

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

**NOTICE OF DECISION**

Permit No: #201  
 Address: 113 Richdale Avenue  
 Applicant/Owner: Oaktree Development, 129 Mt. Auburn Street,  
 Cambridge, Mass. 02138  
 Zoning District: Residence C-1A  
 Application Date: October 20, 2004  
 Public Hearing: November 23, 2004  
 Planning Board Decision: December 21, 2004  
 Date of Filing Decision: February 18, 2005

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Application: Special Permit to construct 12 or more multifamily dwellings. Section 4.26; Special Permit to reduce yard requirements in a Residence C-1A District. Footnote 1. Table 5-1; waiver to permit balconies to extend 3.5 feet into yards on a building taller than 35 feet.

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 with the City Clerk and the Community Development Department, 344 Broadway, Cambridge, MA 02139

Authorized Representative to the Planning Board

For more information regarding this special permit, please contact Liza Paden at the Community Development Department, 344 Broadway, Cambridge, 617 349 4647, TTY 617 349 4621, or lpaden@cambridgema.gov.

### Application Documents

1. Special Permit application certified complete on October 20, 2004 containing: (a) a narrative description, filing fee, dimensional form, photographs, ownership certificate; (b) Plans dated October 13, 2004, entitled "Richdale Place" for Oaktree Development by TKG Khalsa Design Inc., Architects, including drawings T-1, C-1 and 2, L-1, and A-0 through A-10 showing existing conditions, site plan, construction details, landscape plan, zoning plan, floor plans, elevations, sections, shadow study, perspectives.
2. Memorandum to the Planning Board from William Carlson re: traffic impact of the proposed project.

### Other Documents Submitted

1. Maps C-1 – Site Plan, entitled "Richdale Place, Cambridge Ma 02140 Middlesex County", dated November 8, 2004, scale 1" = 10', with patios highlighted; and Map C-2 – Construction Details, no scale (full sized and reduced).
2. "Drainage Report for 113 Richdale Avenue, Cambridge, Ma", prepared by design Consultants, Inc. for Oaktree Green, LLC, dated November 10, 2004.
3. Memo to the Planning Board from Oaktree dated 12/17 04 re: revised perspectives, site plan and elevations.
4. Letters to the Planning Board from Robert L. Theriault, Guilford Transportation Industries, dated November 11 and December 20, 2004 re: notices to the company.
5. Perspectives, elevations, cross sections and site plans entitled "Richdale Place Condominiums, 113 Richdale Avenue, Cambridge Ma. Special Permit Application Presentation" dated December 21, 2004 by Oaktree Development.

### Findings

#### 1. Conformance to the Criteria for Approval of a Special Permit for Townhouses and Multifamily Dwellings – Section 10.47.4

- a. Preserve key features of the landscape with minimum removal of existing trees, to the extent possible.

The site is dominated by an industrial building and its attendant loading docks that cover almost the entire site. A survey of the site with the City Arborist indicates that the existing trees along the railroad right of way are mostly weed species that need not be retained if alternate landscaping is to be provided.

- b. New buildings should be sensitively related to the existing built environment; new development should not overwhelm existing buildings; visual and functional disruptions should be avoided.

While larger in mass and scale than immediately abutting one, two and three family houses, the proposed development is appropriately scaled for a zoning district that is intended to encourage construction of housing as a replacement for nonconforming industrial buildings. It is similar in massing and scale to residential development further along Richdale Avenue that has been built under the provisions of the same zoning district.

**c. The landscaping on the site should provide some visual benefits to abutters and passersby as well as benefits to the future occupants of the development.**

As revised the project will provide significant visual benefits to abutters and passersby and give significant functional benefits to the future inhabitants. Significant landscaping will be planted at the periphery of the site, including landscaped front yards where the current industrial building is built right on the sidewalk edge. Fences to be constructed for privacy at small patios and yards attached to ground floor units will be modest, and scaled and located so as not to overwhelm pedestrians passing by on the public sidewalks.

**d. Parking areas and points of access and egress should be safe and convenient.**

Access to an underground parking facility will be provided through an existing curb cut where parking and loading are currently provided to the industrial building. The site plan has been reviewed and approved by the Traffic, Parking and Transportation Department staff. Access and egress will be safe and convenient.

**e. Parking area landscaping should minimize its negative impacts on neighboring properties and on the development itself.**

All parking will be contained in an underground garage. Only a 19.5-foot wide driveway leading to the garage will be visible at grade: it will be landscaped on all sides.

