

CITY OF CAMBRIDGE, MASSACHUSETTS  
**PLANNING BOARD**

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

**NOTICE OF DECISION**

Case No: **PB#173, Major Amendment #1**

Address: 196-254 Massachusetts Avenue

Zoning: Special District 7

Owners/Applicants: Massachusetts Institute of Technology &  
Novartis Services Inc./Novartis Services,  
Inc., 250 Massachusetts Avenue,  
Cambridge, MA 02139

Application Date: September 28, 2001

Public Hearing: November 13, 2001

Planning Board Decision: December 18, 2001

Date of Filing Decision: February 8, 2002

**Date of Major Amendment  
Application:** May 10, 2005

**Date of Major Amendment  
Public Hearing:** June 7, 2005

**Date of Major Amendment  
Decision:** June 7, 2005

**Date of Major Amendment  
Filing:** August 26, 2005

2005 AUG 26 A 8:42  
OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

Application: Major Amendment to the Project Review Special Permit (Section 19.20) to build a 5 story, 65,319 SF expansion of technical office space to support the existing research facility with ground floor retail; Special Permit to waive the bulk control plane and allow a height greater than fifty-five feet (Section 20.304.2 (2) and (3) of the Central Square Overlay District).

Variations will be required from the Board of Zoning Appeal for a portion of the new building construction.

Decision: **GRANTED** with conditions

### **Documents Submitted**

1. Special Permit Major Amendment Application certified complete and filed with the City Clerk on May 12, 2005 containing the project description; supporting statement; dimensional form; narrative describing conformance to Section 19.30 - Urban Design Objectives; Section 10.43 - Special Permits and 20.300 - Central Square Overlay District; reduced plans, elevations, and cross sections of existing and proposed development; Certification of Receipt of Plans from the Cambridge Water Department, Department of Public Works, and the Traffic, Parking and Transportation Department.

### **Other Documents Submitted**

2. Copy of letter to Scott Thornton, Vanasse & Associates, Inc., from Jason A. Schrieber, Traffic, Parking and Transportation, dated 5/12/05.
3. Memo to the Planning Board from Susan Clippinger, Director of Traffic, Parking and Transportation, dated 6/7/05
4. Meeting notes from the Central Square Advisory Committee meeting on June 2, 2005.

### **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 Project Review Special Permit and the general special permit criteria, the Board makes the following findings, which summarized the findings, to which the Board concurs, contained in the application documents.

#### **1. Conformance with Traffic Impact Findings required in Section 19.25.1**

Based on the findings of the Traffic Study and the mitigation measures to be required as a condition of this Permit, the Planning Board finds that the additional structure will have no substantial adverse impact on city traffic within the study area.

**2. Conformance with Urban Design Findings required in Section 19.25.2 (reference to Section 19.30 – Citywide Urban Design Objectives)**

*a. Responsive to the existing or the anticipated pattern of development – Section 19.31*

The character of the additional development is compatible with the existing historic building, which has been substantially restored to reflect its original character. The new addition is designed to complete the Massachusetts Avenue street edge.

Multiple retail entries on Massachusetts Avenue will promote a lively pedestrian environment.

The height and massing of this project serve as a transition from the existing two story commercial building abutting the site at the corner of Albany Street and the existing, very large Novartis building.

*b. Pedestrian and bicycle friendly development – Section 19.32*

The improvements outlined above enhance the pedestrian and bicycle environment at the site and on the abutting public streets. Access will be maintained between Massachusetts Avenue and Cross Street through the site during normal business hours.

*c. Building and site design mitigate adverse environmental impacts of a development upon its neighbors – Section 19.33.*

The mechanical equipment will be located on the roof of the building, and will be screened or completely enclosed. The mechanical penthouse and screening will be designed to be compatible with the fenestration and massing of the building. The equipment specified will meet Cambridge's requirement to mitigate its acoustical impact.

Trash will be stored inside the buildings in designated areas.

*d. Impact on the City of Cambridge infrastructure, including neighborhood roads, city water supply system and sewer – Section 19.34.*

The Storm Water Management for the project will utilize retention systems on the site, meeting the City of Cambridge standards for reducing peak storm water flows into the public system. Construction on this site will reduce the rate of storm water run off. All storm water collected from roof drains and new surface control structures will be routed to a new detention tank with an outlet to the existing Novartis detention system.

