



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION

| | |
|---|---|
| Case Number: | 228 |
| Address: | 1131 Massachusetts Avenue |
| Zoning: | C-2B / Harvard Square Overlay District |
| Applicant: | 1131 Massachusetts Avenue, LLC c/o James J. Rafferty 130 Bishop Allen Drive Cambridge, MA 02139 |
| Owner: | Richard Monagle c/o James J. Rafferty 130 Bishop Allen Drive Cambridge, MA 02139 |
| Application Date: | May 11, 2007 |
| Date of Planning Board Public Hearing: | June 5, 2007 |
| Date of Planning Board Decision: | June 5, 2007 |
| Date of Filing Planning Board Decision: | August 13, 2007 |
| Application: | Section 20.54.4 – Exemption from the parking and loading requirements of Section 6.36 for a use located in the Harvard Square Overlay District. |
| Decision: | GRANTED , with conditions. |

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OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

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 decision 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.

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

DOCUMENTS SUBMITTED

1. Special Permit Application submitted by the Applicant dated May 11, 2007, including: Cover Sheet, Summary of Application, Survey, Landscape Site Plan, Existing Floor Plans (4 pages), Existing Elevations (2 pages), Proposed Floor Plans (7 pages), Proposed Elevations (4 pages), Perspectives (2 pages), Historic Images (2 pages), Dimensional Form, Zoning Compliance Plans (6 pages), Existing Site Photos (5 pages).
2. Revised Dimensional Form submitted by the Applicant dated May 31, 2007.
3. Letter to the Planning Board from John O'Connor, dated May 25, 2007.
4. Letter to the Planning Board and the Board of Zoning Appeal from the Harvard Square Advisory Committee, dated June 5, 2007.
5. Letter to the Planning Board from Susan Clippinger, Director of Traffic, Parking and Transportation for the City of Cambridge, dated June 5, 2007.

FINDINGS

1. Conformance with General Special Permit Criteria in Section 10.43

Special permits will normally be granted where specific provisions of this Ordinance are met, except when 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.

- (a) *The requirements of the Zoning Ordinance can be met.*

The proposed project substantially meets the requirements of the base zoning district as well as the Harvard Square Overlay District. The project as proposed will require a variance to reduce the required setbacks in the base zoning district; however, the proposed setback distances will be equal to or greater than the existing condition on the site.

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

The proposed use will not negatively impact the current traffic patterns along Massachusetts Avenue and Remington Street or in the general vicinity of Harvard Square. The proposed hotel use will result in an improvement from the traffic patterns currently generated by the existing auto repair use.

- (c) *The operation or development of adjacent uses will not be adversely affected.*

The proposed hotel use will not have a negative effect on the operation of surrounding commercial, residential, and cultural uses. Moreover, a hotel use will benefit nearby commercial and cultural activities, and will be more compatible with adjacent residential uses than the existing auto repair facility.

- (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.

- (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 proposed project is found to be fully consistent with the goals of the Zoning Ordinance as detailed in the Harvard Square Overlay District and the *Harvard Square Development Guidelines*. A hotel use appropriately complements the mix of uses currently existing in that district. The proposed project has also received a favorable recommendation from the Harvard Square Advisory Committee.

- (f) *The new use or building construction is consistent with the Urban Design Objectives set forth in Section 19.30.*

The new use is consistent with those objectives, as described below:

New projects should be responsive to the existing or anticipated pattern of development.

The proposed new building will match the form and historic character of the existing residential building at the front of the site, and the rear will be designed to resemble a historic carriage house that existed on the site as it was developed in the 1800s. The design is exemplary in that it maximizes consistency with the historic context while solving the typical challenges of meeting modern building codes, providing access for disabled persons, and locating off-street parking below grade.

Development should be pedestrian and bicycle-friendly, with a positive relationship to its surroundings.

The exterior of the building will be improved to present a more appealing public face to the street, restoring the original character of the existing façade. Improved landscaping and the removal of surface parking at the front of the property will improve the environment for pedestrians and cyclists.

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

Exterior mechanical equipment will be screened to minimize noise and visual impacts on neighboring residents. Parking will be located below grade, and access to parking will be screened by a door designed with the architectural detail of a historic carriage house. The reuse of the site will eliminate an auto-oriented use that, while perhaps performing a service to residents, is not well suited to a dense commercial district at the edge of a moderately dense residential area.

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

The proposed project will not have an adverse impact on City infrastructure services.

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

Consistent with the *Harvard Square Development Guidelines*, the proposed construction will be harmonious with the historic architectural character of the area, and it will add to the mix of uses in the district by creating additional hotel rooms, which will in turn support the diverse existing cultural, institutional, and commercial uses in the district.

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

The proposed project will expand the number of hotel rooms in the city, which will serve visitors to Cambridge and support local businesses and institutions.

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

The proposed project will add green landscaping to a prominent corner of the lot that is currently occupied by surface parking. The total percentage of green area open space on the lot will increase from less than 5% to 22%.

