

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD
CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION


Case No: #195
Address: 2472 – 2482 Massachusetts Avenue
Applicant: Brandon Woolkalis, 10 Chatham Street, Cambridge, MA 02139
Owner: Frank Mazzeo, 481 Fellsway West, Medford, MA 02155
Zoning District: Business A-2/Massachusetts Avenue Overlay District
Date of Application: June 15, 2004
Date of Public Hearing: July 20, 2004
Date of Planning Board Decision: July 20, 2004
Date of Filing the Planning Board Decision: August 5, 2004

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OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Application: Waiver of the Massachusetts Overlay District requirements for glass on the façade and landscaping, Sections 20.105 and 20.107.1.

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

For further information concerning this decision, please call Liza Paden at 617-349-4647, TTY: 617-349-4621, email: lpaden@cambridgema.gov.

Case No: 195

Address: 2472 - 2482 Massachusetts Avenue

Applicant: Brandon Woolkalis, 10 Chatham Street,
Cambridge, MA 02139

Owner: Frank Mazzeo, 481 Fellsway West, Medford, MA
02155

Zoning District: Business A-2/North Mass Avenue Overlay
District

Date of Application: June 15, 2004

Date of Public Hearing: July 20, 2004

Date of Planning Board Decision: July 20, 2004

Date of Filing the Planning Board Decision: August 5, 2004

Application: Waiver of the North Mass Overlay District requirements for
glass and landscaping, Sections 20.105 and 20.107.1.

Documents Submitted:

1. Special Permit Application, certified as complete, June 15, 2004, including certificate of ownership, summary of application, dimensional form, narrative and plan submittal, photos of the existing site, proposed site plan labeled L-1, dated 5/14/04, and exterior elevations labeled A-2 and A-3, dated 5/13/04.
2. Revised site plan entitled "2004-036, 2480 Massachusetts Avenue, Cambridge, Ma, Layout and Materials Plan"; Sheet C-1; Design Consultants, Inc., Consulting Engineers and Surveyors; scale 1" = 10'; dated July 19, 2004.
3. Revised front and right side elevations entitled "Dunkin Donuts, 2480 Massachusetts Avenue, Cambridge, Ma, Exterior Elevations"; Sheet A-2; M.J. Tavares, Architects; scale 1/4" = 1'; dated January 5, 2004.

Other Documents:

1. Email communication from Charles Teague to Liza Paden dated July 20, 2004.

2. Email communication from Michael Brandon to Liza Paden dated July 20, 2004.
3. Email communication from Craig Kelley to Liza Paden dated July 20, 2004.
4. Email communication from Monica Duff Toft to Liza Paden dated July 20, 2004.
5. Aerial photo showing new crosswalk, median break, and curb extension.

Findings

After review of the application documents and other documents submitted to the Board, comments made at the public hearing, and after review and consideration of the special permit criteria, the Board makes the following findings:

1. Conformance with criteria established in Section 20.108: Divergence from the standards specified in Section 20.105 – 20.107.

Section 20.108 directs the Board to find that the alternate plans proposed better serve the objectives of the Massachusetts Avenue Overlay District in light of the specific location and circumstances that prevail at the site. The *North Massachusetts Avenue Design Guidelines* suggest that in Area 5, north of Trolley Square, development will generally occur on small infill lots, and should result in an upgraded environment that provides a transition to the residential neighborhood character and scale that exists behind Massachusetts Avenue and near the Arlington town line.

The Planning Board finds that the special circumstances applicable to this lot justify the requested relief (reduction in required glass area and reduction in landscaping along Edmunds Street) without any diminishing of the quality of the urban design embodied in the site development and while still serving the objectives of the Overlay District.

The reduction (from the 50% required to 40%) in glass area along the Massachusetts Avenue frontage is reasonable: the reduction facilitates the introduction of a small landscaped strip along the sidewalk. But the reduction does not perceptively change the character of the storefront, which fulfills the intent of the regulations to create a visually permeable façade appealing to pedestrians.

The more significant reduction in the glass area along Edmunds Street is reasonable as well for a number of reasons: the façade will be enlivened by trellis structures supporting vines, an outdoor seating area will create the liveliness and animation that windows looking into shuttered office space and storage would not provide; and windowless walls along secondary side streets are a common pattern all along the Avenue where earlier commercial structures have been constructed.

Because the new building is set back from Edmunds Street ten feet rather than the five foot minimum required in the Business A-2 District, the portion of the lot to the rear, beyond the drive is required to be landscaped for a depth of ten feet as well. The proposal is to landscape to the required minimum five-foot setback. This provision is designed to encourage street wall buildings and landscaping sufficient to screen at grade parking. Because of the bend in the Edmunds Street path, the parking to the rear of the lot will be naturally screened by the building itself; the minimum five foot landscaped strip to be provided will be sufficient to serve the objective of the Overlay District that the surface parking lot be adequately screened.

