

Date: March 10, 2016
Subject: Stern et al. Richard Avenue Neighborhood Protective Zoning Proposal

2016 MAR 10 PM 12:50
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

To The Honorable, the Cambridge City Council,

The undersigned registered Cambridge voters respectfully request that the City Council adopt this petition to adjust the zoning for 2551 Mass Avenue and 7 Richard Avenue, after extensive cooperation between the Owner/Developer and neighbors in the area.

Overview

In June 2015, a group of neighbors (the Neighbors) on Richard Avenue and nearby streets in North Cambridge filed a downzoning petition (Elizabeth Stern, et al. Zoning Petition) in response to a proposed four-story, mixed use development project with ground floor retail Mass Ave frontage of 34% and the ground floor remainder (primarily glazed front parking) Mass Ave frontage of 66% with five residential dwellings above (Exhibit A). The proposed retail and housing are allowed under the Massachusetts Avenue Overlay District (MAOD), and the North Mass Ave Subdistrict (NMAS) at 2551 Massachusetts Avenue (the Lot) at the corner of Richard Avenue.

Since filing the downzoning petition, 2551 Mass Ave LLC (the Owner/Developer), and the Neighbors have worked together with the assistance of City Councilors Dennis Carlone and David Maher, and have agreed upon a modified plan (Exhibit B) that satisfies the needs of both the Owner/Developer and the Neighbors. However, this plan is also inconsistent with the NMAS ground floor retail requirement. There are several reasons which we will explore later in this document, why we believe that earlier proposed retail (Exhibit A) at this particular site will not be successful. It is also the case that the removal of the ground floor retail component at this site results in a lower scale and less dense development that is more compatible with the adjacent Residential B neighborhood.

The Neighbors and the Owner/Developer have drafted the attached Zoning Amendment to the NMAS that preserves the intent and purpose of the NMAS, while creating a new district boundary that terminates at the centerline of Richard Avenue, as described more specifically in Exhibit C.

In addition to the proposed zoning amendment text (Exhibit C), we provide a list of site-specific factors and land-use rationales that supports terminating the NMAS at the center line of Richard Ave, (see Rationales page 2)

We are aware that the proposed zoning amendment will remove Planning Board expert review of the development, but after eight months of working with the Owner/Developer and his Architect, we are comfortable with this modified proposal.

We believe this "surgical" approach we have taken to modifying the district boundary is more sensitive to preserving the integrity and intention of the NMAS than creating additional criteria to SECTION 20,110.22, which allows dimensional modifications to the NMAS.

Based on the language in Section 20.110.1 of the North Massachusetts Avenue Subdistrict, the intent of the district is to encourage the retention and expansion of pedestrian-friendly ground floor retail and other active nonresidential uses in the buildings along the Avenue. Additionally, the intent is to guide the redevelopment so that in the future, new buildings and streetscapes have a scale, urban design, and mix of uses that strengthens the urban character of the Avenue as the principal commercial corridor serving the North Cambridge neighborhood, while also respecting the historic characteristics of the Avenue.

Rationales for Change/Modification to Current NMAOD Zoning

There are three key reasons why the Lot at 2551 Massachusetts Avenue and the adjacent property at 7 Richard Avenue should not be included in the NMAOD and will not produce the desired active and pedestrian-friendly retail which were intended when NMAOD and MAOD were adopted.

1. ZONING IMPACT AND PHYSICAL CONSTRAINTS UPON THE PROJECT

According to the Architect and the Owner/Developer, The Lot is neither wide nor deep enough for ramping to underground parking. In the original scheme (Exhibit A), based on existing zoning, 5 required parking spaces would be located on the ground floor. Only glazed windows and an overhead automatic garage door would conceal the parking. The parking, the entrance to the parking, and the entrance to the residences take up 48 feet of the Mass Ave facade, while the retail takes up 25 feet of that facade.

