



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

2022 NOV 22 AM 11:03
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

NOTICE OF DECISION

Case Number:	391
Address:	40 Smith Place (55 Wilson Road) and 45 Wilson Road
Zoning:	Office-1 (O-1) / Quadrangle Southeast Alewife Overlay District (AOD-4)
Applicant:	The Davis Companies 125 High Street, Boston, MA
Owner:	Quad 40 Smith Place, LLC 2001 Ross Ave, Suite 3400, Dallas, TX 75201
Application Date:	April 5, 2022
Date of Planning Board Public Hearing:	May 17, 2022; continued to June 7, 2022 and September 20, 2022 and October 25, 2022
Date of Planning Board Decision:	October 25, 2022
Date of Filing Planning Board Decision:	November 22, 2022
Application:	Request for special permit pursuant to Sections 19.20 Project Review; 20.73 Flood Plain Overlay District Special Permit; 20.94.1 Allow retail use; 20.95.1 Floor area ratio (FAR) in excess of 1.25; 20.95.2 Building height in excess of 35 feet; and 20.95.34 Reduction of Yard Requirement (front and side yard) of the Zoning Ordinance to construct a 280,046 square foot four story building for technical office use with future ground floor retail use and a 323-vehicle parking garage below.
Decision:	LEAVE TO WITHDRAW THE SPECIAL PERMIT APPLICATION WITHOUT PREJUDICE.

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 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 Community Development Department and the City Clerk.

For further information concerning this decision, please contact Swaathi Joseph at 617-349-4668, or sjoseph@cambridgema.gov.

DOCUMENTS SUBMITTED

Application Documents and Supporting Material

1. Special Permit Application dated 3/30/2022, containing *inter alia*, Volume 1 – Narrative Materials including, Special Permit Cover Sheet, Dimensional Form, Ownership Certificates, Community Outreach Summary, Project Narrative, and Zoning Compliance Summary; Volume 2 – Graphic Materials including plan set titled Fifteen Wilson and prepared by Jacobs, dated 3/30/2022; and Volume 3 – Appendices including Transportation Impact Study, Green Building Report, Tree Study, PTDM proposal, Water Infrastructure Narrative and Sewer Infrastructure Narrative.
2. Presentation slides shown to the Planning Board on 6/7/2022.
3. Request to withdraw the special permit submitted on 10/17/2022, containing letter from James Rafferty dated 10/14/2022.

City of Cambridge Documents

4. Memo to the Planning Board from Joseph E. Barr, Director of Traffic, Parking and Transportation (TP+T), dated 5/31/2022.
5. Memorandum to the Planning Board from Community Development Department (CDD) staff, dated 6/1/2022.
6. Memorandum to the Planning Board from Katherine F. Watkins, City Engineer, Department of Public Works (DPW), dated 6/1/2022.
7. Letter to Yi-An Huang, City Manager, from Nancy E. Glowa, City Solicitor, in response to the Planning Board's request for a legal opinion regarding Case No. PB-391, dated 9/6/2022.

Other Documents

8. Email communication to the Planning Board from Doug Brown, dated 6/7/2022.
9. Notice of Extension of Time to October 11, 2022, dated 7/22/2022.
10. Notice of Extension of Time to November 30, 2022, dated 9/23/2022.

APPLICATION SUMMARY

The Application proposed the construction of a four-story, approximately 280,046 square-foot technical office and laboratory building, with a ground floor restaurant use (also noted as “retail” on some of the plan drawings). The project included 323 vehicle parking spaces in a two-story below grade garage, which would have included 50 spaces dedicated for existing uses at 10 Wilson Road, 15 Wilson Road, and 26 Smith Place. The plan included landscaped outdoor space and a portion of a multi-use path and linear park. The proposal would have demolished and replaced an existing warehouse and office building of approximately 63,500 square feet and surface parking for 149 vehicles. As presented, the building additionally included four fully enclosed truck loading bays, interior long term bicycle parking, a covered parking entrance ramp located outside of the building envelope, and a paved roadway connection on the southern portion of the site intended to satisfy an access easement for an adjacent property that is active through 2028.

In addition to the proposed inclusion of a public multi-use path and open space, the Applicant also proposed the widening of existing sidewalks to better align with the street sections proposed in the Alewife District Plan and with other City requirements for streetscape design. Included in the application were plans for buffers, protected bike lanes, tree zones, sidewalks, and provisions for elevated walkways.

DECISION

At the regularly scheduled Planning Board meeting of September 20, 2022, the Planning Board voted to grant the applicant leave to withdraw the application without prejudice after the application had been advertised. Voting in the affirmative were Planning Board Members Louis Bacci, Jr., Steven Cohen, Catherine Preston Connolly, Mary Flynn, Hugh Russell, and Associate Member Ashley Tan, appointed by the Chair to act on the case, constituting at least two thirds of the members of the Board.

For the Planning Board,

A handwritten signature in cursive script that reads "Catherine Preston Connolly".

Catherine Preston Connolly, Chair

A copy of this decision PB-391 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 (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 has been filed on November 22, 2022 with the Office of the City Clerk, by Swaathi Joseph, duly authorized representative of the Planning Board. All plans referred to in the decision have been filed with the City Clerk on said date.

Twenty days have elapsed since the above decision was filed in the office of the City Clerk and:
_____ no appeal has been filed; or

_____ an appeal has been filed within such twenty days.

The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. This certification shall in no event terminate or shorten the tolling, during the pendency of any appeals, of the periods provided under the second paragraph of G.L. c. 40A, §6.

Date: _____, City Clerk

Appeal has been dismissed or denied.

Date: _____, City Clerk