

CITY OF CAMBRIDGE, MASSACHUSETTS

**PLANNING BOARD**

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

**NOTICE OF DECISION  
Final Development Plan**

Case No: PB #222  
Address: 22 Water Street  
Zoning: North Point Residence District and the PUD in the North Point Residence District (Section 13.70)  
Owners/Applicants: Catamount Holdings, LLC, 90 Everett Avenue, P O Box 9252, Chelsea, MA 02150 9252

Preliminary Proposal and Project Review Application Date: November 21, 2006

Public Hearing: December 16, 2006

Planning Board Preliminary Determination: December 16, 2006

Date of Filing Preliminary Determination: January 16, 2007

Public Hearing on Final Development Plan: April 17, 2007

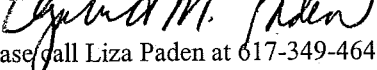
Final Development Plan Decision: May 1, 2007

Date of Filing of Final Development Plan Decision: June 13, 2007

Application: Planned Unit Development Special Permit (Section 13.70) and Project Review Special Permit (Section 19.20) for 392 units of multifamily housing and 392 parking spaces. This application includes requests that (1) the project is found to be eligible for the Waiver of Height Limitations - Section 13.74.35 to permit a maximum height of 150 feet and (2) the project is eligible for Additional Gross Floor Area for Above Ground Structured Parking - Section 13.79.2.

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

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OFFICE OF THE CITY CLERK  
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**Application Documents**

1. Final Development Plan, volumes 1 and 2, dated March 23, 2007, containing responses to the Preliminary Determination, Project Narrative, Dimensional Form, Ownership Certificate, Project Review Special Permit application information, Certifications of Receipt of Plans from the Cambridge Water Dept., City Arborist, Dept of Public Works, and Traffic, Parking and Transportation and 46 figures of plans, elevation, and photographs as well as photosimulations.
2. LEEDS Certification checklist dated 3/15/07
3. Revised figures 2 & 3 showing parking space counts dated 3/28/07.
4. Letter to Barbara Shaw, Planning Board chair, from Rich McKinnon, dated 4/13/07, deleting tandem parking spaces from the plans.
5. Plans dated 3/23/07, supplemented to 5/1/07, figures S1 – S 6, and Open Space Calculation Plan.

**Other Application Documents**

6. Letter to the Planning Board from Richard McKinnon dated 3/5/07 for a May 16, 2007 extension.
7. Memo to the Planning Board from the Cambridge Bicycle and Pedestrian Committee, dated 4/3/07.
8. Letter to Susan Clippinger, Director of Traffic, Parking and Transportation, from Richard McKinnon, dated 4/6/07, outlining the new parking arrangement without tandem spaces.

9. Memorandum to the Planning Board from Susan Clippinger, dated 4/9/07.
10. Email to the Planning Board from Councilor Craig Kelley, dated 4/17/07.
11. Letter to the Planning Board from the East Cambridge Planning Team, dated 4/16/07.
12. Letter to the Planning Board from Councilor Craig Kelley, undated.
13. Email to the Planning Board from Greg Downes of SMMA, dated 4/19/07 re: Trespa treatment and examples.
14. Copy of letter to Brian Lawlor, SMMA, from Jonah Sacks, Consultant at Acentech, dated 4/30/07 re: draft of shielding of Environmental Noise to Community.
15. Letter to the Planning Board from Richard McKinnon dated 5/16/07 for a June 8, 2007 extension.
16. Letter to the Planning Board from Richard McKinnon dated 6/6/07 for a June 13, 2007 extension.
17. Copy of the PowerPoint presentation from May 1, 2007.

### **Findings**

After review of the application documents and other documents submitted to the Board, testimony taken at the two public hearings, and review and consideration of the Project Review Special Permit criteria, Planned Unit Development in the North Point Residence District criteria and requirements, and the general special permit criteria, the Board makes the following findings. In addition the Planning Board is in substantial agreement with the Permittee's findings with regard to conformance to the criteria for granting a Planned Unit Development Special Permit in the North Point Residence District and a Project Review Special Permit as presented in the two application documents.

#### **1. Conformance with Traffic Impact Findings required in Section 19.25.1**

Based on the results of the Traffic Study and the mitigation measures to be required as a condition of this Permit, the Planning Board finds that the project will have no substantial adverse impact on City traffic within the study area, as detailed in the memorandum to the Planning Board from Susan Clippinger, dated April 9, 2007.

#### **2. Conformance with Urban Design Findings required in Section 19.25.2 (reference to Section 19.30 – Citywide Urban Design Objectives)**

The project conforms to the urban design objectives of the City as set forth in Section 19.30.

- *Responsive to the existing or the anticipated pattern of development.*

The existing pattern of development in North Point is undergoing rapid change as previous industrial and warehousing uses are giving way to new development of residential structures authorized by earlier special permits granted in the North Point PUD district, and at this location, through the reuse of previously industrial buildings. It is anticipated that over time there will be a wide range of higher density residential, office, research and development and retail uses in a new neighborhood of public streets and parks in the immediate vicinity of this

approved development. This development is consistent with the long range, comprehensive development plan previously approved as part of Special Permit #179. Amendments to that Permit recently approved by the Board will advance the timing of development on adjacent blocks to accommodate the relocation of the Green Line MBTA station, construction of adjacent streets, and introduction of new office and retail buildings and additional green space.