SECTION 20.110.21 requires that the non-residential use shall occupy a minimum of 75% of the Mass Ave Frontage. But in Version 1 (Exhibit A) , to accommodate the parking, retail frontage occupies approximately a third of the facade at the most. In order to comply with the zoning requirement that retail frontage occupy 75% of the Mass Ave facade, the design calls for wrapping the retail facade around onto Richard Ave, a completely residential street. Further, while the residential parking is concealed by glazing and overhead garage doors on the Mass Ave facade, it is exposed to the Residence B abutter at 2557 Mass Ave and to the neighbors on Richard Ave and other local streets behind.

Zoning and best retail practice require a minimum 40-foot deep retail location with minimum 15-foot high ceiling. The Lot is too shallow to accommodate 40-foot retail depth, and in order to accommodate 15-foot high ceilings, the three residential floors above are pushed to a 45-foot plus overall height, which is out of scale and character with the surrounding Residential B neighborhood. Additionally, due to the setback requirement of 50-feet from 2557 Mass. Ave, there is an awkward Mass. Ave facade, varying in height from 35- to 45-plus-feet. (See Exhibit A).

In summary, the elements affected by the zoning constraints and small size of the lot are: increased height relative to the Residential B Neighborhood; loss of light and airflow around the proposed Version 1; parking located on Mass Ave with overhead door and

glazed windows; reduction of retail frontage on Mass Ave to approximately 34 %; and lastly, inability to meet optimal standards as set by the NMAS.

2. RETAIL CHALLENGES OF THIS LOCATION

The 2551 Lot is the last parcel in the Business-A Zoning district. The next 2 and 1/2 blocks are Residential B, terminating in the 4-lane busy commuter Route 16 /Alewife Brook Parkway, which is a barrier and an intimidation to pedestrian movement, and defines the final boundary of the Mass Ave Cambridge pedestrian retail district.

Across the street from the Lot, the properties on the Avenue are already zoned Residential B, with a few dated, underutilized commercial storefronts which are nonconforming. This condition exists all the way back to Cottage Park. (See Exhibit D). Across Richard Avenue to the east is Jack's Gas, at 2535 Mass Ave, which invites intense auto traffic and inhibits pedestrian comfort. All said, this is not a stretch of city blocks which invites busy pedestrian traffic.

Retail experience indicates that successful retail has three components: 1. Other retail around it. 2. Vitality, meaning pedestrian busyness. 3. The third ingredient for successful, thriving retail is viability. This is defined as a measure of an area's capacity to attract ongoing investment for maintenance and changing needs.

Other retail consists of Jack's Gas on one corner of Richard Avenue and on the other, Lapel's, a dry cleaner at 2551 Mass Ave which has tried to get out of its lease because it is not doing well. Across Mass Ave are a few non-conforming retail structures. Pedestrian "busyness" tapers as we approach the most northerly sector of Mass Avenue, which is locally perceived as a traffic thoroughfare—a drive-through place, not pedestrian-friendly. Consider also that a non-conforming business is not likely to attract ongoing investment for maintenance or adaptation to changing needs.

3. SCALE AND MASSING OF THE PROJECT ARE INCONGRUENT WITH THE CHARACTER OF THE SURROUNDING RESIDENTIAL B NEIGHBORHOOD.

The surrounding neighborhood consists of two-family houses on tree-lined streets with a completely residential and small-scale character. The retail mandate forces the developer to take full advantage of the up to 50-foot height allowance, which, as shown in the elevations viewing Richard Ave., results in an out-of-scale structure. (See Exhibits A & B : Mass Ave Elevations, V1 and V2 and Exhibits E & F: Richard Ave Elevations, V1 and V2)

Further, the retail requirement of NMAS requires the Owner/Developer to maximize the depth, width, and height, reducing the possibility for green space and air to the absolute minimum that is allowed. In the attached Exhibit C: Version 2 proposal, which does not contain retail, there is more possibility of light and for air circulation to the adjacent neighborhood.

