

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD
CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

Case No: PB#156

Address: 210 Broadway

Zoning: Industry A-2 District

Owners/Applicants: BHX, LLC as sole trustee of CCC I Realty Trust,
250 First Avenue, Suite 200, Needham, MA 02494-2805 (781-707-4000)

Application Date: August 16, 1999

Public Hearing: December 7, 1999

Planning Board Decision: February 1, 2000

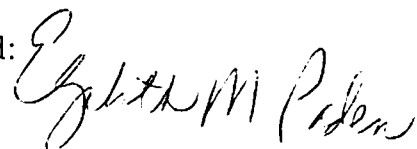
Date of Filing Decision: March 1, 2000

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 of 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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Documents Submitted

1. Special Permit Application submitted and certified complete on August 13, 1999; project narrative, dimensional forms, ownership certificate. Survey, photographs, elevations, and floor plans and Traffic Impact Analysis.
2. Letter to Joan Peyebrune, Vanasse Hangen Brustlin, Inc., from Susan E. Clippinger, Director Cambridge Traffic, Parking and Transportation, dated 8/11/99, certifying the traffic study as complete.
3. Letter to the Planning Board from Susan E. Clippinger, Director of Traffic, Parking and Transportation, dated 10/12/99, summarizing the IPOP analysis.
4. Letter to the Planning Board from Stephen H. Kaiser, dated 10/18/99.

Other Documents Submitted

1. Letter to the Planning Board from Julia O. Gregory, President of the Area Four Neighborhood Coalition, dated 11/29/99, in opposition to the proposal without adequate neighborhood review.

2. Letter to the Planning Board from Jerry Spilewski, 214 Broadway, dated 12/7/99, no objection.
3. Letter to the Planning Board from Louise and John Minavich, dated 12/7/99, no objection.
4. Letter to the Planning Board from Jay Carroll, dated 12/7/99, from Neighbors for a Better Community, Inc.
5. Letter to the Planning Board from Anthony D. Galluccio, Vice Mayor, dated 12/7/99, in support of the proposal.
6. Plans titled "Addition to Two Cambridge Place at 210 Broadway," revised 1/18/00 by ADD Inc., originally drawn 7/99
7. Letter to the Planning Board from Richard McKinnon, dated 1/28/00, clarifying the uses in the proposal.

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 Planning Overlay Special Permit and the general special permit criteria, the Board makes the following findings.

1. Conformance to the requirements of the Planning Overlay Special Permit, Section 11.500 of the Zoning Ordinance.

a. Submittal of required documents

All requirements of Section 11.511 have been met with the submittal of a complete application, including a certified traffic study, and confirmation that additional special permits or variances will not be required.

b. Finding of no substantial adverse impact on city traffic

The Planning Board identified five criteria that would assist in determining whether a project should be found to cause substantial adverse traffic impact: (1) project vehicle trip generation, (2) traffic generated on residential streets, (3) effect on level of service at identified intersections, (4) length of traffic queues at identified intersections, and (5) nearby locations with a high incidence of accidents. The Board finds that there will be no

substantial adverse traffic impact associated with this project. The building's Parking and Transportation Demand Management Plan was approved on March 29, 1999 by the appropriate department. The traffic analysis was done based on a 70,000 square foot building, larger than the building proposed to be constructed.

c. Conformance with Enumerated Growth Policies

The Planning Board finds that the project is consistent with the growth policies enumerated in Section 11.500.

(1) Policy 13: Pace of development, maintenance of the tax base, adjustment to changing conditions, consistent with urban design plans, disruption of neighborhoods, overburden infrastructure.

The Board finds that the project is consistent with the urban design objectives of the city as set forth in the Growth Policy document. While the project at the ground floor is substantially dominated by parking facilities, significant changes and additions of landscaping have been proposed to mitigate the impact of those facilities on the public streets and abutting residential uses. The brick screen, open space fencing and landscaping plan are reasonable methods for mitigating the impact of the ground level parking

(2) Policy 27: Affordable housing and neighborhood character.

Affordable housing may be secured on land along Harvard Street contributed for that use to the community by the owners of the property for which this application is made.

(3) Policy 39: minimize impacts on abutting neighborhoods.

The building is being developed to a lower density than allowed as of right. The three-story portion of the building abutting residential uses on Moore Street has been designed to reflect and be sympathetic to the lower scale of development in that residential neighborhood.

(4) Policy 66: Open space facilities

The site was a vacant lot used for parking. The proposed building and its attendant parking will cover most of the site; however, an area of land along Harvard Street with the potential for both open space and low density residential uses has been conveyed to the community for those purposes.