2. Conformance with Conditions for an Exemption from Parking and Loading Requirements in Section 20.54.4

The proposed project seeks an exemption from loading requirements only, and does not seek any exemption from off-street parking requirements. Therefore, the Board finds that neither the requirement to reduce the size of development on the site nor to contribute to the Harvard Square Improvement Fund applies.

The Board finds that the lot is of a sufficiently small size and the use is of a sufficiently small scale that loading operations can be managed effectively without requiring a loading dock. Deliveries and pickups will be made primarily by small commercial vehicles and may be performed curbside, as they are for many small-scale commercial uses, with an interior "holding area" available to ensure that such activities may be performed quickly and with minimal disruption to neighbors and pedestrians.

The project as designed without a loading dock will be more sensitive to the historic character of the area and more compatible with surrounding uses, particularly nearby residential uses, than if the project were designed to include a loading dock. A loading dock would be a visual nuisance to adjacent residential and commercial uses, as well as to pedestrians, and loading operations involving trucks moving in and out of a loading dock area would generate a greater noise nuisance than curbside deliveries and pickups.

The project is fully consistent with the objectives and criteria of the *Harvard Square Development Guidelines*, which encourage consistency with the historic architectural character of the area, a diversity of uses serving residents, students, and visitors, and creative transportation solutions that explicitly avoid the need for loading docks. A possible improvement to the design might involve removing the two proposed on-grade parking spaces adjacent to the main building entrance on Remington Street. However, the Board recognizes that a hotel use requires temporary parking located near the main entrance for arriving guests. The Applicant is encouraged to continue to work with the Traffic, Parking and Transportation Department to determine whether an alternate solution is feasible.

DECISION

Based on a review of the application documents, comments made at the public hearing, and the above findings, the Planning Board **GRANTS** the requested Special Permit 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, with the most recent version dated May 31, 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, 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. In undertaking its review, CDD shall determine that any exterior heating and cooling mechanical equipment is designed and located so as to minimize acoustic and visual impact on residents of neighboring properties.
3. The exact location and operation of on-grade parking, drop-off areas, loading areas, and delivery/disposal operations shall be subject to continuing review and approval by the Traffic, Parking and Transportation Department.

Voting in the affirmative to GRANT the special permit were Planning Board Members A. Finlayson, H. Russell, B. Shaw, W. Tibbs, S. Winter, and P. Winters, and Associate Member P. Singer, appointed by the Chair to act on this matter.

For the Planning Board,

Barbara Shaw (JCR)

Barbara Shaw, Chair

A copy of this decision #228 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 August 13, 2007, by Jeffrey C. Roberts, 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

Appendix I: Dimensional Chart

| | Existing | Allowed or Required | Proposed | Permitted |
|----------------------------------|----------|---------------------|----------|--|
| Lot Area (sq ft) | 6,330 | 5,000 minimum | 6,330 | No Change |
| Total GFA (sq ft) | 9,546 | 11,077 | 11,077 | Consistent with applicable zoning requirements and application documents |
| Residential | 9,546 | - | - | |
| Non-Residential (Hotel) | - | 11,077 | 11,077 | |
| Total FAR | 1.51 | 1.75 | 1.75 | Consistent with applicable zoning requirements and application documents |
| Residential | 1.51 | - | - | |
| Non-Residential | - | 1.75 | 1.75 | |
| Lot Area / Dwelling Unit (sq ft) | 904 | - | - | Consistent with applicable zoning requirements and application documents |
| Total Dwelling Units | 7 | - | - | |
| Total Hotel Rooms | - | 2 x 24 = 48 | 32 | |
| Inclusionary Units | - | - | - | |
| Lot Width (ft) | 65 | 50 minimum | 65 | No Change |
| Height (ft) | 36.5 | 45 maximum | 45 | Consistent with applicable zoning requirements and application documents |
| Front Setback, Mass. Ave | 4.3 | 10 minimum | 4.3 | Consistent with applicable zoning requirements and application documents |
| Front Setback, Remington St | 7.63 | 10 minimum | 7.63 | |
| Side Setback (adj. to Remington) | 0.3 | 26.9 minimum | 4.0 | |
| Side Setback (adj. to Mass. Ave) | 0.1 | 13.9 minimum | 0.1 | |
| Open Space Area (% of lot) | 4.26 % | 15 % minimum | 22 % | Consistent with applicable zoning requirements and application documents |
| Useable | - | 7.5 % minimum | 13 % | |
| Other | - | - | 9 % | |
| Off-Street Parking Spaces | 8 | 12 | 25 | Consistent with applicable zoning requirements and application documents |
| Handicapped | - | - | 1 | |
| Bicycle Spaces | - | 6 | 6 | Consistent with applicable zoning requirements and application documents |
| Loading Bays | none | 1 | none | none (exempted under 20.54.4) |