The future form of the neighborhood is suggested in the requirements of Section 13.70 of the Zoning Ordinance and the provisions of the *Eastern Cambridge Design Guidelines*, as those requirements and guidelines have shaped the approved plan for Special Permit #179. This revised Final Development Plan, as amended and referenced above, is consistent with the requirements of Section 13.70, the approved development plan embodied in Special Permit #179, the evolving plans for the relocation and extension of the MBTA Green Line, and upgrading of uses in new and reused buildings immediately adjacent to this project on lots abutting O'Brien Highway.

This project is almost entirely residential, with limited accessory ground floor retail space fronting on Water Street, a critical pathway serving as a major pedestrian entry into North Point from the East Cambridge neighborhood. The expansive pedestrian plaza and open space set out along Water Street, and the principal entrance to the building also facing the street, are designed to ensure pleasant and convenient access to the relocated Lechmere T Station, which will also be served by the renovated and upgraded Water Street. The vehicle and service entrance to the building has been relocated to the northwest side of the project to eliminate conflicts on Water Street, where it originally was located, which it is hoped will become a pleasant pedestrian route into North Point and its anticipated regional recreational and open space amenities.

The building has been designed to be compatible with the anticipated elevated portion of the extended Green Line and to ameliorate some of its negative impact on the surrounding development.

Multiple building entries to individual units, as well as a secondary entrance to the building as a whole, are proposed along the long frontage of the development adjacent to the "Central Park" space in the planned Special Permit #179 Master Plan. That aspect of the design will enhance the pedestrian quality of this important public amenity in the future when it is fully constructed.

- *Pedestrian and bicycle friendly development.*

The proposal has incorporated substantial public pedestrian open space amenities along Water Street and has provided bicycle storage access directly from Water Street; the evolving Central Park and multiuse path along the northeast side of the site will be lined with private terraces and multiple unit entries, animating the view for those who will use these amenities in the future. These design features and connections will encourage and contribute to a pedestrian and bicycle friendly precinct creating many opportunities for residents of and visitors to the building to take advantage of the multiuse path, the relocated Lechmere Green Line Station, and the retail, employment, and other services anticipated in North Point in the future.

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

This parcel is a particularly difficult one: it is a triangular piece of property that has only one short edge that abuts a public right of way (Water Street) for vehicular and pedestrian access and one edge that abuts the proposed Green Line extension, which will be elevated fourteen feet in parts and will present a significant challenge to designing an acceptable residential environment at the site.

The building has been extensively redesigned through the public review process to create a structure that will be unique but will also fit to the developing fabric of North Point at this very specific location: the tallest portions of the building have been located to the northern edge of the site, as far away as possible from the existing neighborhood and the recent housing and hotel development to the south along O'Brien Highway. A more modest extension of the building is proposed facing Water Street in order to impart a residential character to that street edge and provide an effective use transition to the residential uses along O'Brien Highway. Landscaping and plazas both at grade along Water Street and on the roof of the garage will enhance the views from adjacent buildings existing and anticipated in the future. The parking garage levels have been moved below grade or partially below grade and lined with mostly active uses at the critical public edges to create a strong pedestrian friendly character along Water Street and the Central Park, while addressing the complexity of locating a building along the proposed route of the expanded Green Line viaduct.

The traditional residential neighborhood of East Cambridge is some blocks away from the site and separated by the multi-lane O'Brien Highway and mid-rise hotel and residential structures. The greatest height has been located on the portion of the site most removed from the neighborhood and the somewhat lower buildings at O'Brien Highway.

- *Impact on the City of Cambridge infrastructure, including neighborhood roads, City water supply system and sewer*

City water, sewer and stormwater management systems do not currently reach into North Point. Neither Water Street nor any other public street provides access to the parking and services facilities proposed in this development. Vehicular and pedestrian access to much of this site assumes rights to access across now private adjacent property. The proponent and the abutting North Point Land Company development team will be responsible for installation of the water, sewer, storm water management systems, and vehicular and pedestrian access facilities necessary to support their respective developments, in a manner, schedule, and allocation of responsibility acceptable to the City. Such systems shall be designed to City standards. Such improvements by the proponents will be required as a prerequisite to the functioning of any on-site improvements. With the installation of necessary on-site and off-site improvements the development will not impose any unreasonable negative impact on existing City infrastructure services.

This development is only a small portion of what will be a complete transformation of the North Point district over the next two decades. This development has been designed as a part of the first phase of that larger transformation and will benefit from and be an integral part of future improvements as they occur on adjacent sites.

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

This development is an additional phase in the multi-decade creation of a new urban environment out of the marginal and declining warehouse and railroad district that has until recently dominated North Point. The transportation and industrial functions that were established and thrived in North Point in the 19<sup>th</sup> and 20<sup>th</sup> centuries are now anachronisms. They have either been abandoned or now function as holdovers that will be replaced with different activities and functions more appropriate to the new economy of the 21<sup>st</sup> century and the new needs of a transformed Cambridge and metropolitan area.

