



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION

Case No. 210

Address: 2055 Massachusetts Avenue

Owner: The Christos Poutahidid No. 6 Family, LTD Partnership, 147 Willow Avenue, Somerville, Mass, 02144

Applicant: Amerada Hess Corporation, c/o James Rafferty, Attorney, 187 Concord Avenue, Cambridge, MA 02138

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

Application Date: October 11, 2005

Date of the Public Hearing: November 1, 2005

Date of the Planning Board Decision: November 1, 2005

Date of Filing the Planning Board Decision: November 23, 2005

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Application: Special permit waiver of the green open space requirements and building façade requirements along Blake and Hadley Streets for new building to be constructed in the North Mass Avenue Overlay District, Sections 20.105 and 20.107, as permitted in Section 20.108. The proposed use has been granted a Board of Zoning Appeal Special Permit for a self-service gas station use with a convenience store and the development will require a Board of Zoning Appeal variance for a reduction in the side yard setback for the new structure.

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 filing of the above referenced decisions with the City Clerk. Copies of the complete decision and final plans, if applicable, are on file with the Community Development Department and the City Clerk.

Authorized Representative of the Planning Board

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

Application Documents Submitted

Special Permit application with dimensional form, project description, supporting statements; Colored site plan showing new structures, parking layout, and proposed landscaping entitled "Amerada Hess Corporation, 2055 Massachusetts Avenue, City of Cambridge, General Arrangement Plan" by Bohler Engineering, P.C., scale 1" = 1', Sheet S-1 of 17, dated 8/09/04; "Boundary and Topographic Survey", scale 1" = 1', dated 7/26/04; photographs; floor plan; and ownership certificate.

Other Documents

Parking and Transportation Demand Management Small Project Plan, dated 8/10/05.

Revised "General Arrangement Plan", without revised date or title, showing additional landscaping including two street trees and a linear extension of the planting bed along the southwest corner of the site along Massachusetts Avenue and redirected service aisles running generally parallel to Massachusetts Avenue rather than generally perpendicular to the Avenue.

Project Application and Summary

It is proposed to construct a 1,600 square foot one-story building to the rear of the site adjacent to Blake Street with a ca 40-foot square service island canopy near Massachusetts Avenue. Parking is to be located in a row in front of the building. The building does not meet the required glass area on two of the three sides that face a public street and does not devote to green areas the increased setback created by the new building when it is set back further than the façade of the old building as required in Section 20.100 of the Ordinance. A special permit waiver is requested as permitted in Section 20.108 of the Ordinance.

Findings

Based on its review of the Application Documents, Supplemental Documents, and Other Documents submitted to the Board and referenced above, testimony taken at the public hearing and submitted in written form to the Board, and the review and consideration of the relevant special permit criteria, the Planning Board makes the following findings:

1. Conformance to the Massachusetts Avenue Overlay District Special Permit Criteria – Section 20.108

The Planning Board may permit a divergence from the standards set forth in Sections 20.105 – 20.107 when the proposed development will better serve the objectives of the Overlay District than if they were followed and if the General Criteria in Section 10.43 are satisfied.

The site is not proposed to be redeveloped to another category of use; it is proposed to continue to dispense gasoline with the addition of a small convenience store. Application of the design and site plan standards must reflect the fact that the existing site development is non-conforming and will remain substantially so as the proposed changes are made. In that context, the proposed development serves the purposes of the Overlay District by creating a more harmonious and consistent image for development along the Avenue, through the introduction of significant new landscaping and new street trees on the site, and with a modest but pleasantly designed building that is more in keeping with the Avenue's older buildings than is the current gas station structure; by creating a more pedestrian friendly environment through the elimination of many of the existing curb cuts on all three abutting streets, and by introducing substantial landscaping near the public sidewalks: by building a new

building with more architectural character than the existing gas station structure; and by buffering it from adjacent residential uses with substantial landscaping.

2. Conformance to the General Special Permit Criteria – Section 10.43

As provided in Section 10.43 of the Cambridge Zoning Ordinance, 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 the district, would cause granting of such permit to be to the detriment of the public interest because:

a. The requirements of this Ordinance cannot be met.

With the granting of this special permit and the use special permit from the Board of Zoning Appeal and with the granting of side yard variance relief as has been requested from the Board of Zoning Appeal, the project will meet all requirements of the Ordinance.

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

Existing curb cuts will be substantially reduced or eliminated, improving vehicular circulation onto and from the site and reducing the conflicts between vehicles and pedestrian on the abutting sidewalks.

c. The continued operation of the development of adjacent uses as permitted in the Zoning Ordinance will be adversely affected by the nature of the proposed use.

The site has been used as a gas station for more than fifty years. The facilities on the site will be substantially upgraded, better organized on the site, and buffered with a considerable amount of landscaping adjacent to the public sidewalks and along the rear property line shared with residential abutters.

d. Nuisance or hazard would 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 site will be functionally and environmentally upgraded with the installation of new gas storage tanks.

e. For other reasons, the proposed use will impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance.

The auto repair use will be replaced with a less intrusive convenience store.

f. The new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.

The project is consistent with the Urban Design Objectives as detailed above.

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

The proposed alteration to the site will bring its building and site layout significantly closer to the ideal pattern of urban development desired along the Avenue.

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

The edges of the site where the new development will be most experienced by pedestrians and bicyclists will be substantially upgraded and made more pleasant for those passersby.

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

The new building will be smaller and designed in a style more compatible with adjacent residential and commercial neighbors, and while closer to abutters, will be substantially buffered from them with landscaping.

19.34 – Projects should not overburden the city infrastructure services, including neighborhood roads, city water supply system and sewer system

The infrastructure services to the site will not be overburdened and the vehicular access to the site will be better managed and restricted.

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

The site will be a better neighbor to both the abutting residential neighborhoods and to the more urban stretches of commercial Massachusetts Avenue found in the vicinity than is the current site development.

19.36 – Expansion of the inventory of housing in the city is encouraged.

The project does not contain a housing use.

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

Substantial new landscaping will be added to what is now an essentially barren site.

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 Massachusetts Avenue Overlay District Special Permit – Section 20.108 subject to the following conditions and limitations:

1. All use, building construction, and site plan development shall be in substantial conformance with the revised plans and application documents submitted to the Planning Board as referenced above. 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). The department will review the final design of the canopy to ensure that it is not PB=210 – 2055 Massachusetts Avenue

unduly intrusive with regard to its form and color and with regard to the intensity of lighting provided to the operations below it. It should be lighted to allow safe operation of vehicles below it without excessive glare or light spilling out into the abutting streets or onto adjacent residential properties. Before issuance of the Building Permit for the project, the Community Development Department (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 revised site and building design plans shall be altered in the following ways:

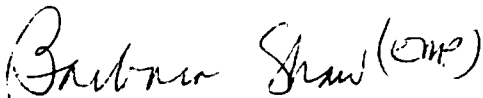
a. The fence along the Blake Street side of the building shall be lower and/or less opaque so it is less dominating along the public sidewalk.

b. The landscaping proposed in the southwest corner of the site (a semicircular planting bed in the corner and a narrow linear planting bed extending from there east along the Massachusetts Avenue frontage) shall be increased so that the beds are merged and made more substantial in width.

4. 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 B. Shaw, H. Russell, P. Winters, W. Tibbs, T. Anninger, T. Carpenter, and J. Molinsky, 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,



Barbara Shaw, Chair

A copy of this decision #207 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) day 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 November 23, 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 of Cambridge

