needed to permit the issuance of a Special Permit for additional height. Such amenities are provided in the form of a well executed design carefully crafted to reflect and be sympathetic to surrounding older development and proposed to be developed in high quality materials (water struck brick as a basic material with generously distributed high quality accent features rendered in granite and limestone).
10. In response to the request to provide public parking on Saturdays, the applicant has indicated that the provision of public parking on Saturdays would depend upon the parking demands of the building's tenant which is unknown at this time. The Board finds that the provision of public parking on Saturdays would be an added public benefit and would alleviate a small amount of the parking pressures in the square. Because of design limitations highlighted in Mr. Preston's letter to the Board this particular facility is not recommended for public access unless it can be clearly demonstrated that such use would not be an impediment to traffic flow on Linden Street.
11. The Board finds that a significant amount of people working in Cambridge ride to work on bicycles and that the applicant should provide adequate space in the proposed office/retail building to store bicycles.

Decision

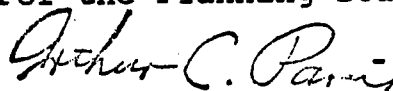
In light of the above findings the Planning Board GRANTS a Special Permit for additional height for an office/retail building at 1274 Massachusetts Avenue and to permit a reduction in the total amount of required off-street parking with the following conditions:

- (1) The final plans and design details shall remain generally the same as the plans and design details submitted and approved by the Planning Board, except as modified by this special permit decision; the applicant shall continue to consult with the Community Development Department throughout the design process.

- (2) The applicant is encouraged to provide additional bicycle parking spaces as feasible in the final development plans, even in excess of the number (5) required by the zoning ordinance.
- (3) All efforts shall be made in the design and equipping of the garage facility, as indicated in the letter from Sidney C. Graves to the Planning Board, to prevent the use of the public streets for the maneuvering of vehicles in and out of the facility.
- (4) The applicant shall continue to explore the possibilities of opening the facility to public parking on weekends consistent with tenant requirements and public safety and convenience on Linden Street.

Respectfully submitted,

For the Planning Board



Arthur C. Parris
Chairman

A copy of this decision shall be filed with the Office of the City Clerk. Appeals if any shall be made pursuant to Section 17, Chapter 40A, Massachusetts General Laws and shall be filed within twenty days after the date of such filing in the Office of the City Clerk.

ATTEST: A true and correct copy of the decision filed with the Office of the City Clerk on November 3, 1983 by [Signature] 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.

Date _____

City Clerk, City of Cambridge