2. Conformance with General Special Permit Criteria in Section 10.43:

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

(a) The requirements of the Ordinance will be met.

With the issuance of this special permit the requirements of the Ordinance will be met. The building is sited on the lot in order to meet both the requirements and objectives of the Overlay District. The principal Massachusetts Avenue façade will be open and inviting. The entire ground floor will be devoted to a retail use (already permitted by the issuance of a variance from the Board of Zoning Appeal). Parking will be to the rear and screened either by the building or by landscaping.

(b) The traffic generated or patterns of egress will not cause congestion, hazard or substantial change in established neighborhood character.

The waivers sought in this application, for landscaping and glass area, will have no impact on the traffic generated by the use, which has already been approved by the Board of Zoning Appeal (BZA). Should the

waivers requested in this special permit application not be granted, the site development can continue but in a conforming manner.

In granting its variance, the Board of Zoning Appeal received recommendations from the Department of Traffic, Parking and Transportation for modifications to the site plan, but had no objection the use. Several improvements will be made to facilitate pedestrian circulation and vehicular movements in and around the site, including a dramatic reduction in the length of curb cut presently on the lot.

(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 uses.

The site has been operating as a gas station for decades; the existing site development is contrary to every objective of the Overlay District. The proposal, however, in its site development details will be consistent with the objectives of the Overlay District, will substantially improve the visual quality of the site, will provide the opportunity to remediate any environmental problems on the site, and will introduce a building that will finally establish a more urban, if still low density, presence at the site.

(d) No Nuisance or hazard will be created to the detriment of the health, safety and/or welfare of the occupants of the proposed use or the citizens of the City.

The traffic generated by the use will be accommodated safely by a pattern of exits and entries that have been reviewed and recommended by the Traffic, Parking and Transportation Department, and reviewed by the BZA. The waiver requested here will have no detrimental effect on occupants of the building, abutting neighbors or residents of the city generally.

(e) For other reasons, the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance:

The glass and landscaping waivers requested will not impair the integrity of the Massachusetts Avenue Overlay District or any adjoining district.

(f) Conformance with the Urban Design objectives set forth in Section 19.30.

i. Responsive to the existing or the anticipated pattern of development.

Over time the Overlay District is designed to encourage streetwall retail development along Massachusetts Avenue, replacing car oriented uses like gas stations. The proposal will create an urban, pedestrian oriented building on the site. While the use is at a low density and is dependent on customers coming by car, the accessory parking is made visually secondary by its placement on the lot and through landscaping. The waivers granted here do not detract from those features.

ii. Pedestrian and bicycle friendly development.

The orientation of the new building on the site and its specific design details make it pedestrian friendly.

iii. Building and site design mitigate adverse environmental impacts of a development upon its neighbors.

Replacement of the old gas station and the conversion of the site to a more urban and user-friendly development pattern is the substance of the mitigation on this site. The proposed landscaping and window treatment ensures that the development will dramatically improve the quality of development of the site to the benefit of all neighbors.

iv. Impact on the City of Cambridge infrastructure, including neighborhood roads, city water supply system and sewer

There will be no impact on city infrastructure from the granting of the waivers required here or from the development as a whole.

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

The development will advance the slow but steady conversion of this portion of Massachusetts Avenue from a suburban oriented, car-dependent retail corridor to one more fully integrated into the city's more typical pattern of pedestrian oriented neighborhood retail districts.

vi. Expansion of housing inventory.

No housing will be created.

vii. Open space enhancement and expansion.

No new open space facilities will be created but the site will receive significant landscaping enhancement.

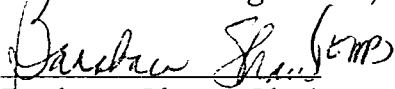
Decision

After review of the application documents and discussion at the public hearing and subsequent Planning Board meetings, and based on the above findings, the Planning Board GRANTS the requested Special Permit relief for reduction in glass area on the front and right side facades and reduction in the required front setback from 10 feet to 5 feet to the rear of the site along Edmunds Street beyond the entry drive subject to the following conditions:

1. The final Building Permit set of building construction and site development plans shall be in substantial conformance with the plans and application documents submitted to the Planning Board as referenced above.
2. The communications from the Traffic, Parking and Transportation Department to the Board of Zoning Appeal is attached to this Decision.

Voting to GRANT the special permit were T. Anninger, H. Russell, B. Shaw, T. Carpenter, and J. Hrabchak, associate member appointed by the chair to act on this case, constituting at least two thirds of the membership of the Board. L. Brown and P. Winters abstained from voting.

For the Planning Board,


Barbara Shaw, Chair

A copy of this decision #195 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 5, 2004, 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

