



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION

Permit No: #202

Address: 21 Brookline Street

Applicant/Owner: First Cambridge Realty Trust, 901 Mass Avenue,
Cambridge, MA 02139, c/o James Rafferty, Esq.,
187 Concord Avenue, Cambridge, MA 02138

Zoning District: Residence C-1 and C-2A/Central Square Overlay
District

Application Date: October 29, 2004

Public Hearing: November 23, 2004

Planning Board Decision: November 23, 2004

Date of Filing Decision: January 5, 2005

Application: Special Permit to waive the dimensional requirements in the Central Square Overlay District for 49 units of housing, Section 20.304.3.

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.

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OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Submitted Documents

Special Permit application including Ownership Certificate; drawings titled Brookline Street Residences, submission date June 3, 2004; Sheets C-1, with the dimensional chart, A-0 to A-8, L-1 and Z-1 zoning analysis and Z-1 comparative loss study dated 7-20-04.

Other Documents Submitted

1. Copy of a letter to Peter Valentine, from Stephen Sattler, Forest City, dated 3/13/02.

Findings

1. Conformance with the Central Square Overlay District Criteria:

The proposal is to discontinue the existing nonresidential use on the site, replacing it with appropriately scaled residential uses. The proposal has been reviewed and supported by the Central Square Advisory Committee and was reviewed by the City Council by way of the recent rezoning of the abutting property to Residence C-1, which rezoning necessitated the special permit request to waive the setback requirements of the C-1 district. The project replaces a commercial use with residential one at a site rezoned from business to residential at the time of the creation of the Central Square Overlay District. More specifically the project will replace a nightclub facility, located one block off of Massachusetts Avenue, that the Overlay District now limits to locations that only have public entrances on Massachusetts Avenue. The only historic structure on the site, a triple-decker residential building, will be relocated down Green Street, to a vacant lot now used for parking.

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 Zoning Ordinance can be met.

The project consists of 49 units and complies with the use regulations of the district as well as the Central Square Overlay District. The dimensional requirements will be met by this waiver and allow a design that transitions to the lower density residential district. The project conforms to the setback requirements of the Residence C-2A District, within which it is located, except that special transitions apply when the C-2A District is within 125 of a Residence C-1 District (among other districts).

b. Traffic and patterns of access and egress will not cause hazard or congestion or change in neighborhood character.

The traffic generated by the residential units will be less than the existing nightclub use. The traffic access pattern into the site has been reviewed by the Traffic, Parking and Transportation Department and is found to be adequate

c. The operation or development of adjacent uses will not be adversely affected.

The proposal abuts an existing large and dense multifamily apartment building and two family houses; those uses will not be adversely affected. In fact, the project will eliminate a non-conforming nightclub operation in a non-conforming commercial building

d. No nuisance or hazard will be created to the detriment of the health, safety and welfare of future residents or citizens of Cambridge.

The project will comply with the applicable health, safety and building code requirements. No hazard or nuisance will be created. The project will eliminate the potentially annoying disruptive operations of a commercial activity whose principal hours of business are in the late evening.

e. The use will not impair the integrity of the District or adjoining districts or otherwise derogate from the intent and purpose of this Ordinance.

The creation of housing is consistent with the intent of the zoning ordinance, especially with the Central Square Overlay District Guidelines for the transition zones between the Central Square Business District and the abutting residential districts. The city block within which this project is located was rezoned from a business to a residential district at the time of adoption of the Central Square Overlay District with the specific intent to eliminate existing non-conforming commercial uses and encourage the construction of housing.

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

The new use is consistent with those objectives:

(i) The new residential buildings along Franklin Street will reflect the two and three family residences along that street. The multifamily housing along Brookline and Green Streets is in keeping with the existing housing across Brookline Street and abutting the proposal.

(ii) The building's relationship to its surroundings will have a positive impact on the abutting residential streets, providing more of an "eyes-on-the-street" character from the windows, doors and entries facing onto those streets, rather than existing blank walls and surface parking that dominate the site currently.

(iii) Efforts have been made to move the vehicle access away from the lower density residences on Franklin Street, to locate the mechanical equipment away from existing residential windows and to provide secure and clean refuse disposal.

(iv) The conversion of the site to housing will not overburden existing infrastructure. There are many existing transportation services located in Central Square along with commercial establishments that may encourage new residents to forgo single occupancy vehicle trips.

(v) There is no historical structure to be preserved on the site after the triple-decker home is relocated.

(vi) The project will expand the inventory of housing in the City.

(vii) The project includes appropriately landscaped open space and removes an existing surface parking lot from the residential neighborhood (two parking lots if the parking at the site of the relocated housing is considered).

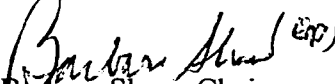
Decision

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 and waives the required setbacks for the building abutting the Residence C-1 District in the Central Square Overlay 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 and submission date June 3, 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 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.
3. The applicant shall make good faith effort to ensure the success of the landscaping with adequate soil and irrigation around the site's periphery.
4. The applicant 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, and W. Tibbs, constituting at least 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, #202 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 January 5, 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 # 202

Address: 21 Brookline Street

	Allowed/Required C-1/C-2	Existing C-1/C-2	Proposed C-1/C-2	Granted C-1/C-2
Total FAR	.975/2.6		.97/2.59	.97/2.59
Residential	.75/2.0		.75/2.0	.75/2.0
Non-Residential	NA			
Inclusionary Bonus	.225/1.6			
Total GFA in Sq. Ft.	40,820		40,754	40,754
Residential	3,066/28,352		3,066/28,334	3,066/28,334
Non-Residential	0		0	0
Inclusionary Bonus	920/8,482		920/8,482	920/8,482
Max. Height	35/60		35/40	35/40
Range of heights				
Lot Size	4,089/14,167	4,089/14,167	4,089/14,167	4,089/14,167
Lot area/du	1,500/300		2,044/289	2,044/289
Total Dwelling Units	3/53		49	49
Base units	2/47		43	43
Inclusionary units	1/6		6	6
Min. Lot Width	50 ft	Existing lot	Existing lot	Existing lot
Min. Yard Setbacks	Formula		See plans	See plans
Front				
Side, Left				
Side, Right				
Rear				
Total % Open Space	30%/10%			14%
Usable	1,224/1,418			2,643
Other				
Off Street Parking	3/53		50	50
Min #				
Max #				
Handicapped			2	2
Bicycle Spaces				
Loading Bays	NA			