

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

Case No: PB#153

Address: 191-195 Prospect Street

Zoning: Residence C-1

Applicant: David A. Pallotta, Trustee of DAP Realty Trust; 42 Cobb Lane, Scituate, Mass. 02066

Owner: As above

Application Date: June 23, 1999

Public Hearing: July 6, 1999

Planning Board Decision: August 3, 1999


Date of Filing Decision: October 1, 1999

Application: Multifamily special permit.

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 the 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 the Community Development Department and the City Clerk.


Authorized Representative to the Planning Board

For further information concerning this decision, please call Liza Paden at 349-4647, TTY: 349-4621, email lpaden@ci.cambridge.ma.us.

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Application Multifamily special permit, Section 4.26 and a special permit for reduction in required parking, Section 6.35; alteration of a non-conforming structure.

1. Special Permit application, received June 23, 1999, ownership form, tracking form, dimensional form, reduced plans dated 12/21/1998 ground floor, first floor, elevation, site plan, letter to the Planning Board from David Pallotta, Trustee.
2. Letter to Brendan Noonan from David A. Pallotta, dated 2/1/99

Other Documents Submitted

1. Letter to the Planning Board from Lauren M. Preston, Deputy Traffic Director, dated June 6, 1999
2. Letter to the Planning Board from Anthony Galluccuio, Vice Mayor, dated July 6, 1999
3. Revised site plan, Sheet L-1, Landscape Plan; "Apartment Building conversion, Cantabridgia, 195 Prospect Street, Cambridge, Mass.", Habeeb and Associates, Architects; dated July 22, 1999; scale 1"=10'.

4. Letter to the Planning Board from Susan Clippinger, Traffic Director, dated July 27, 1999
5. Letter to the Planning Board from Walter Silver and abutters to 195 Prospect Street
6. Petition to the Planning Board from Neighbors and Abutters of 195 Prospect Street, dated July 29, 1999

FINDINGS

After review of the application documents and other documents submitted to the Board; testimony taken at the public hearing; review and consideration of the multifamily special permit criteria, reduction in required parking criteria, and the general Special Permit criteria, the Board makes the following findings.

1. Conversion of the institutional building to residential use is consistent with the general policy objectives of the city to expand residential opportunities, as set forth in ***Toward a Sustainable Futures: Cambridge Growth Policy Document***, consistent with the intent of the city in applying a residential zoning district to this parcel, and of immediate benefit to residential abutters as the conversion will reduce the negative impacts associated with the previous institutional use.
2. The institutional building, while non-conforming with regard to many of the dimensional requirements of the Residence C-1 district, can be reasonably converted to a conforming residential use. Conversion of the building provides an opportunity for physical improvements to the building and its site that will be of benefit to immediate neighbors and the city as a whole. Continuous review of the design of the building's alterations, parking reorganization, and landscaping will be important to ensure optimal improvement of the site for the benefit of the new residents, the abutters and the general public. Therefore, ongoing design review by the Community Development Department shall be made a condition of the granting of this special permit. Furthermore, because of the constraints of the site which limit the options for providing a full complement of parking for the units originally proposed, the Board finds it appropriate to limit the number of housing units to no more than twenty (noting, however, that changes to applicable zoning during the period of consideration of the application now allow only 17 units to be constructed; see Finding #4 below).

3. The greatest impact on the abutting residents from conversion will be accommodation of the accessory parking provided; however, careful siting of parking spaces and reorganization of the parking facility overall will again provide an opportunity to improve the facility. As in Finding #2 above, limiting the number of units permitted will allow accommodation of necessary parking in a more acceptable manner.

4. As the Board reviewed the application, and the applicant responded to Board comments with revised plans, the Board was aware that as a consequence of the altered site plans and recent changes to applicable zoning regulations resulting from the adoption of Ordinance #1226 ("Backyard Petition") additional variance relief not previously identified will be required to permit the development as reviewed by the Planning Board to proceed. A review by the staff, as requested by the Board, indicates that additional relief from the Board of Zoning Appeal will be required for at least the following: reduction required Useable Open Space, parking in the required front yard, relief from certain dimensional standards for the layout of parking facilities, and increase in permitted dwelling units.

5. The Board finds that the proposal is in conformance with the criteria for issuance of a Multifamily Special Permit, Section 10.47.4 of the Ordinance.

a. Key features of the natural landscape should be preserved to the maximum extent feasible. Tree removal should be minimized and other natural features of the site, such as slopes, should be maintained.

