

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

Case No: PB#158

Address: 10-40 Vassar Street

Zoning: Industry B District

Owners/Applicants: Massachusetts Institute of Technology, 77
Massachusetts Avenue, Cambridge, Mass. 02139

Application Date: September 15, 1999

Public Hearing: December 7, 1999

Planning Board Decision: December 7, 1999

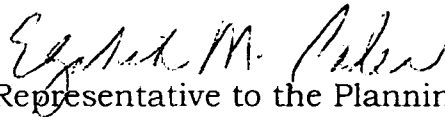
Date of Filing Decision: January 27, 2000

Application: Planning Overlay Special Permit (Section 11.500) for
446,510 square feet of institutional office, laboratory and classroom
space.

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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Documents Submitted

1. Special Permit Application certified complete and submitted to the City Clerk's Office, on September 15, 1999 containing the project description, supporting statement, dimensional form, supporting statements for the IPOP special permit, certification of traffic study by S. Clippinger dated 9/14/99.
2. Plans entitled "The Ray and Maria Stata Center, Massachusetts Institute of Technology, Planning Overlay Special Permit Application", Frank O. Gehry and Associates, Architects, various scales, dated August 9, 1999, twenty-five sheets showing plans, elevations, model photographs
3. "Stata Research Center, Transportation Impact Study, Cambridge Massachusetts", submitted by the Massachusetts Institute of Technology, prepared by Rizzo Associates, Inc., dated August 30, 1999, certified complete S. Clippinger on September 14, 1999.

Other Documents Submitted

1. Revised Plans dated November 23, 1999, entitled "The Ray and Maria Stata Center, Massachusetts Institute of Technology, Planning

Overlay Special Permit Application”, Frank O. Gehry and Associates, Architects, Sheets A2-1.1, 1.P1, 1.P2, and A3-2.2.

2. Planning Overlay Special Permit Presentation, dated December, 7, 1999.
3. Revised Traffic report dated November 2, 1999 and certified complete and reliable by S. Clippinger on November 29, 1999.
4. Letter to the Planning Board from Michael K. Owu, dated 11/2/99, requesting the public hearing be held on December 7th, instead of November 9th.
5. Letter to the Planning Board from Cheryl Litster, dated 11/29/99, objecting to the design.
6. Letter to the Planning Board from Susan E. Clippinger, Director of Traffic, Parking and Transportation, dated 11/29/99 re: the traffic impacts.
7. Letter to the Planning Board from Michael K. Owu, dated 11/23/99, with the requested changes to the project.
8. Letter to the Planning Board from Michael K. Owu, dated 11/23/99, with the plans showing the requested changes to the project.
9. Traffic Safety Evaluation, by Stephen H. Kaiser, dated December 1999.
10. Transcript of the Public Hearing of December 7, 1999.

Findings

After review of the application documents and other documents submitted to the Board, testimony taken at the public hearing, and 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.

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.

With respect to criteria (1) through (4), which are indicators of potentiality adverse impacts related directly to the project, the project falls below the established thresholds as established by the Board.

With respect to criterion (5), which is an indicator of existing conditions unrelated to the project, several locations have been identified as having unfavorable accident histories. With the implementation of improvements along Massachusetts Avenue as planned by the city and with the improvements to the Galileo Way/Main Street/Vassar Street intersection with the demolition of the existing parking garage to make way for this development, the identified failures will be satisfactorily addressed.

The Board concludes that the project will have no substantial adverse impact on city traffic with the implementation of mitigation measures imposed by the Board as conditions of this Decision and with the redevelopment of the project site as indicated on the approved plans.

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 and other objectives of the city as set forth in ***Towards a Sustainable Future: Cambridge Growth Policy Document***. The Stata Center is being developed on existing academic land in Cambridge and will not result in properties being removed from the tax rolls. The expansion of academic development in existing high density districts, the creation of an 18 foot wide sidewalk on Vassar Street, and the addition of publicly accessible open space, are consistent with the City's urban design and Town-Gown agreements. To ensure that the project will not increase the burden on the City's water and sewer infrastructure, the Institute is exploring ways to integrate on-site stormwater management systems.

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

Residential uses are not allowed in the Industry B district. There is no housing being constructed at this location and the residential neighborhood begins some two blocks away. The Institute is addressing its student and faculty housing needs at another location on the campus.

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

The site is almost 1,000 feet away from the nearest low-density residential neighborhood. The Stata Center will not have a negative impact on abutting residential neighborhoods. With the incorporation of all existing garage parking on the site within the new building, traffic to the relocated parking facilities will continue to travel on commercial streets, rather than shifting to nearby roadways that would encourage greater traffic in near-by and more distant residential neighborhoods.

