

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139
NOTICE OF DECISION

Case No: PB #188
Address: 90 Mount Auburn Street
Zoning: Business B and Residence C-1/Harvard Square Overlay District
Owner: President and Fellows of Harvard College, c/o Priscilla Noetzel-Wilson, Harvard Real Estate Services, 1350 Massachusetts Avenue, Cambridge, Mass. 01238
Applicant: As owner above
Application Date: April 22, 2003
Public Hearing: May 13, 2003
Planning Board Decision: May 13, 2003
Date of Filing Decision: July 17, 2003

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OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Application: Harvard Square Overlay District Special Permit to waive the Parking and Loading Requirements for construction of an office building with retail use on a portion of the ground floor, Section 20.54.4 (2).

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 Date

7/17/03

For further information concerning this decision, please call Liza Paden at 617-349-4647, TTY: 617-349-4621, email: lpaden@ci.cambridge.ma.us.

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Application Documents

1. The application was submitted and certified complete on April 22, 2003 containing a narrative description of the proposal, Dimensional Form, photographs of the current conditions, and Ownership Certificate.
2. Plans and elevations entitled "90 Mount Auburn St. Redevelopment, Shell /Core Package, Harvard Planning and Real Estate;" by Leers Weinzapfel Associates, Architects; dated April 17, 2003; scale 1"=10' and 1/8'=1'.
3. Plans and elevations entitled "90 Mount Auburn St. Redevelopment, Shell /Core Package, Harvard Planning and Real Estate;" Zoning Package; by Leers Weinzapfel Associates, Architects; dated April 24, 2003; scale 1"=10' and 1/8'=1'.
4. Topographic Plan entitled "90-96 Mount Auburn Street, Topographic Plan of Land in Cambridge, Massachusetts, Middlesex County;" by Peter Greulich, P.L.S.; dated December 1, 1999 2003; scale 1"=10'.
5. Application fee of \$150.00.

Other Application Documents

6. Harvard Square Advisory Committee meeting notes of September 26, 2002 at which the project was reviewed. (Notes were not distributed to the Planning Board prior to its decision)

7. Transmittal to the Planning Board from Marilee Meyer, with illustrations, dated January 7, 2003 commenting on the project.

8. Letter to Mary Power from Marilee Meyer dated February 19, 2003 commenting on the project.

9. Letter to Thomas Anninger from Charles Sullivan, Cambridge Historical Commission, supporting the project.

Findings

After review of the application documents and testimony at the public hearing the Planning Board makes the following findings:

1. General Finding

The Planning Board finds that the waiver of the parking and loading requirements as requested in the application is consistent with the intent of the Zoning Ordinance generally, the objectives of the Harvard Square Overlay District, and the requirements of Sections 10.43 and 20.54.4 of the Ordinance, as set forth below.

2. The proposal is in compliance with the general purposes of the Harvard Square Overlay District (Section 20.52):

- a. Preservation and enhancement of the District's unique functional environment and visual character.*

Special efforts are being made to keep the scale of the new building in keeping with the modest scale of the surrounding buildings in the Gold Coast Subdistrict: two floors are to be located below grade and geothermal systems will be used to reduce the need for HVAC equipment serving the building. The mechanical equipment that will be needed will be located, for the most part in the basement or subbasement of the building rather than on the roof, thus eliminating potential visual clutter on the building and enhancing the visual character of the district.

Where the building abuts the commercial south edge of Mt. Auburn Street, it is designed to have an engaging urban edge with the potential for retail or other active uses at the ground floor facing

the street.

b. Mitigation of the functional impacts on residential neighborhoods.

The site is well removed from any residential neighborhood. While there are residential uses in the neighborhood, they consist principally of high-density institutional residences in the form of dormitories.

c. Maintenance of a diversity of development, open space patterns, and building scale.

Two undistinguished buildings and an eleven-space parking lot, none of which contribute in a positive way to the urban character of the area, will be replaced by a building that will be sympathetic to its neighbors, designed to respect their size and scale, and providing pedestrian amenities in the form of small but well landscaped yards and a pedestrian throughway from Mt. Auburn Street to Winthrop Street.

3. The proposal is in compliance with the general development guidelines outlined in *Harvard Square Development Guidelines*

a. Retention and upgrading of the existing inventory of old buildings.

One building of historical note, a triple-decker of a kind not widely represented in Harvard Square, would be demolished. Finding the merit of the new building to outweigh the value of that old building, the Cambridge Historical Commission, acting as the Harvard Square Conservation District Commission, did not declare the old building a Preferably Preserved Significant Building, permitted its demolition and approved the design of the new structure.

The other, existing cinder block building on the site has no historical, architectural or urban design merit

b. Respect for the diversity of building form and scale.

The project will introduce a distinctly contemporary design into an urban context of considerable and definable historical and architectural character. The new building has, however, been crafted to be a sympathetic and complementary neighbor to the older buildings that surround it.

c. Expansion of a high quality public environment.

