

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

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CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION

Case Number:	241A
Address:	1901 and 2013 Massachusetts Avenue
Zoning:	Business A2 (BA2), Massachusetts Avenue Overlay District
Applicant:	Oaktree Development, 129 Mount Auburn Street, Cambridge, MA
Owner:	Oaktree Development, 129 Mount Auburn Street, Cambridge, MA and Saint James Church, 1991 Massachusetts Avenue, Cambridge, MA
Application Date:	September 10, 2009
Date of Planning Board Public Hearing:	February 15, 2011
Date of Planning Board Decision:	March 15, 2011
Date of Filing Planning Board Decision:	April 29, 2011
Application:	Request to reauthorize previously approved Planning Board Case # 241 as shown and approved by the Planning Board in the decision filed January 15, 2010. Project Review Special Permit (Section 19.20); a special permit waiver of the required on grade parking setback (Section 6.44.1g); a special permit (as allowed in Section 10.45) to permit the extension of less restrictive regulations on a split lot to extend up to 25 feet into the more restrictive Residence B District (Section 3.32.1); and a special permit to allow the location of the residential building entrance on Beech Street (Sections 20.107 and 20.108).
Decision:	GRANTED with conditions

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.

Authorized Representative of the Planning Board:

For further information concerning this decision, please contact Liza Paden at 617-349-4647, or lpaden@cambridgema.gov.

DOCUMENTS SUBMITTED

Application Documents and Supporting Material

Plans for Saint James Place, dated March 15, 2011

Letter to Les Barber from Oaktree Development, dated January 19, 2011

Letter to Cambridge Planning Board from Oaktree Development, dated February 22, 2011

Site plan of Saint James' Church redevelopment dated January 19, 2011

Zoning diagram of Saint James Place at Porter Square dated January 19, 2011

Memo to Cambridge Historical Commission from Oaktree Development, dated November 18, 2010

Certificate of Appropriateness from Cambridge Historical Commission, dated November 4, 2010

LEED for Homes Mid rise Pilot Simplified Project Checklist

Other Documents

Memo to Cambridge Planning Board, from Michael Brandon, dated March 15, 2011

Excerpts reprinted from the December 15, 2009 Planning Board Decision

Letter to Cambridge Planning Board, from Kenneth Holmes, dated February 22, 2011

Email to Liza Paden from Fred Meyer, dated February 13, 2011

Letter to Saint James Episcopal Church, from Cambridge Historical Commission, dated December 7, 2010

Letter to Planning Board, from City Councilor Marjorie Decker, dated March 14, 2011