In the adoption of the zoning regulations applicable to North Point in 2001, the adoption at the same time of the *Eastern Cambridge Design Guidelines*, and the publication of the *Eastern Cambridge Planning Study*, the City has established a clear blueprint for the character of future building in North Point. The approval of the Master Plan for the North Point Land Company parcel by the Planning Board pursuant to Special Permits #179 and the earlier development of Archstone Smith housing under Special Permit #175 have realized those guidelines and objectives. This project is a compatible element and extension of those earlier plans that have established the future course of development in North Point.

- *Expansion of housing inventory.*

The development is almost entirely housing, with a small amount space for accessory support activities. A significant number of affordable units will be provided in conformance with the inclusionary requirements of Section 11.200 of the Zoning Ordinance.

- *Open space enhancement and expansion.*

The development will produce publicly accessible open space that will enhance the environment for the residents who will be living there, and contribute to a pleasant pedestrian experience along Water Street for residents of this building, residents already present in other existing buildings, and future visitors to the area going to and from the relocated Green Line Station, the parks in the North Point Land Company development, or the Charles River waterfront. In addition, private open space for the residents will be created atop the roof of the parking garage.

### **3. Conformance to the requirements for approval of the PUD in North Point Residence District Final Development Plan, Section 12.36.4 (and by reference to Section 12.35.3).**

- *The project conforms to the General Development Controls set forth in Section 12.50.*
  - a. Conformance to existing policy plans

As indicated throughout these Findings and in Paragraphs 5 and 6 below, the Planning Board concludes that the development is consistent with the *Eastern Cambridge Development Guidelines* and the *Eastern Cambridge Planning Study* and compatible with the Master Plan approved by the Planning Board in Special Permit #179.

b. Minimum Development Parcel size

The Development Parcel Size of 104,673 square feet exceeds the minimum parcel size required of 100,000 square feet as set forth in Section 13.70.

c. Standards for Construction of Roadways

The Department of Traffic, Parking and Transportation shall approve the design and construction details of all streets and ways, consistent with the details of streets suggested in the Final Development Plan, as amended.

d. Standards for Construction of Utilities and Public Works

As a condition of this Special Permit, the Department of Public Works and the Water Department shall approve all water and sewer infrastructure construction details and phasing and stormwater management systems as if such improvements were occurring within public rights-of-way.

e. Landscaping

All portions of the site not devoted to roadways and buildings will be suitably landscaped.

f. Environmental Performance Standards

All applicable environmental regulations shall be met. Conformance to the requirements of the City Noise Ordinance shall be a specific requirement of this Permit.

- *The project conforms to the specific Development Controls set forth in Section 13.70.*

The development conforms to all requirements of the PUD in the North Point Residence District as set forth in Section 4 below.

- *The Final Development Plan provides benefits to the city that outweigh its adverse effects. In making this determination the Planning Board shall consider the following:*

The Planning Board finds that the Permittee presented significant improvements to the Preliminary Development Plan and is now able to make the following determinations:

- a. Regarding the quality of the site design, including integration of a variety of land uses, building types, and densities; preservation of natural features; compatibility with adjacent land uses; provision and type of open space; provision of other amenities designed to benefit the general public.

The building is to be occupied by residential uses, the preferred use in the North Point PUD-6 district. The Eastern Cambridge Planning Study (ECAPS) planning process, which resulted in adoption of the zoning that now regulates development on the site, examined these issues in detail as they apply to the North Point area. The very detailed zoning provisions that were adopted as a result of that planning effort were crafted to ensure that these considerations would be adequately addressed. The

current design meets the specific technical requirements of the zoning and also advances the spirit of that planning effort in the building and site plan's details.

- b. The quality of the site design, including integration of a variety of land uses, building types, and densities; preservation of natural features;

Residential is the preferred use in North Point (as reflected in the provisions of the zoning) because of its lower peak hour traffic implications when compared to office or retail activity, among other reasons. The density ultimately allowed in North Point was chosen to ensure that the transportation constraints of this general area would be respected. With adequate mitigation, anticipated traffic flow and vehicular and pedestrian safety will be accommodated adequately.

- c. Adequacy of utilities and other public works.

The Permittee, in concert with adjacent property owners, will be responsible for installation of all utility and roadway infrastructure on and adjacent to the site and will be required by the City to make necessary adjustments to public infrastructure off-site in conformance with City standards to ensure that the development can be accommodated without unacceptable negative impacts.

- d. Impact on existing public facilities within the city.

The Planning Board finds no reason to expect that any wider impact on public facilities will be unreasonable or unacceptable.

- e. Potential fiscal impacts.

The development is expected to have a positive fiscal impact.

#### **4. Conformance to the dimensional and use limitations and other provisions of the PUD in the North Point Residence District, Section 13.70 of the Zoning Ordinance**

- *Floor Area Ratio, Section 13.74.12.*

As the project is entirely residential, with a permitted FAR of 3.0 before the application of the bonuses granted in Section 11.200, the project conforms to this maximum permitted FAR prior to the application of additional FAR for above-ground structured parking as permitted in Section 13.79.2. The Planning Board has granted this additional FAR for above ground parking for the reasons set forth below. Therefore, the authorized project totals 453,790square feet with an FAR of 4.3. Approximately 1,500 square feet facing Water Street will be occupied by accessory service retail activities (restaurant, café, dry cleaners, convenience store, etc), which the Board finds essential to support the residents of the project.

- *Minimum Development Parcel Size, Section 13.74.2.*

The Development Parcel exceeds the 100,000 square foot minimum required.