Current natural features of the site are not of particularly high caliber; some existing trees will be removed. However, an enhanced landscaping environment shall be a condition of the permit.

b. New buildings should be related sensitively to the existing built environment. The location, orientation and massing of structures in the development should avoid overwhelming the existing buildings in the vicinity of the development. Visual and functional disruptions should be avoided.

There will be no significant building construction beyond the walls of the existing building. Improvement in the relationship of the building to its environment will be accomplished through an upgrading of the site surrounding the building.

c. The location, arrangement, and landscaping of open space should provide some visual benefits to abutters and passersby as well as functional benefits to occupants of the development.

A careful review and approval of the final landscaping and parking layout plans shall be made a condition of the permit. Preliminary plans as reviewed by the Planning Board indicate a significant improvement in the relationship of site activities to abutting lots.

d. Parking areas, internal roadways and access/egress points should be safe and convenient.

The layout of parking on the site will be made more orderly. The amount of parking and traffic in and out of the site will be much reduced from that experienced by the previous use, and will be reasonable in comparison to any likely reuse option for this building.

e. Parking area landscaping should minimize the intrusion of onsite parking so that it does not substantially detract from the use and enjoyment of either the proposed development or neighboring properties.

Additional landscaping will be inserted into the currently undifferentiated paving surrounding the building. The parking will be better organized and will reduce in the number of cars that will be located on the site.

f. Service facilities such as trash collection apparatus and utility boxes should be located so that they are convenient for resident, yet unobtrusive.

The location of the trash receptacle has been reviewed by the Board and located and screened in a satisfactory manner in the preliminary, approved site plan. Those details will continue to be subject of design review by the Community Development Department. Additionally the Board has requested that the Permittee and the Community Development Department consult with interested, impacted parties on this and other matters before issuance of a building permit.

6. The Board finds that the proposal is in conformance with the criteria for issuance of a special permit, Section 10.43 of the Ordinance: i.e. a special permit should be granted if the following criteria are met.

a. It appears that requirements of this ordinance can or will be met.

Additional relief must be sought to permit the development to proceed as proposed and as allowed by the Planning Board. Should the Board of Zoning Appeal choose to grant some or all such relief, the project would be consistent with the requirements and limits imposed by the Planning Board approval.

b. Traffic generated or patterns of access or egress will not cause congestion, hazard, or substantial change in established neighborhood character.

Prospect Street is a busy street but this lot, like many others along it, has no other access to a public street except onto Prospect Street. The proposed conversion will significantly reduce the amount of traffic to and from the site as compared to the previous use or any likely alternate reuse of the building. An existing curb cut will be utilized. While not ideal, additional parking spaces at the front of the building have been designed so that exit to the street can be made without backing into the street.

c. The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance will not be adversely affected by the nature of the proposed use.

The intensity of use will be reduced from that previously at the site; the continued operation or development of adjacent uses will be enhanced.

d. Nuisance or hazard will not 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.

The use of the site will be brought into conformance with the general intentions of the Residence C-1 district and will be consistent with the uses existing on abutting properties. No nuisances or hazards will be created.

e. The proposed use will not impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance.

The integrity of the Residence C-1 district will be strengthened by conversion of the site to a conforming and desired residential use.

7. The Board finds that the proposal is in conformance with the criteria for issuance of a special permit to reduce parking, Section 6.35.

The site is within two long blocks of the Central Square Red Line station. While not immediately adjacent to the transit service, the site is a reasonable walking distance from the subway and it can reasonably be expected to serve some residents of this structure on a regular basis. The site is already heavily used, with the building footprint limiting the amount of accessory parking that can be provided; in order to reasonably address the need for accessory parking on the site the Board has allowed an additional parking space to encroach into existing open space facilities at the front of the building. However, mandating further parking would seriously impair the long term quality of the residential environment at the site. In its deliberations the Board reduced the number of units approved for the site (including the affordable bonus units) below that allowed in the Residence C-1 district at the time of the application. However, adoption of Ordinance #1226, which applies to this application, only allows the construction of 17 units on the site (including the affordable bonus units). Unless a variance is sought and granted for additional units, only 17 units are permitted on the site. This decision would allow (but does not mandate or grant authority for) twenty units without further amendment of the Planning Board special permit, provided the necessary zoning relief is granted by the Board of Zoning Appeal.