Abutting public sidewalks will be upgraded. The Mt. Auburn Street

frontage of the lot will be significantly improved to the benefit of all passers-by. The ground floor retail space will enliven the abutting public sidewalk.

d. Expansion of the network of pedestrian walkways.

A pedestrian link will be created through the property from Mt. Auburn Street to Winthrop Street.

e. Expansion of residential living within the Square.

No housing is proposed.

f. Creative solutions to the Square's parking problems.

The existing parking spaces on the site will be relocated into the new Oxford Street garage now under construction on the North Campus. The required parking for the library use will be allocated from the surplus spaces available in the Harvard parking inventory. Employees at the site will have access to parking as allowed in the University-wide system of parking assignment applicable to all Harvard employees. The site is within the heart of Harvard Square and easily accessible to all of the public transportation services available at that location.

4. The proposal complies with the specific guidelines for the Gold Coast Subdistrict.

Preservation and enhancement of the historic features present in this Subdistrict is the principal objective of city policy here: masonry club buildings, mid-nineteenth century wood-framed structures, green or potentially green interior courtyards, street tree and other enhancements of the public sidewalks and de facto squares are the principal urban amenities of the Gold Coast.

While one older building of some merit will be demolished, the proposal generally enhances the objectives of the district by providing a much improved development on this site as a complement to the historic structures that surround it.

5. The proposal complies with criteria for the granting of a Special Permit to waive parking and loading requirements - Section 20.54.4 (2).

a. The project is 80% or less of the total FAR permitted on the site, or a payment is made to the Harvard Square Improvement Fund.

With the project at eighty-one percent of the total permitted density on

the site, a payment to the Harvard Square Improvement Fund will be required for the waiver of a single parking space.

- b. The lot is sufficiently small in size as to contribute to a development pattern of diverse, small scale, new structures and the retention of existing structures.*

The total size of the zoning lot is little more than 10,000 square feet. The area of that lot that is to be redeveloped is little more than 5,000 square feet in area. While developed more densely than abutting lots (although well below the maximum permitted), the lot area is in the mid-range in size of the lots that surrounds it; the development will continue the pattern of freestanding, discrete buildings sitting on their own lots that characterizes the neighborhood.

- c. The reduction in required parking will result in a more appropriate design for its location and the neighborhood.*

Only one of the fourteen parking spaces required for the development will not be provided; however, none of them will be accommodated on site. Provision of any parking or regulation loading facilities on the site would result in a significant reduction in the quality of the urban environment created by the new development: the building would likely become much larger, most of the ground floor of the building would have to be devoted to the ramps and circulation necessary to service parking and accommodate a loading dock, and most of the at-grade pedestrian and landscape improvements would be sacrificed.

- d. No National Register or contributing building is demolished, or had been demolished in the preceding five (5) years.*

The two buildings to be demolished are not contributing buildings within the Harvard Square National Register District. The Cambridge Historical Commission, acting as the Harvard Square Conservation District Commission, issued a Certificate of Appropriateness for the proposed new building and has allowed the demolitions to proceed. The Commission was not technically acting under the provisions of the City's Demolition Ordinance so did not make a finding as to the status of the buildings on the site under that Ordinance.

6. The general criteria for issuance of a Special Permit are met.

- a. The requirements of the Ordinance can be met.*

The proposed building will comply with all applicable requirements of the Business B Zoning District with the issuance of this special permit and the issuance of various setback variances for which the applicant

has applied to the Board of Zoning Appeal.

- b. *Traffic patterns will not cause congestion, hazard, or substantial change in the established neighborhood character.*

The site now accommodates eleven parking spaces with a single exit onto busy Mount Auburn Street. All those traffic movements will be eliminated with the construction of the new building. Only infrequent van deliveries off of Winthrop Street will be occurring.

- c. *Continued operation or development of adjacent uses will not be adversely affected.*

Significant improvement to the urban design quality of the site will be made with the removal of the surface parking, introduction of new pedestrian pathways, and redevelopment of two background buildings with the construction of a distinctive new contemporary building.

- d. *No nuisance or hazard will be created to the detriment of the health, safety, and welfare of the occupants or the citizens of the City.*

Operations of HVAC equipment, which is frequently a troublesome aspect of new development, will be kept to a minimum on this site with the use of geothermal methods to heat and cool the building.

- e. *The use will not impair the integrity of the district or adjoining districts or derogate from the intent or purpose of the Ordinance.*

Development proposed is actually less than is permitted on the site. The variances requested, related to the yards to be provided adjacent to lots located within the Residence C-1 district, are reasonable and not inconsistent with either the intent of the Business B district, within which the building is located, and the Residence C-1 district, which was applied to this area of Harvard Square for its dimensional features that its use restrictions. While containing some residential activity, the Residence C-1 district is predominantly commercial or institutional in nature.

- f. *The new development is consistent with the Urban Design Objectives set forth in Section 19.30.*

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

While larger than buildings surrounding it, the new building has been treated as a freestanding structure with setbacks and yards and its overall height has been kept well below that permitted as or right in

the district in order to respect the prevailing pattern of heights in the area.