- *Maximum Building Height, Section 13.74.3.*

The Board finds the additional height acceptable, to a maximum of 150 feet, with such relief to be sought by the Permittee from the Board of Zoning Appeal, given the irregular configuration of the site that limits the options for efficient use of the site with lower buildings more evenly distributed across the parcel; the negative impact the future rail viaduct/embankment would have on any residential use in its immediate vicinity; and the limited impact the additional height will have on the residential East Cambridge Neighborhood as, over time, new development along O'Brien Highway (where heights of more than 100 feet are allowed) will tend to screen and obscure this building from that direction. A lower element of the building (65 feet) approved along Water Street provides that street with a much more lively and urban aspect. In addition, a low element of the building (serving as a portion of the parking garage) is to be located adjacent to the future MBTA viaduct/embankment. This low element of the building, in turn, can be used for Private Open Space and "green" roofscape serving both residents of the building and adjacent buildings who will look down onto it as a visual amenity.

- *Waiver of Height Limitations, Section 13.74.35. The Board finds that 13.74.35 gives it the authority to extend the 120-foot height band by 100 feet into the adjacent 85-foot height band.*

The Board finds that the building does not extend more than 100' feet into the adjacent lower 85' height band. This extension is not inconsistent with the objectives of the District to maintain a variety of Building heights. In December 2006, the Permittee withdrew its request to seek additional height relief from the Planning Board using 13.74.35. In the letter of withdrawal, the Permittee acknowledged that all such additional requests for height relief are to be authorized only by the Board of Zoning Appeal.

- *Open Space, Section 13.75.*

Twenty percent of the Development Parcel is devoted to public Green Area and /or Permeable Open Space, meeting the minimum requirement of twenty percent for the district. Additional open space is provided on the roof of the parking portion of the building that will serve the residents of the building as Private Open Space. The open space is well located to serve the needs of future residents of the building and to be accessible and useful to the general public. The arrangement of open space will particularly enhance the environment near and beneath the MBTA viaduct to the benefit of the city as a whole.

- *Roadway Plan, Section 13.77*

The Planning Board finds that the garage and service access from the North Road through the adjacent North Point Land Company property allows for a better arrangement of uses and activities on Water Street. The upgrading of Water Street and Dawes Street will be a joint enterprise of the Permittee and North Point Land Company, consistent with the Roadway Plan approved by the Planning Board for the entire adjacent North Point development in 2006.

- *Perimeter and Transition Requirement, Section 13.78.2*

The project will front onto a significant amount of publicly accessible open space to be developed in the future on the North Point Land Company parcel. That open space will be a major amenity for this development that will make access to this development safe and inviting. In turn, this project has been designed to provide an interesting and lively façades to the public realm beyond, with multiple entries to individual units along the entire façade, with private landscaped patios, and landscaped pedestrian walkways. The Permittee will continue to work on the details with CDD and TPT to ensure that the driveway access across the multiuse path is safe and well designed.

The design of the project has been driven in significant measure by the anticipated relocation of the Green Line station to a location directly across Water Street from the project. The viaduct/embankment portions of that relocation project will have a significant impact on inhabitants of this building and will be a prominent feature for surrounding properties and persons walking and driving in the vicinity. The project has been designed to minimize the visual and auditory impact of that element of the future Green Line.

- *Traffic Mitigation Measures, Section 13.78.3*

The Board finds that the mitigation measures required in Condition #4 below adequately address the impacts of the authorized development. As indicated above, the vehicular traffic generated by the development is generally well below the threshold criteria established by the Planning Board for identifying critical negative impact on City streets.

- *Relationship to the MBTA Urban Ring, Section 13.78.4*

The authorized development will be consistent with all phases and options for creation of the Urban Ring through North Point. Most accommodation to the requirements of the Urban Ring will occur on the larger development anticipated on the North Point Land Company Development Parcel, but Water Street will be a major element of both the Urban Ring and local transit service.

- *Additional Gross Floor Area for Above Ground Structured Parking, Section 13.79.2*

The Planning Board finds that additional Gross Floor Area may be granted for an above-ground parking structure under the provisions of this Section 13.79.2: the parking facility is adjacent to the Somerville municipal boundary line; is abutting a railroad right of way that has not been abandoned and will be reconstituted as the Green Line MBTA extension to the west in the future; the structure will be no higher than 25 feet; the garage is generally screened with active uses, and where that is not the case, is carefully designed at a level equal to the building as a whole; and the elevated garage will ameliorate the visual and auditory impact of the railroad viaduct/embankment on the future residents of this site and others generally in the vicinity.

Should, however, the Permittee choose to seek variance relief for additional GFA to be accommodated in the garage, as herein approved, despite this determination, the Planning Board would have no objection.

## 5. Consistency with the *Eastern Cambridge Planning Study*

The adopted zoning at North Point reflects the goals and objectives of, and was specifically shaped by, the two-year planning effort that is set out in the *Eastern Cambridge Planning Study*. The study anticipates that North Point will be developed as a relatively high density, mixed use environment where housing in a variety of forms will dominate, while retail and office uses will play a lesser role. That development, because of North Point's unique circumstances, will be predominantly residential with a significant portion of its development in residential towers.