(4) Policy 66: Open space facilities

The open space around Building 20, the structure formerly on the site, consisted of narrow courtyards with limited landscaping and accommodating parking and service areas.

The proposed landscaping plan incorporates a series of landscaped open spaces of various sizes and configurations on all sides of the building, including the Main Street and Vassar Street frontages. The spaces are designed to accommodate a variety of activities, from quiet areas to large areas for group events and passive recreational activities. The plan includes a large amphitheater adjacent to Alumni Pool to be used informally as an outdoor seating area and for organized public events. The general public will be able to experience these amenities as they are similar to amenities elsewhere on the campus.

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. The building is designed to meet all of the use regulations, development standards, off street parking and loading requirements, and sign and illumination requirements of the Zoning Ordinance.

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

The faculty and staff who will be working in this building are already located on campus and in Technology Square, and therefore already commute to this sector of the city. This project will not result in any increase in the number of students, faculty or staff coming to the MIT campus.

The loading and service facility below the Stata Center replaces the facility in Building 20, also accessed from Vassar Street. The relocation of the service entrance away from the intersection of Main Street will improve pedestrian and vehicular traffic operations at that unsatisfactory five-way intersection.

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 located within the MIT campus and is consistent with the adjacent educational uses. The institutional environment will be enhanced as will the public environment along city streets.

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.

The proposed educational development is consistent with the uses permitted in the Industry B district and the adjoining MXD District and the Residence C-3 district to the south.

Decision

Based on a review of the application documents, comments made at the public hearing and other comments received by the Board, and based on the above findings, the Planning Board **GRANTS** the requested Planning Overlay Special Permit subject to the following conditions and limitations:

1. All use, building construction, and site plan development shall be in general conformance with the plans and application documents submitted to the Planning Board as referenced above and dated August 9, 1999 and as revised November 23, 1999. Appendix I summarizes the dimensional features of the project as approved.

The additions in Bold at 16 pt are language suggested by MIT (with some editorializing on my part). Bold at 12 pt are my additions.

2. The project shall continue to undergo design review with the staff of the Community Development Department (CDD); the review is intended to ensure that final construction documents for the building are substantially the same as the design approved by the Planning Board

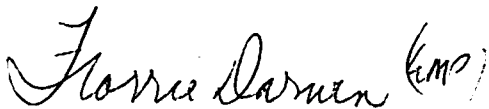
and that design development for landscaping and other site development features are similarly consistent with the intent expressed in the documents approved by the Planning Board. The CDD shall certify to the Inspectional Services Department that all conditions of this permit have been met before issuance of the first building permit for this development.

3. The permittee shall bear the full cost of the improvements at the Galileo Way/Main Street/Vassar Street intersection in order to improve pedestrian and vehicle safety. The final design of the intersection shall be approved by the Traffic, Parking and Transportation Department; the possible reconfiguration of the intersection is illustrated on Sheet A1-1.1: Northeast Sector Site Plan. The improvements shall be made by the permittee prior to issuance of a Certificate of Occupancy for the Stata building.

4. The permittee shall continue to implement the Parking and Transportation Demand Management Program elements outlined in Section 4.3 of the application.

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, W. Tibbs, F. Darwin, L. Brown and B. Shaw, constituting more than the two thirds of the members of the Board necessary to grant a special permit.

For the Planning Board,



Florrie Darwin, Chair

A copy of this decision #158 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 January 27, 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

APPENDIX - I Dimensional Form

PB#158 Stata Building

	Allowed/Required ⁽¹⁾	Existing	Proposed	Inclusionary	Granted
FAR	4.0	1.7	3.6		3.6
Floor Area	481,800	210,000	446,510		446,510
Max Height	120	32	120		120
Max Angle above cornice line	N/A	N/A	N/A		N/A
Min Lot Size	None	120,450	120,450		120,450
Min Lot area/du	N/A	N/A	N/A		N/A
Max # du	N/A	N/A	N/A		N/A
Min Lot Width					
Min Yard Setbacks	None	N/A	N/A		N/A
Front					
Side Left					
Side Right					
Rear					
Ratio Usable O.S.	N/A	N/A	N/A		N/A
Off Street Parking					
Min #	238	0	0		0
Max #	357	0	0		0
Handicapped	7-8	0	0		0
Bicycle spaces	36	0	~290		~290
Loading Bays	3	0	5		5