The sanitary sewer system has sufficient capacity to handle the small increase anticipated from this site.

*e. New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically – Section 19.35.*

The addition of this building will make a significant contribution to the complex urban fabric of Cambridge and eliminate the current use on the site, which is a detriment to the urban character of Massachusetts Avenue and Central Square. The existing building on the site, used as a car rental agency office, is not well integrated into the streetwall character of Massachusetts Avenue or to urban character of the Special District 7 zone itself. The existing building is set back from the street, poorly maintained, and as an automobile rental location, the site is dominated by the surface storage of vehicles, which is generally unsightly and unfriendly to those passing by the site on foot.

*f. Expansion of housing inventory – Section 19.36.*

Housing is not a proposed element of the new building.

*g. Open space enhancement and expansion – Section 19.37.*

Numerous improvements on site and off site will provide new open space and enhanced public sidewalk spaces that will significantly improve the visual environment of the building complex and provide open space benefits both to employees in the building and the general public. The project will promote public access along Massachusetts Avenue by closing off the existing curb cut that runs the width of the car rental lot, as well as by maintaining pedestrian public access through the site to Cross Street during normal business hours. The

streetscape will be further enhanced with the installation of trees along the Massachusetts Avenue frontage.

**3. 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.*

Aspects of the project will require the issuance of variance relief from the Board of Zoning Appeal. The Planning Board, in granting this special permit, supports the granting of such relief. In approving the original reuse of the NECCO building, the Board fully anticipated and encouraged the integration of this car rental site into the larger redevelopment of the entire city block. The additional GFA that would be provided by the variance is very modest within the context of the whole Novartis campus development but would permit the construction of an appropriately scaled building at a very important visual and urban design location along Massachusetts Avenue.

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

With the implementation of mitigation measures required by the Planning Board for the original project, this new building will not cause congestion or hazard. No new vehicular infrastructure will be added with this new building, including no additional parking on the site. The research office and lab space is expected to be occupied by current Novartis employees who will be relocated from the Technology Square location. The ground floor retail is expected to draw from existing pedestrian activity already in the area.

The redevelopment of the site will eliminate the extensive and poorly regulated movement of vehicles on the site currently, which can certainly be an inconvenience, if not a danger, to pedestrians on the public sidewalk.

*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.*

The adjacent uses will not be negatively impacted. In fact, a new building on this site will have a positive impact on the quality of the environment along Massachusetts Avenue in this entire city block. The pedestrian improvements will be of benefit to all adjacent uses.

*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.*

The proposed addition will be designed in conformance with the latest edition of the state building code and operated in compliance with all health and safety regulations. The building will enhance the public realm through the construction of a quality building fronting on one of the more important streets in the city at a prominent gateway location as visitors enter Central Square.

*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 project is compatible with the intent and purpose of the Ordinance in general and the Special District 7 within which it is located and the districts within which adjacent uses are located, including the Central Square Overlay District. The integrity of all these districts is maintained.

#### **4. Conformance with Standards for Issuance of a Special Permit in the Central Square Overlay District – Section 20.305**

The provisions of Special District 7 incorporate the requirements of the Central Square Overlay District. In issuing a special permit in the Central Square Overlay District the Planning Board is directed to make the following findings.

*a.. The project is consistent with the goals and objectives of the Central Square Action Plan:*

- i. The project encourages responsible and orderly development by eliminating a very intrusive, car dominated,

low-density suburban activity on the lot and substituting an urban building that extends and reinforces the urban character that is the essence of the visual environment of Central Square.

ii. The retail base of the area is reinforced by creating a series of storefronts along the sidewalk edge of the lot in the manner typical of Central Square and all other retail districts in the city.

iii. The Square's cultural diversity is not directly enhanced by this project (nor specifically diminished) but by reinforcing the positive aspects of Central Square, the vitality of the whole district is enhanced.

iv. A car-dominated site is eliminated and a people-oriented retail frontage is established.

v. The physical and visual environment is markedly improved with the addition of this new building.

vi. New retail spaces will be created that offer the opportunity for expanding the choices of retail services available to visitors to the district.

vii. Housing is not an element of the development nor is this location particularly well suited to housing development.

viii. New opportunities for retail development are introduced with this project. The site is relatively remote, however, from neighborhood streets. However, as more residents occupy buildings in the adjacent University Park, added retail activity at this site offers the potential of providing useful retail services to them.