While the density and building forms anticipated in North Point were not expected to mirror the fine grain and low scale of development in the traditional East Cambridge neighborhood, the neighborhood pattern of development was inspiration for the *Study's* insistence that development in North Point create a series of pedestrian friendly streets and ways with buildings scaled to make those streets inviting for pedestrian, bicyclists, and those driving in cars.

While open space amenities have been provided in this project as required in the zoning, the large public open space anticipated in the *Study* will occur on the adjacent North Point Land Company parcel and have been approved in Special Permit #179 as part of Master Plan.

As measured against the *Study's* Vision Statement, articulated in six enumerated goals, the Planning Board finds that the this project measures up well:

- The project will vastly improve the quality and character of the urban environment on the site , which is currently industrial in nature and uninviting except for those having specific business in the area.
- The project will expand the range of housing opportunities, provide an important addition to the city's inventory of affordable units, and provide a wide range of unit sizes and orientations.
- The project addresses the residential needs of the city; it does not address the need for small and start-up business enterprises except to the extent that a new population base will be established to support retail and consumer services nearby and provide an additional labor pool from which employees can be drawn.
- By virtue of its location, residents of the project have the opportunity to forgo the use of their automobile for many daily work-related or leisure-related trips. This project, in combination with the adjacent North Point Land Company development, will create an entirely new neighborhood, at a prime in-town location, that offers a real possibility for convenient urban living where essential services and amenities are easily accessible by foot, transit, bus, or bicycle.
- When viewed within the context of the entire North Point district, this development follows the ca 430 units at Museum Towers (now know as Regatta View Residences, the ca 500 units now under construction in the first phase of the Archstone Smith development, and the ca 300 units at Parcels S and T in the North Point Land Company development in initiating the creation of a new mixed use, but primarily residential neighborhood out of formerly underutilized industrial land. As this project unfolds, it will contribute to a new system of pedestrian, bicycle, and vehicular pathways around a relocated MBTA station that will serve as the heart of a lively new retail and service district for the entire North Point district.

## 6. Consistency with the *Eastern Cambridge Design Guidelines*

The guidelines presented the *Eastern Cambridge Design Guidelines* are intended to assist the Board in evaluating the merits of a building or master plan proposal in North Point. The guidelines are not

requirements and no proposal will perfectly match all physical attributes described in the guidelines. However, it is the Board's finding that on balance this proposal is consistent with the guidelines both in spirit and in many specific details. Where the proposal may vary from the specific suggestions made in a guideline statement, the Board finds that the variation is reasonable in the specific context within which the development is being proposed and is far outweighed by those aspects of the proposal that are in accord with the intent of the guidelines.

Goals. The *Guidelines* establish a number of goals for development in North Point: *Creation of a lively new mixed-use district, strong visual and pedestrian connections to East Cambridge, creation of a new east-west main street, extension of First Street into North Point, creation of a major new public park, and a new retail cluster at the relocated Lechmere T station and at First Street.*

This project will contribute a substantial component of 392 units of housing to the new neighborhood at North Point and will provide an inviting pedestrian environment along the redeveloped Water Street, which will serve as a major entry point for residents in the East Cambridge Neighborhood coming to the relocated MBTA station, taking advantage of services in the new North Point neighborhood, or going to the Charles River waterfront.

Built Form – Street Level Uses and Design. The *Guidelines* establish a number of standards: *Low rise buildings as well as portions of the tower buildings should provide terraced small setbacks, front gardens and individual entries to the parks or street; blank wall should be avoided at street and park frontages.*

- Elements of the building are designed with individual unit entries and front doors facing the open space and the multi use path; the lower element of the building has been located along Water Street at a critical location where a strong urban character is necessary to ensure that the very active transit services focused on that street will not come to dominate in a negative way. While the building is unique in its design, and by design has a monolithic aspect, the building has been broken down thoughtfully into sections with varying heights and setbacks to lessen the impact of the length of the building that is to be 506 feet long. Multiple doors are regularly spaced along the frontage with the main entrance at the corner of the building.
- Much effort has been expended to design attractive and varied walls with extensive amounts of glass, use of color, and variations in the planes on all facades of the buildings, to ensure variety and interest.

Built Form – Building Height and Orientation. The *Guidelines* establish a number of standards: *Along major public streets set back any portion of the building above 65 feet by at least 10 feet; discourage driveway and vehicle drop-off facilities on main street; locate loading docks on side streets; orient residential courtyards to the south; in use, design, and entry, orient buildings towards corners.*

The service facilities of the building have been moved to the most remote and least intrusive corner of the site. The building has been designed to have a variety of façade elements, especially along the park side, that modulate the scale of the building where it is most visible from the view of the pedestrian. A column supporting the overhang for the upper floors frames the main entrance, in a gesture intended to make this corner of the building an important landmark for the neighborhood.

Built Form – Scale and Massing. The *Guidelines* establish a number of standards: *Block sizes similar to East Cambridge block; avoid continuous massing longer than 100 feet facing residential streets but if greater it should be made permeable and visibly articulated as several smaller masses; buildings should reflect a rhythm and variation appropriate to the urban context; buildings should have a clearly*

*expressed base, middle, and top, create interesting and varied rooflines, express the tops of buildings, emphasize corners, articulate taller buildings to avoid a monolithic appearance.*

The constraints of this site, as well as the design objectives of the Permittee, have produced a building design more monolithic in character than envisioned by the Guidelines. However, the Board finds the specific design approved compelling and original in concept, having been modified over the period of public review to address many of the concerns articulated in the Guidelines, and appropriately scaled to reflect the unique challenges of this site.