The original scheme's overhead garage door and glazed windows on Mass Avenue, and its exposed parking at the side and rear of the building are all unsightly and incongruous with the residential character of the neighborhood. Also, the design idiom of Exhibit A: Version 1, which appears to be an attempt to minimize the sheer bulk of the building by breaking it down visually into parts is incongruous with the surrounding aesthetic on both sides of Mass Avenue.

We have attached the following exhibits in support of our petition.

Exhibit A: Version 1 (V1): June 2015 Proposal: Mass Ave Elevation

Exhibit B: Version 2 (V2): September 2015 Proposal: Mass Ave Elevation

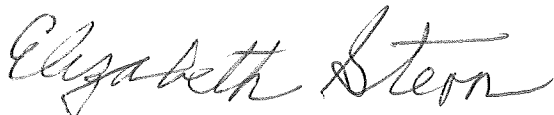
Exhibit C: Stern et al Richard Ave Neighborhood Protective Zoning Proposal (6 pgs)

Exhibit D: Properties across Mass Ave : 2518 - 2560 Mass Ave,
and adjacent : 2257 -2561 Mass Ave (5 pgs)

Exhibit E: Version 1 (V1): June 2015 Proposal: Richard Ave Elevation

Exhibit F: Version 2 (V2): September 2015 Proposal: Richard Ave Elevation

Respectfully submitted on behalf of the undersigned registered voters (see Exhibit C).



Elizabeth Stern
7 Richard Avenue & 20 Cambridge Terrace



Sarah Bell
19 Muller Avenue

EXHIBIT A



EXHIBIT B



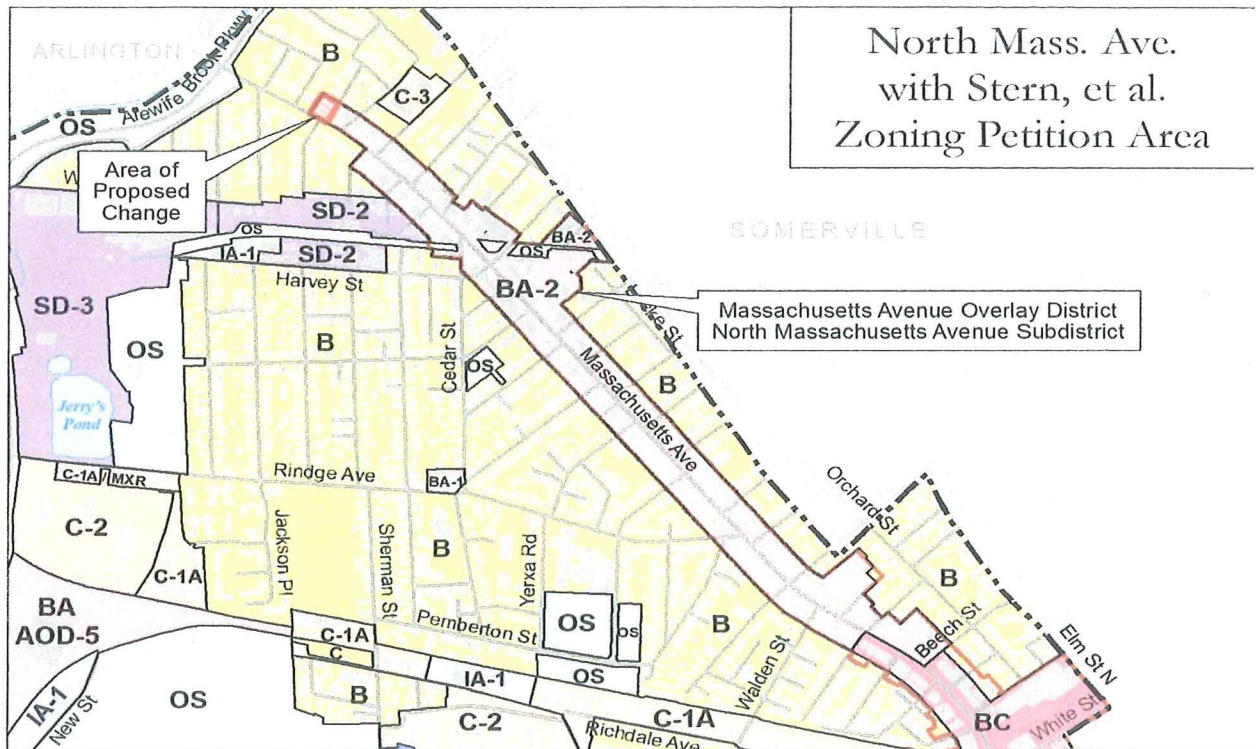
2557 MASS. AVE.