**f. Services facilities should be conveniently located but unobtrusive.**

Trash will be stored in the garage. Utility meters will be located well back from the street at the base of the drive and screened with landscaping. These facilities will be unobtrusive but functional.

## **II. Conformance to Criteria for Reduction in Yard Requirements in a Residence C-1A District – Footnote I, Table 5-1**

The Planning Board allows a reduction in the required yards to a minimum of ten feet as permitted in a Residence C-1A district. This minimum yard provides a relatively generous setback in a neighborhood where front and side yards are frequently less than that amount. The yards provided in the development will be substantially more than are present currently, where the industrial building is built up to the property line. The “rear” yard abuts the active commuter rail line. All yards will be substantially landscaped for the benefit of both the residents of the new units and the general public.

## **III. Conformance to the General Special Permit Criteria - 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 Zoning Ordinance cannot be met.**

With the granting of the requested special permits the requirements of the Ordinance will be met. The dimensional limitations of the Residence C-1A district will be observed, the special permit will allow the reduction in all yards to a minimum of ten feet, and the grade surrounding the building will be adjusted so that its height from mean grade will be thirty-five feet, allowing the balconies to project in the required yards by no more than 3.5 feet.

### **b. Traffic and patterns of access and egress will cause hazard or congestion or change in neighborhood character.**

No hazard or congestion will be created. The change in the neighborhood will be positive. A single point of entry to the site will be provided (using an existing curb cut) with adequate visibility; the details have been reviewed by the Traffic, Parking and Transportation Department staff. Final building and landscaping plans will be reviewed to ensure that sight lines are adequate at the corner of Walden Street and Richdale Avenue. Truck traffic to the site will be eliminated and there may be an opportunity to create additional parking on the street for at least part of the day.

### **c. The operation or development of adjacent uses will be adversely affected.**

The redevelopment of the site will eliminate a non-conforming industrial operation that covers most of the site with building or paving. The truck traffic will be eliminated, some additional street parking may be created, extensive landscaping will be provided on all sides of the new building and specifically adjacent to abutting residential neighbors. The impact on adjacent uses will be positive.

### **d. A nuisance or hazard will be created to the detriment of the health, safety and welfare of future residents or citizens of Cambridge.**

No nuisance or hazard will be created. An intrusive industrial operation will be eliminated.

**e. The use will impair the integrity of the District or adjoining districts or otherwise derogate from the intent and purpose of this Ordinance.**

The approved construction meets the full intent of the Residence C-1A District to encourage the redevelopment of non-residential sites to housing.

**f. The new use or building construction is not consistent with the Urban Design Objectives set forth in Section 19.30.**

The project is fully consistent with the Urban Design Objectives of the city as set forth below.

*(i) Section 19.31. New project should be responsive to the existing or the anticipated pattern of development.*

The project is extending the pattern of clusters of moderate density housing found along Richdale Avenue and constructed over the past two decades. At twenty units, the complex is larger than the typical one, two and three unit dwellings common along Richdale Avenue and the neighborhood beyond, but it is of a scale intended by the applicable zoning district (C-1A) in order to encourage the displacement of intrusive industrial activities with housing. The new housing will be of frame construction clad in wood like the housing in the neighborhood and will be given familiar residential architectural detailing.

*(ii) Section 19.32: Development should be pedestrian and bicycle-friendly, with positive relationship to its surroundings.*

The project will replace an industrial building having nearly windowless walls set right up against the city sidewalk with a residential building in a familiar residential style that has generously landscaped front yards.

*(iii) Section 19.33: The building and site design should mitigate adverse environmental impacts of a development upon its neighbors.*

The principal negative environmental impact on the neighborhood is the continued operation of a non-conforming industrial activity in a residential community. That impact will be eliminated and a well sited residential building will be constructed in its place. Parking, in an amount slightly greater than required by zoning, will be provided in an enclosed underground facility, eliminating the surface parking that has blighted the site in the past.

*(iv) Section 19.34: The project should not overburden the city infrastructure services, including neighborhood roads, city water supply system and sewer system.*

City infrastructure will not be overburdened. Adequate utilities are available at the site. Stormwater management will be greatly improved on the site. Some additional street parking at limited times of the day may be provided on Richdale Avenue.

(v) Section 19.35: *New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically.*

The project will continue the two-decade-old trend of transforming a former industrial district along a railway corridor into housing that is better integrated into the residential neighborhood that abuts it.