Built Form – Architectural Character: The *Guidelines* establish a number of standards: *Create varied architecture and avoid flat facades, maximize the number of windows facing public streets.*

The design as it has advanced is consistent with these guidelines. Through the use of color, changes in height and setbacks, façade elements, material changes, and other techniques, the designers have successfully adapted a formidable design concept to respect the objectives of these Guidelines.

Built Form - Environmental Guidelines: The *Guidelines* establish a number of standards: *Use natural and energy resources efficiently in construction, maintenance, and long-term operation, allow buildings on adjacent lots to do the same, employ LEED certification standards where possible, site and shield rooftop mechanical equipment to protect neighboring uses from noise impacts.*

By virtue of its location the development advances the environmental objectives of the LEED program by presenting the opportunity to future residents of living their daily lives free from complete or even substantial dependence on the automobile. Portions of the garage roof will be treated as a green roof.

Built Form – Parking: The *Guidelines* establish a number of standards: *Underground parking is preferable, locate vehicular parking entrances on side streets, provide safe pedestrian access from public streets, provide direct pedestrian access to the street.*

All parking is provided within the parking garage, one level of which is completely underground and the upper level is partially underground. The abutting proposed Green Line extension, which will be elevated or built on an embankment up to a height of fourteen feet, will be incorporated into the garage wall to minimize its impact on the development and to reduce its impact on other nearby properties. Given this particular circumstance, it is the Board view that some above ground parking is reasonable and provides some positive benefits to the neighborhood as a whole.

Public Realm - North Point. The *Guidelines* establish a number of standards for North Point as a whole: *Create a major new park convenient to the T; create a series of smaller open spaces such as courtyards, parks, playgrounds and gardens along the central main street; create semi-private open spaces (front and rear yards, porches, stoops, and patios) to create a transition from public sidewalks and courts to private interior spaces; design residential courtyards to be visually accessible from streets to enhance safety and activity along the street.*

Many of these guidelines will be more completely met with development on the surrounding North Point Land Company development parcel. This project will, however, create critically important open space features at Water Street accessible to the general public, on the roof of the garage portion of the building, and along the long axis of the lot as the building faces the central open space feature of the North Point Land Company Master Plan.

Public Realm - Streets and Sidewalks: *Use streetscape elements such as trees, benches, signage, and lighting to support active pedestrian uses; design streets to encourage pedestrian and cycle activity, and to control vehicle speed; where appropriate, establish, preserve and highlight views from public streets and spaces to important civic landmarks; provide sufficient pavement width to accommodate on-street parking; provide pedestrian-scale lighting to enhance pedestrian safety.*

The project when complete will provide these amenities:

Public Realm – Connections. The *Guidelines* establish a number of standards:

*Provide safe pedestrian and bicycle connections to future regional pathways; provide strong pedestrian, bicycle and visual connections to the Charles River and public parks; provide safe pedestrian and bicycle connections to existing and new bus stops and to transit stations including Kendall Square, Lechmere, Community College and North Station MBTA stations; provide new pedestrian crossings along O'Brien Highway; provide for improved pedestrian and bicycle connections to and from the Orange Line T station.*

This project will provide a comfortable and attractive backdrop to a significant segment of the multiuse path that traverses the entire length of this Development Parcel. Water Street will be upgraded to become an attractive pedestrian and vehicular entry into North Point.

Public Realm – Transportation. The *Guidelines* establish a number of standards: *Preserve rights of way for future the Urban Ring project, provide pedestrian crossings/phases at all major intersections, provide bicycle lanes on major streets, provide sheltered bicycle racks in multi-family residential buildings.*

The project will contribute to the implementation of these improvements on abutting streets and pathways.

#### **7. Conformance to the general criteria for the issuance of special permits contained in Section 10.40 of the Zoning Ordinance**

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

**a. The requirements of the Ordinance cannot be met.**

All requirements of the applicable provisions of the Zoning Ordinance will be met with the granting of this Planned Unit Development and Board of Zoning Appeal relief from the height limitations (to permit the structure to rise up to a maximum of 150 feet).

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

The detailed traffic analysis indicates that vehicular traffic generated by the development will not be unreasonable and will not cause congestion or hazard or substantial change from that currently present on abutting streets. The development does not trigger any traffic criteria failures. The Board recognizes the current heavy traffic load and congested intersections already present along O'Brien Highway, but this project will not unreasonably worsen those circumstances. The

project will undertake mitigation measures jointly with the North Point Land Company regarding infrastructure design, including access across the multiuse path.

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

The proposal is a desired residential use that will complement the existing and proposed residential and commercial buildings. For existing building, in combination with the developments in the vicinity to be undertaken by the North Point Land Company, will benefit from a substantial upgrading of their immediate environment with the creation of a whole new mixed use neighborhood

**d. Nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City.**

No nuisance or hazard will be created.

**e. For other reasons, the proposed use would impair the integrity of the district or the adjoining district, or otherwise derogate from the intent and purpose of this Ordinance.**

The development will not impair the integrity of the North Point zoning districts or that of adjacent zoning districts. In fact the development fully meets the intent of those districts to reshape an outdated industrial area into a new mixed-use residential neighborhood for Cambridge.