Letter to Mayor David Maher from Jacqueline Kelley, dated March 10, 2011

Letter to Planning Board, from City Councilor Sam Seidel, dated March 8, 2011

Email to City Manager Bob Healy, from Anne Read, dated February 15, 2011

Letter to Planning Board from Mary Caulfield, dated February 19, 2011

Letter to Planning Board from Thomas Tufts

Letter to Planning Board, from Lydia Gralla

Letter to Planning Board, from Thomas Kittredge

Letter to Planning Board, from Carol Hilliard, dated February 21, 2011

Letter to Planning Board, from Nancy McArdle, dated February 20, 2011

Letter to Planning Board from Anne Tate

Letter to Planning Board from Lisa Ceremsak

Letter to Planning Board, from Steve Clark, dated February 18, 2011

Letter to Planning Board from Rachel Evans

Letter to Planning Board, from Tamara Stanton, dated February 22, 2011
Letter to Planning Board from Margaret Moran
Letter to Liza Paden from Bonnie Rubrecht
Letter to Planning Board from Katherine Farrior
Letter to Planning Board from Rev. Edwin Daniel Johnson, dated February 21, 2011
Letter to Planning Board from John Irvine
Letter to Planning Board from Katie and Ned Rimer
Letter to Liza Paden from Anne Shumway
Letter to Planning Board, from Sarah Forrester, dated February 21, 2011
Letter to Planning Board, from Elizabeth McNerney, dated February 19, 2011
Letter to Planning Board, from Rebekah Bjork, dated February 20, 2011
Letter to Planning Board, from Peter Merrell, dated February 22, 2011
Letter to Planning Board, from Jacqueline Kelley and Elaine Callahan, dated February 28, 2011
Letter to Planning Board from Anne Strong
Letter to Planning Board, from Cynthia Owen, dated February 20, 2011
Letter to Planning Board, from L. Sbraccia
Letter to Planning Board, from Sylvia Weston, dated February 20, 2011
Letter to Planning Board, from Mary Holmes, dated February 20, 2011
Letter to Planning Board from Eric Maynard
Letter to Planning Board, from Michelle Holmes, dated February 20, 2011
Letter to Planning Board, from Catherine Hornstein, dated February 20, 2011
Letter to Planning Board, from Margaret Chamberlain, dated February 20, 2011
Letter to Planning Board, from Jane and Tom Hirsch, dated February 20, 2011
Letter to Planning Board, from Alan Aukeman, dated February 17, 2011
Letter to Planning Board, from Holly Antolini, dated February 18, 2011
Letter to Planning Board, from Jeffrey Zinsmeyer, dated February 18, 2011
Letter to Planning Board, from Judith Gay, dated February 18, 2011
Letter to Planning Board, from John Gay, dated February 18, 2011
Letter to Planning Board, from Jim, dated March 7, 2011
Letter to Planning Board, from David Vogel and Ellen Ezorsky, dated February 14, 2011
Letter to Planning Board, from Lydia Gralla, dated February 14, 2011
Letter to Planning Board from Patricia Armstrong

Letter to Planning Board, from John Armstrong, dated February 14, 2011

Letter to Planning Board, from Sandra Johnson and Peter Fifield, dated February 15, 2011

Letter to Planning Board, from Preston Gralla, dated February 15, 2011

Letter to Planning Board from Craig Kelley

Letter to Planning Board, from Jessica Pratt, dated February 15, 2011

Letter to Planning Board from John Armstrong

PROJECT APPLICATION AND SUMMARY

On September 10, 2009 Oaktree Development submitted an application for a Project Review Special Permit as well as a Special Permit waiver of the required on-grade parking setback to demolish an existing parish house and former car wash on two separate adjacent lots, and construct a new building with 46 residential dwelling units, a new parish hall structure, a church library, and retail space at 1991 and 2013 Massachusetts Avenue. The St. James Church, which is located on the site at the corner of Massachusetts Avenue and Beech Street, will be restored and will continue its current use. The existing church garden will also be improved as part of the project. The project consists of 78,321sf of new construction gross floor area (plus 8,500 existing at the church) a new driveway to 4 surface parking spaces, and a garage entrance on Beech Street with access to 60 below-grade parking spaces. A revised application was submitted on December 8, 2009. On December 15, 2009 the Planning Board voted to approve the Project Review Special Permit and waiver of the required on grade parking setback (case #241).

On February 15, 2011 Oaktree Development resubmitted an application for the same project to reauthorize the approved Special Permit and to seek additional special permits to allow the extension of less restrictive regulations on a split lot to extend up to 25 feet into the more restrictive Residence B district (Section 3.32.1), and to waive the requirement that the main building entrance be located on Massachusetts Avenue in order to allow the location of the residential building entrance on Beech Street (Sections 20.107 and 20.108). No substantial changes in use or design were proposed in the new application from that previously authorized by Planning Board in case #241.

FINDINGS

After review of the Application Documents and other documents submitted to the Planning Board, testimony given at the public hearing, and review and consideration of the applicable requirements and criteria set forth in the Zoning Ordinance with regard to the relief being sought, the Planning Board makes the following findings:

1. Conformance with General Special Permit Criteria in Section 10.43

A special permit will normally be granted where specific 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 interest because:

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

The project has been designed to conform to the base zoning requirements and the requirements of the Massachusetts Avenue Overlay District, with the exception of the relief being sought.

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

A Traffic Impact Study by VAI, certified as complete by the Cambridge Traffic, Parking and Transportation Department, concludes that there will be no perceptible worsening of traffic, hazards or change in neighborhood character. Primary vehicle access to the residential and church uses on the site will be from Beech Street, to 4 surface parking spaces and a ramp to 60 underground parking spaces. Based on consultations with City staff and a review of findings in the Traffic Study, the Board finds this to be the preferred location for such access, instead of locating vehicular access and egress on the principal vehicular artery abutting the site, Massachusetts Avenue. There will also be 7 new short-term parking spaces created on Massachusetts Avenue. These short-term spaces on Massachusetts Avenue will help reduce vehicle trips on Beech Street associated with the church by moving some short-term parking from the current church parking lot on Beech Street to the new spaces on Massachusetts Avenue. The project will replace two curb cuts an open drop-off area and parking lot on Beech Street with a single vehicle entry to a garage ramp and 4 covered surface parking spaces. The proposed ramp to the underground garage on Beech Street will organize vehicle entries and exits from Beech Street in a way that is safer for both pedestrians and cars than the existing condition. Vehicles entering and leaving the garage for trips with origins and destinations on Massachusetts Avenue will be able to make turns at a signalized intersection rather than at an uncontrolled curb cut.