(vi) Section 19.36: *Expansion of the inventory of housing in the city is encouraged.*

The project will create twenty new housing units, including two that will be affordable under the provisions of the City's inclusionary housing ordinance.

(vii) Section 19.37: *Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city.*

No large open space facility will be created but a substantial additional green landscaped space will be provided on the lot to the benefit of future residents and the general public.

### 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 for the construction of 20 dwelling units and for the reduction of required Yards to a minimum of 10 feet in a Residence C-1A District 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 reference above, with specific reference to revisions to the proposed fence design and location submitted to the Board on December 21, 2004. Appendix I summarizes the dimensional features of the Project as approved.
2. The project shall be subject to continuing design review by the Community Development Department (CDD). Before issuance of each Building Permit and Occupancy Permit for the project, the CDD shall certify to the Superintendent of Buildings that the final plans submitted to secure the Building Permit or Occupancy Permit are consistent with and meet all conditions of this Permit.
3. The Permittee shall submit a final landscape plan for the site to the Community Development Department, at a scale of 1" = 10' or other scale acceptable to the Department, for review and approval before the issuance of the first building permit for

the site. The plan shall show all landscape materials, their installation size, quantities and species, details of retaining walls, irrigation, proposed depth of soil, paving materials, etc. The plan shall, in particular, show the detailed designs of all fences to be constructed within the front yards of the building facing Richdale Avenue and Walden Street. As illustrated in the December 21, 2004 document, the upper portions of the fences shall be at least 50% open.

The landscaping set forth in the approved plan shall be completely installed before issuance of the first certificate of occupancy for the project. Where installation of the landscaping has not been initiated or completed at the time of a request for the first Occupancy Permit, in the alternate the Permittee may receive the requested first Occupancy Permit and the Community Development Department may certify conformance with the Conditions of this Decision if the Permittee establishes an escrow account in an amount and in a form satisfactory to the City, and to the benefit of the trustees of the Condominium, for the purpose of guaranteeing the installation or completion of the installation of the landscape plan should that not be accomplished at the time of a request for a first Occupancy Permit.

In the event that the escrow account is not sufficient to cover the expense of the installation of all features of the landscape plan, the Permittee or any subsequent owners in interest shall nevertheless still be obligated to complete the installation of landscape plan as approved.


Before a request for the first Certificate of Occupancy is made to the Inspectional Services Department, the Permittee shall notify the Planning Board in writing as to the status of the installation of the features of the landscape plan, and if such installation has not occurred or been completed, shall indicate the time frame within which this Condition 3 shall be met.

4. The Permittee shall comply with the City of Cambridge Affordable Housing requirements, Section 11.200.

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 in the Affirmative to **GRANT** the Special Permit were B. Shaw, H. Russell, P. Winters, T. Anninger, L. Brown, ~~T. Carpenter~~<sup>EMP</sup> and W. Tibbs, constituting at least the two thirds of the members of the Planning Board necessary to grant a Special Permit.

For the Planning Board

  
Barbara Shaw, Chair

A copy of this decision, #201 shall be filed with 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 February 18, 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 or as part of the original application.

Twenty (20) days have elapsed since the filing of the decision.

No appeal has been filed.

DATE:



**Appendix I – Dimensional Form**

**Special Permit #201**

**Address: 113 Richdale Avenue**

	Allowed/Required	Existing	Proposed	Granted
<b>Total FAR</b>				
Residential	29,998		29,775	29,775
Non-Residential				
Inclusionary Bonus				
<b>Total GFA in Sq. Ft.</b>				
Residential				
Non-Residential				
Inclusionary Bonus				
<b>Max. Height</b>	45		40	40
Range of heights				
<b>Lot Size</b>	5,000	18,460	18,460	18,460
<b>Lot area/du</b>				
<b>Total Dwelling Units</b>			20	20
Base units			16	16
Inclusionary units			4	4
<b>Min. Lot Width</b>	50	142	142	142
<b>Min. Yard Setbacks</b>				
Front, Walden	10		12.5	12.5
Front, Richdale	10		10	10
Side, MBTA	21		10	10
Side, Richdale	12.69		10	10
<b>Total % Open Space</b>				
Usable				
Other	1.384		5.163	5,163
<b>Off Street Parking</b>	1 per unit		24	24
Min #				
Max #				
Handicapped				
<b>Bicycle Spaces</b>	10		10	
<b>Loading Bays</b>				