**Decision**

Based on a review of the application documents, comments made at the public hearings, and based on the above findings, the Planning Board **GRANTS** the requested Special Permit relief 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 above: Final Development Plan, Volumes 1 and 2, dated March 23, 2007, as further modified by submittals dated April 13, 2007 (with no tandem parking), and supplemental material dated May 1, 2007. 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 Decision. As part of the CDD's administrative design review of the project and prior to any certification to the Superintendent of Buildings, the Department shall present to the Planning Board for its review subsequent to this approval the progress on the design of the building and any associated site plan improvements. It is expected that the Department will make such a presentation to the Board as the choices of building and site details and materials are being finalized and on a second occasion when the Building Permit set of plans nears completion.
3. The following uses shall be permitted: Any residential use permitted in Section 16.21.1 with accessory retail space, not to exceed 1,500 square feet of Gross Floor Area. Restaurant, café, convenience store,

dry cleaning pick-up, fast order food establishment and similar activities shall be permitted that will provide customary services to a residential neighborhood.

Location of the permitted non-residential uses shall be as generally set forth in the application documents, as revised, unless otherwise permitted by the Planning Board as a Minor Amendment to the permit.

4. The Permittee shall be required to implement the following traffic mitigation measures, as detailed in the above referenced Memorandum to the Planning Board from Susan Clippinger, dated April 9, 2007 and attached as Appendix II, in a manner acceptable to the Traffic, Parking and Transportation Department and the Community Development Department.

- a. Designate a Transportation Coordinator for the site to manage TDM measures.
- b. The Permittee and any subsequent owner of the development shall become a member of the Charles River TMA, or its successor, if any;
- c. The Permittee and any subsequent owner shall make available and assign two or more parking spaces in the garage for the exclusive use of ZipCar (or any other care sharing entity providing an equivalent service) at a reduced rate. Such cars may substitute for the accessory parking spaces otherwise required by the Zoning Ordinance.
- d. Encourage car/vanpooling at the in coordination with MassRides and CRTMA.
- e. A free transit pass, for a period of one month, shall be provided to each adult member of the first new household to occupy a unit, but in any case not to exceed two passes, for the first month after the household has taken occupancy.
- f. Provide pedestrian lighting around the site, in coordination with City staff, the MBTA and the North Point Land Company. The lighting shall be designed to promote and provide safe access to public transportation, the multiuse path and public open space.
- g. Provide good access between the bicycle storage area and the future multiuse path. Provide air pumps in the bicycle storage areas.
- h. In centralized locations for residents and visitors, post public transportation schedules and information on available pedestrian and bicycle facilities in the vicinity of the project site.

5. The Permittee shall meet all requirements and standards of the City of Cambridge and its relevant departments with regard to the design and installation of the following infrastructure and utility improvements necessary to service the development, as if such facilities were to be installed in City streets: water and sewer service, stormwater management systems, electrical service, and cable installation. The Department of Public Works, the Water Department, the Electrical Department, License Commission, or any other department that may have jurisdiction, shall determine that all utility improvements on and off the site are sufficient to support the project, that all construction details are designed to City standards and that such improvements are installed, without cost to the City, in a satisfactory manner at the appropriate time in the course of the completion of the authorized development, as determined by the City.

6. The Permittee shall execute, prior to the first Building Permit issued for the site, a binding agreement, in a form acceptable to the City, with the North Point Land Company, or any successor in interest to the



rights granted in Special Permit #179 by the Planning Board, which sets forth the manner by which the required access and site improvements necessary to secure access to this development, as approved in the above referenced plans, will be secured and constructed; how such improvements will be financed; and when such improvements will be implemented. In the absence of such an agreement, a building permit shall not be issued for the project as approved herein until the Planning Board has approved any necessary alternate plan to secure access to the facilities on the site in a manner acceptable to the Board.

7. All authorized development shall conform to the requirements of the City of Cambridge "Noise Control Ordinance", Chapter 8.16 of the City Municipal Code.

8. All open space shall be installed and maintained by the Permittee in conformance with final site and landscaping plans certified by the CDD as consistent with Final Development Plan, as amended, as required in Condition #2 above. All open space indicated in the application documents intended to be accessible to the general public shall be accessible to the general public as is customary for public parks unless more restrictive access is approved by the Planning Board for good cause.

9. The Planning Board approves any subdivision of the Development Parcel that may be required to convey any street, in fee or easement, to the City of Cambridge.

Voting in the affirmative to **GRANT** the Special Permit were H. Russell, P. Winters, T. Anninger, S. Winter, and A. Finlayson, constituting at least the two thirds of the members of the Board necessary to grant a special permit.

For the Planning Board,

A handwritten signature in black ink that reads "Hugh Russell (EMP)". The signature is written in a cursive style.