(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.

Housing is an appropriate use to add to the location and retail use is encouraged along Massachusetts Avenue. The new structure replaces a surface parking lot on Beech Street, church functions occurring in an accessory building, and a former car wash on Massachusetts Avenue, and is appropriately scaled for its location. In addition to the new residential units, new parish house structure, and new retail space, the project preserves and upgrades the existing and historically significant St. James Church at the corner of Massachusetts Avenue and Beech Street, as well as the church garden open space located on Massachusetts Avenue.

(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.

No nuisance or hazard will be created. The proposed project will comply with all applicable health and safety and building codes.

(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 site is located in the Business A-2 zone and within the Massachusetts Avenue Overlay District, which allows multifamily residential uses. The project is consistent with the purpose and intent of the base and overlay zoning districts.

(f) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.

The Board finds that the proposed project is consistent with the Urban Design Objectives set forth in Section 19.30, as described below.

2. Conformance with the Required Project Review Special Permit Criteria in Section 19.20

a. Traffic Impact Findings, Section 19.25.1.

The Planning Board finds that, based on the analysis of the criteria contained in Section 19.25.11 as set forth in the Traffic Study and analyzed by City staff, the project will have no substantial adverse impact on city traffic within its study area.

b. Urban Design Findings, Section 19.25.2.

The Planning Board finds that the project is consistent with the urban design objectives of the city as set forth below.

(19.31) New projects should be responsive to the existing or anticipated pattern of development.

The project conforms with the applicable zoning requirements in regard to heights, gross floor area, uses, number of units, number of parking spaces, and open space. Through fourth floor setbacks, the new building will rise to only 3 stories where it abuts existing adjacent residential lots. The overall height of the proposed structure as well as the footprint at the Beech Street entry are designed to favor views of the church. The proposed building will be consistent with the existing streetscape on Beech Street and will relate positively to the historic fire station on Massachusetts Avenue. The uses within the project are all appropriately located on the site. Materials and colors appropriately complement the existing church and neighborhood homes.

(19.32) Development should be pedestrian and bicycle-friendly, with a positive relationship to its surroundings.

This is a transit-oriented development, designed to improve vehicular circulation in the area from the current condition and to enhance the pedestrian environment. The main entrance to the church on Massachusetts Avenue will be restored and will provide access to the sanctuary from the Avenue. The entry to the new residential units will be from a small entry court on Beech Street. The project will replace two curb cuts an open drop-off area and parking lot on Beech Street with a single vehicular entry to a garage ramp and 4 covered surface parking spaces. Numerous drop-off movements will be relocated to new short-term parking spaces on Massachusetts Avenue. The site is within walking distance to both Davis Square and Porter Square MBTA stations. Pedestrian access into the site will be safe, attractive, and at-grade. The project includes 32 indoor bicycle parking spaces and 10 outdoor short-term bicycle parking spaces. The garage entry will be equipped with ice and snow melting elements and graded to provide safe access for bicycles. The street curb will be reset along Massachusetts Avenue to provide for an extension of the bicycle lane in front of the property.

(19.33) The building and site design should mitigate adverse environmental impacts of a development upon its neighbors.

The new building will have small rooftop mechanical components which will be screened behind a parapet. Outdoor lighting will consist of wall-mounted down-facing fixtures and focus on intended walking and driving surfaces. A trash compactor will be incorporated into the maintenance plan for the project, resulting in a reduction of the space needed for trash containers. There are no loading docks associated with the project. Shadow studies show minimal impacts on adjacent properties. A tree protection plan includes the replacement of trees on the property.

(19.34) Projects should not overburden the City infrastructure services, including neighborhood roads, city water supply system, and sewer system.

The project will not overburden the City's infrastructure services.

(19.35) New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically.

The entire site is designed in a way that emphasizes the preservation and restoration of the existing historic St. James Church, which is an example of 19th century ecclesiastical architecture. The heights, setbacks, view angles, materials, colors, landscaping and modulation of the form of the new structure are all intended to complement the existing church and adjacent firehouse, as well as neighboring houses.