2551 MASS. AVE. - VERSION 2

SCALE: 1"=10'-0"

EXHIBIT C



RICHARD AVENUE NEIGHBORHOOD PROTECTIVE ZONING PROPOSAL

To the Honorable, the Cambridge City Council:

In order to preserve and enhance the residential character and existing scale of the Richard Avenue Neighborhood in North Cambridge; establish zoning uniformity, and encourage compatibility of use and consistency in height, density, design, yards, and other developmental standards among abutting parcels, the undersigned Cambridge property owners, registered voters, and residents hereby petition the City Council to amend the Zoning Map of the City of Cambridge and the Zoning Ordinance of the City of Cambridge (CZO) as follows.

1. Replace current section 20.103.2 *North Massachusetts Avenue Subdistrict* with the following:

20.103.2 North Massachusetts Avenue Subdistrict. Within the portion of the Overlay District having a base Business A-2 zoning district designation extending on the southwesterly side of Massachusetts Avenue from the centerline of Creighton Street on the east to the centerline of Cottage Park Avenue on the west, and on

the northeasterly side of Massachusetts Avenue from the centerline of Beech Street on the east to **the centerline of Richard Avenue** on the west, the regulations set forth in Sections 20.103 to 20.109 shall apply except as modified by the regulations set forth further below in Section 20.110. In order to preserve and enhance the residential character and existing scale of the Richard Avenue Neighborhood in North Cambridge; establish zoning uniformity, and encourage compatibility of use and consistency in height, density, design, yards, and other development standards among abutting parcels, the undersigned Cambridge property owners, registered voters, and residents hereby petition the City Council to amend the Zoning Map of the City of Cambridge and the Zoning Ordinance of the City of Cambridge (CZO).

2. Replace section 20.110 *Standards Applicable in the North Massachusetts Avenue Subdistrict* with the following:

20.110 Standards Applicable in the North Massachusetts Avenue Subdistrict. Within the portion of the Overlay District having a base Business A-2 zoning district designation extending on the southwesterly side of Massachusetts Avenue from the centerline of Creighton Street on the east to the centerline of Cottage Park Avenue on the west, and on the northeasterly side of Massachusetts Avenue from the centerline of Beech Street on the east to **the centerline of Richard Avenue** on the west, the regulations set forth above in Subsections 20.103 to 20.109 shall apply except as modified by this Section 20.110. The area described above shall be referred to as the North Massachusetts Avenue Subdistrict.

Amend the North Massachusetts Avenue Subdistrict boundary line of the Cambridge Zoning Map. Redraw the district boundary line for the North Massachusetts Avenue Subdistrict as for the northerly side of Massachusetts Avenue to extend from the centerline of Beech Street on the east to the Centerline of Richard Avenue on the west.