DECISION

Based on the above findings the Planning Board **GRANTS** the relief sought subject to the conditions and limitations detailed below.

1. Final plans submitted for issuance of a building permit shall be generally consistent with the application plans, as revised and referenced above, and subject to the dimensional limitations as approved by the Board and set forth in Appendix I (subject to the granting of additional relief, as may be required, by the Board of Zoning Appeal). Before issuance of a building permit, the Community Development Department shall certify to the Superintendent of Buildings that the final plans are consistent with all the conditions of this Decision.

Nothing in this decision shall prohibit the permittee from reducing the number of units constructed at the site; any such reduction shall not require an amendment to this decision.

2. The project shall be subject to continuing design review by the Community Development Department with special attention paid to proposed modifications to the exterior of the building, landscaping

throughout the site, installation of any exterior HVAC equipment to minimize negative impacts (particularly with regard to noise) on abutters, location and screening of trash receptacles, and layout of parking. The Board specifically requires that the parking and access to it located at the front of the building be paved with bricks or unit pavers of similar quality.

Before certifying final plans as required in Condition #1 above, the Community Development Department shall hold a public meeting at which the Permittee shall present the proposed final plans to parties in interest and other persons recorded as attending the public hearing for the purpose of soliciting their views on those final plans before submittal to the Superintendent of Buildings. Prior to such meeting the Permittee is encouraged to meet and work with interested abutters as final plans are developed to address concerns expressed by them and outlined in the letter to the Planning Board dated July 27, 1999 from Walter Silver.

3. The permittee shall install warning devices at the driveway entry as may be suggested by the Traffic, Parking and Transportation Department to ensure adequate safety for pedestrians. Said devices shall be installed prior to issuance of an occupancy permit.

4. The permittee shall, before issuance of a building permit, provide a report to the Planning Board with regard to arrangements to be made with neighbors and abutters with regard to their use of a community room to be provided in the building and the resolution of issues surrounding the damage and repair of 199 Prospect Street.

5. A number shall be posted at the site whereby abutters may contact a person in authority who can address concerns that may arise during construction at the site. The permittee shall maintain a log of such calls, the person making the call, the issue or concern identified, and the resolution provided. The permittee shall provide copies of the log on a monthly basis to the Community Development Department until an occupancy permit has been issued for the site.

6. To the extent not covered in conditions number 1 through 5 above, the permittee shall satisfactorily address the issues and concerns listed as numbered 1 through 10 on page five of the letter to the Planning Board from Walter Silver and other abutters and neighbors of 195 Prospect Street, dated July 27, 1999.

Voting to grant the Special Permit were A. Cohn, P. Deitrich, S. Lewis, C. Meith, Kevin Benjamin, associated member appointed by the chairman to act in place of an absent member, and H. Russell. There were no abstentions, nor any negative votes.

For the Planning Board,

Scott Lewis ^{EMP}
Scott Lewis, Vice Chair

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 (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 October 1, 1999 by Elizabeth M. Paden, 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 (20) days have elapsed since the filing of this decision.

No appeal has been filed.

DATE:

City Clerk
City of Cambridge

APPENDIX Dimensional Form

Special Permit #153 - Prospect Street

	Allowed/Required⁽¹⁾	Existing	Proposed	Inclusionary	Granted
FAR	.75	1.05	1.18		1.18
Floor Area	15,491 S.F.	21,687 S.F.	24,372	2(2,323)=4,647	24,372 S.F.
Max Height	35	33	33		33
Max Angle above cornice line	N/A	N/A	N/A		N/A
Min Lot Size	5,000	20,655	20,655		20,655
Min Lot area/du	1,500	573.75	938.86		1,032.75
Max # du	13	34	22	2(1.95)=4	17/20*
Min Lot Width	50	132.1	132.1		132.1
Min Yard Setbacks					existing
Front					
Side Left					
Side Right					
Rear	36.5	37.5	37.5		37.5
Ratio Usuable O.S.	.30 (6,197)	.22 (4,544)	.22(4,544)		as shown on plans*
Off Street Parking					
Min #	22	19	22		14*
Max #	N/A	N/A	N/A		N/A
Handicapped					
Bicycle spaces	11	0	12		12
Loading Bays	0	0	0		0

* Board of Zoning Appeal variance required