(19.36) Expansion of the inventory of housing in the city is encouraged.

The proposal adds 46 units to the inventory of housing in the city in a way that should help bring more activity and an enhanced streetscape to Massachusetts Avenue, and also provide an appropriate transition to Massachusetts Avenue from residences on Beech Street. The new development will provide 5 residential units that are affordable to low and moderate income residents under the City's Inclusionary Housing requirements.

(19.37) Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city.

The renovated church garden will remain on Massachusetts Avenue and become more accessible and inviting. It is anticipated that the garden will be used for exterior church functions and events, and will help to enliven the space and contribute to public safety during both daytime and nighttime hours. The primary residential entry will be from Beech Street and will include an entry court and garden. The existing pin oak trees along Beech Street will also be preserved. There will be increased setbacks as well as classroom and residential garden spaces along the Blake Street side of the property.

3. Conformance with the criteria for modification of the required setback for driveways, Section 6.44.1.

The design of the driveway on Beech Street meets the setback requirement for driveways. The placement of the driveway will also enable the preservation of an important large street tree in the area.

4. Conformance with criteria for allowing extension of less restrictive regulations on a split lot to extend up to 25 feet into a more restrictive district, Section 3.32.1.

The Board finds that some flexibility for lots that extend greater than 100 feet is appropriate. The proposed setbacks are unchanged and have been approved by the Board as part of the previous application for the project. Because the project meets the general special permit criteria set forth in Section 10.43, the Board finds that such relief may be granted.

5. Conformance with criteria for allowing location of the residential building entrance on Beech Street Sections 20.107 and 20.108.

The Board finds that the proposed residential entrance on Beech Street is appropriate. The historic church is the most significant part of the site. Church uses will be located around the garden and face Massachusetts Avenue.

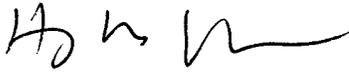
DECISION

Based on a review of the Application Documents, testimony given at the public hearings, and the above Findings, the Planning Board hereby **GRANTS** the requested Special Permits subject to the following conditions and limitations. Hereinafter, for purposes of this Decision, the Permittee shall mean the Applicant for the requested Special Permits and any successor or successors in interest.

1. All uses, building construction and site plan development shall be in substantial conformance with the plans and application documents submitted to the Planning Board as referenced above, dated September 10, 2009, and the revised application dated December 8, 2009, supplemented by plans dated March 15, 2011. Appendix I summarizes the dimensional features of the project as approved.
2. The project shall be subject to continuing design review by the Community Development Department (CDD) and the Cambridge Historical Commission (CHC). Before issuance of the Building Permit for the project, the CDD shall certify to the Superintendent of Buildings that the final plans submitted to secure the Building Permit are consistent with and meet all conditions of this permit.
3. Through the administrative design review set forth above the proponent will continue to work with Community Development Department (CDD) staff on the design and massing of the 4th floor of the new building, the landscape design of the church garden, including any new fence to be associated with the church garden, and the optimal configuration of the covered surface parking spaces on Beech Street.
4. All authorized development shall conform to the requirements of the City of Cambridge Noise Control Ordinance, Chapter 8.16 of the City Municipal Code.
5. Before issuance of a Building Permit for construction authorized by this Special Permit, the Permittee shall prepare a Construction Management Plan consistent with the requirements of Section 18.20 of the Zoning Ordinance, which Plan shall be submitted to the Community Development Department for review and approval.
6. The mitigation recommendations of the Traffic, Parking and Transportation Department, as outlined in the letter to the Planning Board from Susan Clippinger dated October 14, 2009 shall be implemented by the Permittee as a condition of this Permit.

Voting in the Affirmative to **GRANT** the Special Permit were Planning Board Members H. Russell, S Winter, T. Anninger, W. Tibbs, and associate members appointed by the Chair to act on the case, C Studen, A Nur, constituting at least two thirds of the members of the Board, necessary to grant a special permit.

For the Planning Board,



Hugh Russell, Chair

A copy of this decision #241A 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 filed with the Office of the City Clerk on April 29, 2011, by Taha Jennings, authorized representative of the Cambridge Planning Board. All plans referred to in the decision have been filed with the City Clerk on said date.

Twenty (20) days have elapsed since the filing of the decision. No appeal has been filed.

DATE:

City Clerk of Cambridge