RICHARD AVENUE NEIGHBORHOOD PROTECTIVE ZONING PROPOSAL
January , 2016

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20.103.2 *North Massachusetts Avenue subdistrict* Within the portion of the Overlay District having a base Business A-2 zoning district designation extending on the southwesterly side of Massachusetts Avenue from the centerline of Creighton Street on the east to the centerline of Cottage Park Avenue on the west, and on the northeasterly side of Massachusetts Avenue from the centerline of Beech Street on the east to **the centerline of Richard Avenue** on the west, the regulations set forth in Sections 20.103 to 20.109 shall apply except as modified by the regulations set forth further below in Section 20.110. In order to preserve and enhance the residential character and existing scale of the Richard Avenue Neighborhood in North Cambridge; establish zoning uniformity; and encourage compatibility of use and consistency in height, density, design, yards, and other development standards among abutting parcels, the undersigned Cambridge property owners, registered voters, and residents hereby petition the City Council to amend the Zoning Map of the City of Cambridge and the Zoning Ordinance of the City of Cambridge (CZO).

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3. Amend the North Massachusetts Avenue Subdistrict boundary line of the Cambridge Zoning Map. Redraw the district boundary line for the North Massachusetts Avenue Subdistrict for the northerly side of Massachusetts Avenue to extend from the centerline of Beech Street on the east to the Centerline of Richard Avenue on the west.

Richard Avenue Neighborhood Protective Zoning Proposal

January, 2016

PRINTED NAME

STREET ADDRESS

SIGNATURE

✓ Audrey Byrne 1 Muller Ave Audrey Byrne

✓ Olivia Armato 7 Muller Av Olivia Armato

✓ Patricia A. DesRoches 9 Richard Av. Patricia A. DesRoches

✓ Jerry Alexander 23 Richard Ave Jerry Alexander

✓ Mariaghiuse Cattaneo 17 Richard Ave M. Cattaneo

Nalka Yaacobi 12 Richard Ave Nalka Yaacobi

✓ Marie Simon 15 Richard Ave Cambridge MA 02140

✓ Judith Humber 14 Richard Ave Judith Humber

✓ Anthony Douglass 29 Richard Ave R. Alf Jr

ARIE YAACOB 12 Richard Ave Arie Yaacobi

✓ Jane Flanders 23 Richard Ave JASR

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Richard Avenue Neighborhood Protective Zoning Proposal

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SIGNATURE

✓ Elizabeth Boyer 26 Richard Ave Elizabeth Boyer

✓ John Zilboorg 26 Richard Ave John Zilboorg.

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Richard Avenue Neighborhood Protective Zoning Proposal

January, 2016

PRINTED NAME

STREET ADDRESS

SIGNATURE

✓ Elizabeth Stern 20 Cambridge Ter 7 Richard Ave Elizabeth Stern
✓ Menachem Stern 20 Cambridge Ter 7 Richard Ave Menachem Stern

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Richard Avenue Neighborhood Protective Zoning Proposal

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PRINTED NAME

STREET ADDRESS

SIGNATURE

✓ MARGARET E. DANCY 19 RICHARD AVE Margaret E. Dancy

✓ JAMES R. MCCARTNEY 19 MULLER AVE James R. McCartney

✓ Sarah Bell 19 Muller Ave Sarah Y Bell

EXHIBIT D



ACROSS MASS AVE FROM 2551 MASS AVE PROJECT

2518 Salon Alan Russo

2524 (Residential only)

2528 Fast Phil's Haircuts

EXHIBIT D



ACROSS MASS AVE FROM 2551 MASS AVE PROJECT

2532 MASS AVE (Empty Storefront)

EXHIBIT D



ACROSS MASS AVE FROM 2551 MASS AVE PROJECT

2534 MASS AVE (Office for Property Management)

EXHIBIT D



ACROSS MASS AVE FROM 2551 MASS AVE PROJECT

2536 , 2542. 2552, 2556, and 2560 MASS AVENUE (Five residential only)

EXHIBIT D



WEST ON MASS AVE FROM 2551 MASS AVE PROJECT

2561 Residential

2557 Professional Office Space

EXHIBIT E



EXHIBIT F