2. Conformance to the general criteria for the issuance of special permits contained in Section 10.40 of the Zoning Ordinance

A special permit will normally be granted where specific provisions of this Ordinance are met, except where the particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting such permit to be to the detriment of the public interest because of the following.

a. The requirements of the Ordinance cannot be met.

With the issuance of this special permit the requirements of the Ordinance are met.

b. Traffic generated or patterns of access and egress will cause congestion, hazard, or substantial change in established neighborhood character.

Section 11.500 of the Ordinance establishes a higher standard for traffic impact than is required by Section 10.40. As proposed, and with the mitigation measures set forth as conditions of this permit, no substantial impact on neighborhood character will result, nor will the project cause congestion or hazard.

c. The continued operation of or development of adjacent uses as permitted in the Zoning Ordinance will be adversely affected by the nature of the proposed use.

This development is similar to other existing and proposed developments in the vicinity while being lower in density than allowed as-of-right, thus lessening the impact of development on the site on the abutting neighborhood.

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.

e. For other reasons, the proposed use would impair the integrity of the district or the adjoining district, or otherwise derogate from the intent and purpose of this Ordinance.

There are a variety of zoning districts with a similar range of allowed uses and development density limitations abutting this project site. The proposed development is consistent with and does not impair the integrity of those districts. The project has been designed as a careful transition from the low density residential districts that abut the property on two sides; the integrity of those districts is therefore not impaired.

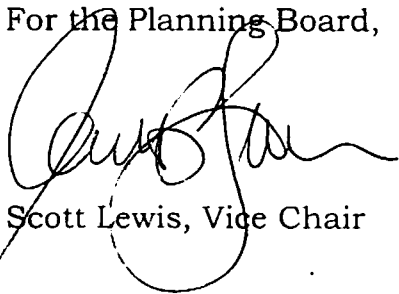
Decision

Based on a review of the application documents and comments made at the public hearing, and based on the above findings, the Planning Board **GRANTS** the requested special permit subject to the following conditions and limitations:

1. All use, 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 and dated July 1999, revised January 18, 2000. Appendix I summarizes the dimensional features of the project as approved.
2. The project shall continue to undergo design review with the staff of the Community Development Department. The CDD shall certify to the Inspectional Services Department that all conditions of this permit have been met before issuance of the first building permit for this development.
3. Conformance with all requirements of the Parking and Traffic Demand Management Final Decision, dated March 29, 1999 shall be a condition of this permit.

Voting in the affirmative to **GRANT** the Special Permit were K. Benjamin, associate member appointed by the Chair to act in the place of an absent member, T. Anninger, H. Russell, L. Brown and B. Shaw, constituting more than the two thirds of the members of the Board necessary to grant a special permit. W. Tibbs voted to deny the special permit.

For the Planning Board,

A handwritten signature in black ink, appearing to read "Scott Lewis", written over the typed name below.

Scott Lewis, Vice Chair

A copy of this decision #156 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 March 1, 2000, 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 the decision.
No appeal has been filed.

DATE:
City Clerk
City of Cambridge

PB#156 - 210 Broadway

	Allowed/Required	Existing	Proposed	Inclusionary	Granted
FAR	4.0	1.34	1.95		1.53 (1.95 *)
Floor Area	185,588 S.F.	48,962 S.F.	19,998 S.F.	0	68,960 S.F.
Max Height	70 feet	60'4"	60' 4"		60' 4"
Max Angle above cornice line	N/A	N/A			N/A
Min Lot Size	5,000 S.F.	36,647 S.F.	36,647 S.F.		36,647 S.F.*
Min Lot area/du	N/A	N/A			
Max # du	N/A	N/A			
Min Lot Width	50 feet	151.8 feet			
Min Yard Setbacks					
Front	0	Broadway - 0 Moore St - 4'	Broadway - 0 Moore St. - 4'		Moore St. - 4'
Side Left	0	≥35' along Garment Building	≥35' along Garment Building		≥35' along Garment Building
Side Right	0	≥10' along Harvard St. Side*	≥10' along Harvard St. Side*		≥10' along Harvard St. Side*
Rear	N/A		No rear yard		No rear yard
Ratio Usuable O.S.	None	N/A			
Off Street Parking					
Min #	70	70	70		70
Max #	105				
Handicapped	3	3			
Bicycle spaces	8	8 employ/4 visit.	12		12
Loading Bays	1				

* reflects conveyance of 10,000 SF parcel to the community