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

Improvement to the abutting public streets, installation of a through-block pedestrian pathway, and elimination of the auto/pedestrian conflict at the current Mt. Auburn Street entrance to the parking lot will ensure a much improved pedestrian and bicycle environment.

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

The building has been carefully designed to minimize any adverse impacts on its neighbors as described above.

19.34. The project should not overburden City infrastructure services, including neighborhood roads, city water supply system and the sewer system.

The project will not overburden city infrastructure.

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

The project has been designed to be consistent with the Harvard Square Design Guidelines and the Gold Coast Subdistrict within which it is located as has been described above.

19.36. Expansion of the inventory of housing in the City.

No housing is proposed.

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

No significant opens space will be created although the pedestrian pathway will serve add a link to the off street pedestrian pathways serving the Square.

Decision

After review of the application documents and discussion at the public hearing and discussion at a subsequent Planning Board meeting, and based on the above findings, the Planning Board **GRANTS** a Special Permit to waive the parking requirement (one space) for the retail space in the building

and all loading requirements on this site, as detailed in the above referenced application documents, 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.
 2. Before issuance of each 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. The Planning Board leaves to the Cambridge Historical Commission review of the final design details of the building as required under the provisions of the Harvard Square Conservation District.
 2. A Payment to the Harvard Square Improvement Fund shall be made prior to the issuance of any Certificate of Occupancy, in fulfillment of the requirements of Section 11.54.4 of the Zoning Ordinance. The project shall not be providing one of the required parking spaces. A payment to the Harvard Square Improvement Fund shall therefore be required in the amount of \$11,570 [\$23,140 (i.e. 400 square feet x \$57.85) X one (1) waived parking space X 50%*].
- *Per formula developed by the Planning Board in Case #96, Major Amendment #1, March 1992: the median cost of constructing a parking space in an underground parking facility, which cost is adjusted for the Boston Metropolitan Area, as determined by the most recently published edition of "Means Square Foot Costs: Residential, Commercial, Industrial, Institutional"; R. S. Means Company, Inc. A space is assumed to be 400 square feet in area. The Twenty-fourth Annual Edition sets the median cost per square foot at \$50.30 plus a Boston metropolitan area adjustment of 1.15 for a total of \$57.85 per square foot.
3. The Permittee shall repair or reconstruct sidewalks abutting the development lot on Mount Auburn and Winthrop Streets prior to the issuance of the first Occupancy Permit for the building.
 4. The ca. 1,000 square foot retail space for which a parking space has been waived may be used for any retail use permitted in the Business B district, subject to any other procedural requirements that may be necessary, a gallery, or other permitted use that routinely allows public access to the space and maintains an active interaction with the public on the abutting street.
 5. All authorized development shall conform to the requirements of the City of Cambridge Noise Control Ordinance, Chapter 8.16 of the City Municipal Code.

Voting to grant the special permit were T. Anninger, H. Russell, W. Tibbs, B. Shaw, P. Winters, F. Darwin, and K. Benjamin, associate member appointed by the chair to act on this case, constituting at least two thirds of the membership of the Board.

For the Planning Board,


Thomas Anninger, Chair

A copy of this decision #188 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 July 17, 2003, 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

Special Permit # 188 Address: 90 Mount Auburn Street

	Allowed/Required	Existing	Proposed	Granted
Total FAR	4.0	1.64	3.24	3.24
Residential	NA	None	None	None
Non-Residential	NA	1.64	3.2	3.2
Inclusionary Bonus	NA	NA	NA	NA
Total GFA in Sq. Ft.	26,455 SF	17,475 SF	24,018 SF	24,018 SF
Residential	NA	None	None	None
Non-Residential	26,455 SF	17,475 SF	34,015 SF	34,015 SF
Inclusionary Bonus	NA	NA	NA	NA
Max. Height	60 feet	NA	46' 8"	46' 8"
Range of heights	NA	NA	NA	NA
Lot Size	None	10,625 SF	10,625 SF	10,625 SF
Lot area/du	NA	NA	NA	NA
Total Dwelling Units	NA	None	None	None
Base units				
Inclusionary units				
Min. Lot Width	None	81 FT	81 FT	81 FT
Min. Yard Setbacks				
Front	0 HSOD/10' C-1	NA	6" to 3'	6" to 3'
Side, Left	None	NA	1'11" cornice	1'11" cornice
Side, Right	None		5'10" cornice	5'10" cornice
Between buildings	46+35/6		10'6"	10'6"
Total % Open Space	NA	NA	14.5%	14.5%
Usable	None	NA	NA	NA
Other	NA	None	1,540 SF	1,540 SF
Off Street Parking				
Min #	13/1	11 to be relocated	13 to be relocated	13 to be relocated
Max #	20/1	0	NA	NA
Handicapped	0	0	0	0
Bicycle Spaces	2	NA	6	6
Loading Bays	1	NA	0	0