



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION

Case No: PB #224

Address: 545 Cambridge Street

Zoning: Business A

Owners/Applicants: Stuart Rothman, First Cambridge Realty, 907
Massachusetts Avenue, Cambridge, MA 02139

Application Date: December 21, 2006

Public Hearing: January 16, 2007

Planning Board Decision: January 16, 2007

Date of Filing Decision: February 9, 2007

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Application: Special Permit (Section 5.28.2) to convert the second and third floors of a nonresidential structure to 4 units of housing and to waive the parking requirement (Section 6.35.1).

Decision: GRANTED with conditions

Appeals, if any, shall be made pursuant to Section 17 of Massachusetts General Laws, Chapter 40A, and shall be filed within twenty (20) days after the filing of the above referenced decision with the City Clerk. Copies of the complete decision and final plans, if applicable, are on file with the Office of the Community Development Department and the City Clerk.

Authorized Representative to the Planning Board:

For further information concerning this decision, please call Liza Paden at 617-349-4647, TTY: 617-349-4621, email lpaden@ci.cambridge.ma.us.

Documents Submitted

1. Special Permit Application certified complete and filed with the City Clerk on January 3, 2007 containing the Vicinity Map, summary of the application, ownership certificate, project description; dimensional form; plans, elevations, and application fee.
2. Plans entitled "545 Cambridge Street" dated December 13, 2006, by HP Rovenilli Architects, including second and third floor plans, existing and proposed, elevations, existing and proposed from 7th Street
3. Photographs of the existing building.

Other Documents Submitted

1. Letter to the Planning Board from the East Cambridge Planning Team dated 1/9/07, supporting the application and listing concerns.

Findings

After review of the application documents, other documents submitted to the Board, testimony taken at the public hearing, and review of the special permit criteria, the Board makes the following findings.

1. Conformance with 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.**

With the granting of these special permits the requirements of the Ordinance will be met.

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

The change from the office use to four residential units will result in a decrease of traffic. There is no vehicular access or egress currently to the building from Cambridge Street. The site is within a 10-minute walk to the Lechmere MBTA Station and is on the #69 Bus route to Harvard Square.

- 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.**

Adjacent uses are similar to this proposal, with ground floor retail uses and residential uses on the upper floors. This will be a continuation of a common land use pattern in this neighborhood.

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.

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 intent of the Zoning Ordinance generally is to encourage a variety of residential unit types. This proposal will advance that objective by creating four very large housing units.

2. Criteria for Approval of a Special Permit for conversion from nonresidential to residential use, Section 5.28.27

a. The impact of residential neighbors of the new housing use as it may affect privacy. The location and size of windows, screening elements, decks, entries, and other aspects of the design shall be reviewed to maintain reasonable levels of privacy of abutter where significant variations from the normally required dimensional standards for the district are granted.

The proposal will maintain the window and door openings currently in use in the building; no new exterior elements are to be added.

b. The impact of increased numbers of dwelling units above that normally permitted in the district, on on-street parking, particularly in neighborhoods where off street parking is limited.

The addition of four residential units will not negatively impact the abutting commercial uses on Cambridge Street. The site is located on a bus route that connects with Harvard Square and Lechmere Square and within walking distance to the Lechmere Green Line T stop. The building is also within walking distance of the Twin City Mall and many shops and services along Cambridge Street. The number of units proposed is less than half that allowed in the BA district.

3. Considerations for Approval of a Special Permit for conversion a reduction in Required Parking, Section 6.35.1

It is not physically possible to park on the lot. The building consumes the entire lot. The Planning Board finds it appropriate to grant a waiver of the required four parking spaces in service to the general City objective to provide new dwelling units within the city's mixed use shopping districts.

a. Availability of off-street parking or proximity to an MBTA station

The location is within 7 blocks of an MBTA train station that serves not only the trolley but also many bus routes and is on a bus line serving Lechmere and Harvard Squares.

b. Availability of commercial or public parking.

There is a resident on-street parking.

c. Shared off-street parking.

There is no off street parking associated with this building.

d. Age or occupancy restrictions.

There will be no such restrictions.

e. Impact of parking on the physical environment.

No parking is currently provided on the lot.

f. Provision of affordable housing.

No affordable housing will be provided.

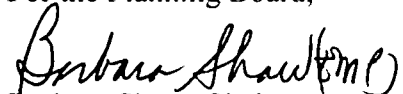
Decision

Based on a review of the application documents, comments made at the public hearing, written and other information submitted to the Board and based on the above findings, the Planning Board **GRANTS** the requested Special Permit relief to (1) waive the parking and loading requirements for the new residential units, and (2) to allow the conversion of a nonresidential building to residential use.

1. All use, building construction, and site plan development shall be in substantial conformance with the application documents submitted to the Planning Board as referenced above (except as they may be modified by the Conditions of this Decision) as accepted by the Community Development Department on January 16, 2007.
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. 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 Permits were B. Shaw, P. Winters, H Russell, T. Anninger, W. Tibbs, S. Winters and A. Finlayson, Associated Member, appointed by the Chair to act on this Application, constituting at least the two thirds of the members of the Board necessary to grant a special permit.

For the Planning Board,



Barbara Shaw, Chair

PB#224 - 545 Cambridge Street

A copy of this decision #224 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 February 9, 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 or as part of the original application.

Twenty (20) days have elapsed since the filing of the decision.
No appeal has been filed.

DATE:
City Clerk
City of Cambridge

Appendix I – Dimensional Form

Special Permit # 224

Address: 545 Cambridge Street

	Allowed/Required	Existing	Proposed	Granted
Total FAR		1.92	1.92	1.92
Residential	1.75 or conversion		1.11	1.11
Non-Residential	1.0	1.92	0.81	0.81
Inclusionary Bonus	NA			
Total GFA in Sq. Ft.		11,379 sf	11,379 sf	11,379 sf
Residential	10,386.25 sf	NA	4,784 sf	4,784 sf
Non-Residential	5,935 sf	11,379 sf	6595 sf	6595 sf
Inclusionary Bonus				
Max. Height	35/35	30'	30'	30'
Range of heights				
Lot Size	5,000 residential	5935 sf	5935 sf	5935 sf
Lot area/du	600 sf	0	1483 sf	1483 sf
Total Dwelling Units	9	0	4	4
Base units				
Inclusionary units				
Min. Lot Width	50' residential	91'	No Change	No Change
Min. Yard Setbacks		0-15'	No Change	No Change
Front	Existing setback			
Side, Left	Existing setback			
Side, Right	Existing setback			
Rear	Existing setback			
Total % Open Space				
Usable	10% or existing	<1%	<1%	<1%
Other				
Off Street Parking				
Min #	1 per unit	None	None	None
Max #				
Handicapped				
Bicycle Spaces	1/10 if parking waived	None	None	None
Loading Bays	NA for housing			