*b. Consistency with the Urban Design Plan for Central Square.*

This site was not included within the area studied during the development of the several Central Square Overlay District Planning documents. Nevertheless this project is fully consistent with the objectives and guidelines of those documents, which encourage the creation of a lively retail street environment, preservation of historic structures, improvements to the physical

and visual environment of the Square, respect for the historic context within which new development occurs, etc.

*c. Parking should be screened and the new constrictions should be sensitive to important historic buildings in the vicinity.*

An unsightly, car dominated site will be redeveloped into a fully contributing element of a diverse and attractive Central Square urban environment. No vehicle related uses will occur on the site after redevelopment. The contributing historic structures to either side of the site will be enhanced and fully integrated into a coherent urban whole with the addition to this new building.

*d. No National Register or contributing building will be demolished or altered.*

There is no national register building on the site now or nor has there been one within the recent past.

### **Decision**

Based on a review of the application documents, comments made at the public hearing, and based on the above findings, the Planning Board **GRANTS** the requested Special Permit relief 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 May 10, 2005. Appendix I summarizes the revised dimensional features of this building as well as the existing Project as approved (and subject to further approvals from the Board of Zoning Appeal).
2. The project shall be subject to continuing design review by the Community Development Department (CDD). Before issuance of the first 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 Decision.
3. Uses permitted shall be the following: General office, Section 4.34 (d) Technical office for research and development, laboratory and research facility, Section 4.34 (f); and any Retail Business and Consumer Service Establishment, Section 4.35, permitted in the Special District 7. Other



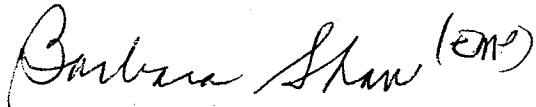
uses permitted in Special District 7 may be permitted by the Planning Board subject to the change of use provision of Section 19.20. Any use other than retail proposed to occupy the retail spaces indicated on the approved plans shall require approval from the Planning Board as a Minor Amendment to this permit.

4. The conditions and requirements of the Parking and Transportation Demand Management Final Decision (PTDM Project Number F-21) shall continue be requirements of this Permit amendment.

5. The Permittee shall pay for the cost of installation of countdown pedestrian signals at the intersection of Massachusetts Avenue and Albany and Landsdowne Streets as indicated in the Memo to the Planning Board from Susan Clippinger dated June 7, 2005

Voting in the affirmative to GRANT the Special Permit were L. Brown, P. Winters, T. Anninger, W. Tibbs, H. Russell, F. Darwin and B. Shaw, constituting at least the two thirds of the members of the Board necessary to grant a special permit.

For the Planning Board,



Barbara Shaw, Chair

A copy of this decision #173 Major Amendment #1 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 August 08/26, 2005, by Elizabeth M. Paden, 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, City of Cambridge

## Appendix I

**Special Permit # 173**

**Address: 196-254 Massachusetts Avenue**

	<b>Allowed/Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Granted</b>
<b>FAR</b>	2.0	3.30	3.54	3.54
<b>Floor Area</b>	287,044 SF	474,072 SF	539,391 SF	539,391 SF
<b>Max. Height</b>	120 feet	110.98	71.33 new building	71.33 new building
<b>Max. Angle above cornice line</b>	N/A	N/A	N/A	N/A
<b>Min. Lot Size</b>	None	None	N/A	N/A
<b>Min. Lot area/du</b>	N/A	N/A	N/A	N/A
<b>Max. # du</b>	N/A	N/A	N/A	N/A
<b>Min. Lot Width</b>	None	None	None	None
<b>Min. Yard Setbacks</b>				
<b>Front</b>	None	None	None	No change
<b>Side, Left</b>	None	None	None	No change
<b>Side, Right</b>	None	None	None	No change
<b>Rear</b>	None	None	None	No change
<b>Ratio Useable O.S.</b>	15%	15.3%	16.1%	16.1%
<b>Off Street Parking</b>	--	411		No change
<b>Min #</b>	242			
<b>Max #</b>	484			
<b>Handicapped</b>	9	9	No change	No change
<b>Bicycle Spaces</b>	1/10 auto spaces	45	No change	No change
<b>Loading Bays</b>	4	4	5	5