Hugh Russell, Vice Chair

A copy of this decision #222 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 June 13, 2007, 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 City of Cambridge

Pursuant to Section 12.36.4 of the City of Cambridge Zoning Ordinance, Catamount Holdings, LLC, agrees to the conditions attached to this Decision approving the granting of a PUD special permit for Case #222, 22 Water Street

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Authorized Representative, Catamount Holdings, LLC

**Appendix I – Dimensional Form**

**Special Permit # 222**

**Address: 22 Water Street**

	<b>Allowed/Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Granted</b>
<b>Total FAR</b>	3.9		3.9/4.34	3.9/4.34
<b>Residential</b>	3.0	0	3.0	3.0
<b>Non-Residential</b>	Na		Na	Na
<b>Inclusionary Bonus</b>	.90		.9	.9
<b>Parking Bonus</b>			.44	.44
<b>Total GFA in Sq. Ft.</b>	408,225		408,225/453,790	408,225/453,790
<b>Residential</b>	314,019	0	314,019	314,019
<b>Non-Residential</b>	Na	60,000	NA	NA
<b>Inclusionary Bonus</b>	94,206	Na	94,206	94,206
<b>Parking Bonus</b>			45,565	45,565
<b>Max. Height</b>	120	70	150	150
<b>Range of heights</b>	85-120	10-70	65-150*	65-150*
<b>Lot Size</b>	100,00	104,673	104,673	104,673
<b>Lot area/du</b>	None		267	267
<b>Total Dwelling Units</b>		0	392	392
<b>Base units</b>			347	347
<b>Inclusionary units</b>	15% of base		45	45
<b>Min. Lot Width</b>	None	225	225	225
<b>Min. Yard Setbacks</b>				
<b>Front</b>	None	16.4	0	0
<b>Side, Left</b>	None	12.1	.8	.8
<b>Side, Right</b>	None	42.3	1.2	1.2
<b>Rear</b>	None	335.5	151	151
<b>Total % Open Space</b>	20%	0	44%	44%
<b>Usable</b>	20%		20%	20%
<b>Other</b>	Na		24% private	24% private
<b>Off Street Parking</b>				
<b>Min #</b>	1 per DU = 392	66	392	392
<b>Max #</b>			392	392
<b>Handicapped</b>			Per ADA	Per ADA
<b>Bicycle Spaces</b>	1 per 2 DU = 196	0	196	196
<b>Loading Bays</b>	NA	7	1	1

\* Board of Zoning Appeal Variance request

## APPENDIX II

### MEMORANDUM

**To:** Cambridge Planning Board  
**From:** Susan Clippinger, Director TP&T  
**Date:** April 9, 2007  
**Re:** Residential Development at 22 Water Street

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The Traffic, Parking & Transportation (TP&T) Department has reviewed the 22 Water Street Planned Unit Development (PUD) Special Permit dated March 23, 2007, by Catamount Holdings LLC. The proposed project includes 392 residential units and 392 parking spaces.

A Transportation Impact Study (TIS) was submitted on November 17, 2006 and the TP&T Department certified it as complete and reliable on November 22, 2006. The TIS indicated that the project did not trigger any Planning Board Special Permit transportation criteria.

The TP&T Department submitted a comment letter to the Cambridge Planning Board on December 12, 2006 and has continued to work with the proponent and City staff on the proposed project.

We believe that the new street level plaza on Water Street is a pedestrian friendly and accessible design that further enhances the environment on Water Street for pedestrians. We also support the relocated parking and loading dock access to the northwestern end of the site because it will greatly improve the pedestrian conditions on Water Street. The parking garage's ramps need to be designed to minimize the slopes for driver and cyclist safety.

We recommend the following additional requirements for the PUD Special Permit:

1. We are glad to recently learn that the 22 Water Street project will have no tandem parking spaces. As we had previously stated, we did not support tandem parking for this project.
2. Prior to the Building Permit, the proponent needs to illustrate the type of bicycle racks and detailed layout of the bicycle storage areas for TP&T and CDD Department review. In addition to the 196 long-term bicycle racks, the project must also provide short-term, weather-protected bicycle racks at building entrances.
3. Prior to a Building Permit, there needs to be a three-way agreement between Catamount Holdings, Jones Lang LaSalle (JLL) and the City of Cambridge regarding the infrastructure design, including the multiuse path, construction phasing and maintenance.

The following conditions required in our December 12, 2006 comment letter should also be included in the PUD permit:

- a. Designate a Transportation Coordinator for the site to manage TDM measures.
- b. Become a member of the Charles River Transportation Management Association (CRMT).
- c. Encourage car/vanpooling in coordinate with MassRides and CRTMA.

- d. Provide at least 2 car-sharing parking spaces on-site.
- e. Provide a Charlie card of equivalent value of a monthly pass, to each adult member of a new household after the household has established residency.
- f. Provide pedestrian lighting around the site, in coordination with City staff, MBTA and JLL. The lighting shall be designed to promote and provide safe access to public transportation, multiuse path and public open space.
- g. Provide good access between the bicycle storage area and the future multiuse path. Provide air pumps in the bicycle storage areas.
- h. Post in centralized locations for residents and visitors, public transportation schedules and information on available pedestrian and bicycle facilities in the vicinity of the project site.

A Construction Management Plan will need to be reviewed and approved by Public Works with input from relevant City departments.

Attached is the Special Permit Criteria Summary Sheets. Please contact Adam Shulman at 617-349-4745 if you have any questions.

Cc: Wayne Amaral, TP&T  
Adam Shulman, TP&T  
Beth Rubenstein, CDD  
Susanne Rasmussen, CDD  
Cara Seiderman, CDD  
Liza Paden, CDD  
Les Barber, CDD