



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION

Case Number:	250
Address:	169 Western Avenue
Zoning:	Residence C-1
Applicant/Owner:	Kathleen Walcott, c/o Issac M. Machado, Esq. 421 Highland Avenue, Somerville, MA 02144
Application Date:	August 20, 2010
Date of Planning Board Public Hearing:	September 21, 2010
Date of Planning Board Decision:	September 21, 2010
Date of Filing Planning Board Decision:	October 14, 2010
Application:	Conversion of non-residential storage facility into three units of housing, Section 5.28.
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 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.

Authorized Representative of the Planning Board:

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

DOCUMENTS SUBMITTED

Special Permit Application submitted August 20, 2010, containing, cover sheet, summary of application, Narrative Description, MBTA service maps, Dimensional Form, and ownership Certificate. Plans dated August 16, 2010, of various scales, containing site photos, historic site surveys, existing site plan, and floor plans for first, second and third floors, roof plan, section, elevations and proposed plans for the ground floor, first second and roof plans, elevations and building section.

Letter to the Planning Board from Charles M. Sullivan, Executive Director of the Cambridge Historical Commission, dated 8/21/10.

Email to the Planning Board from Scott Schlissel, 27 Kinnaird Street, dated 9/20/10.

FINDINGS

After review of the application documents and other documents submitted to the Board, testimony taken at the public hearing, and review and consideration of the Special Permit Application Documents and Plans dated 8/16/10, signed and dated at the 9/21/10 meeting, and the general special permit criteria, the Board makes the following findings.

1. Consistency with the Criteria of Section 10.43

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

- *It appears that the requirements of this Ordinance cannot or will not be met.*

With the granting of this Special Permit, the Ordinance requirements will be met.

- *The traffic generated or patterns of access or egress will cause congestion, hazard, or substantial change in established neighborhood character, or*

The driveway location will remain the same as it is now. The abutting neighborhood is mixed residential and commercial use and it is expected that the creation of 3 dwelling units will not negatively impact the existing traffic patterns on Western Avenue or the abutting streets.

- *The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affect by the nature of the proposed use, or*

The new residential units will fit into the existing residential neighborhood.

- *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, or*

No nuisance or hazard was found to be created in the conversion of the warehouse to 3 residential uses.

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

The intent of Section 5.28.2 is to encourage the conversion of existing structures to residential uses especially in residential districts. This conversion will continue the residential uses currently along this block of Western Avenue.

- *The new use or building construction is consistent with the Urban Design Objectives set forth in Section 10.30.*

See below.

** The new use or building construction is consistent with the Urban Design Objectives of Section 19.30*

- *19.31: New project should be responsive to the existing or the anticipated pattern of development.*

The conversion of the warehouse to residential use in the Residence C-1 district meets the intent of the district which already has a significant component of housing at this location.

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

The development will be in close proximity to the public transportation in Central Square and the MBTA bus stop on Western Avenue. The courtyard area will contain bike racks as well as create safe pedestrian access to the front door.

- *19.33: The building and site design should mitigate adverse environmental impact of a development upon its neighbors.*

No new shadows will be created for the abutting uses. The reuse of an existing building lessens the environmental impacts of demolishing and constructing a new building in its place. No new windows or roof deck will be created.

- *19.34: Projects should not overburden the city infrastructure services, including neighborhood roads, city water supply system and sewer system.*

The replacement of a warehouse activity with 3 dwelling units is not found to overburden the city infrastructure.

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

The conversion of storage to residential use along Western Avenue will reinforce the residential character of the street. Charles M. Sullivan, Executive Director of the Cambridge Historical Commission agrees that the building is significant and that residential conversion is an appropriate reuse of the building and a means towards its preservation.

- *19.36: Expansion of the inventory of housing in the city is encouraged.*

This development will create 3 dwelling units.

- *19; 37: Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city.*

The proposal adds a landscaped walkway in front of the building and along the existing multifamily building on the same lot.

2. Consistency with the Criteria for Issuance of the Special Permit as set forth in Sections 5.28.27(1) and (2)

- *The impact on residential neighbors of the new housing uses as it may affect privacy. The location and size of window, screening elements, decks, entries, and other aspects for the design shall be reviewed to maintain reasonable levels for privacy of abutters where significant variation from the normally required dimensional standards for the district are granted.*

The Planning Board finds that the existing building has been used as a warehouse as shown on the historical surveys of 1894 and 1900. The existing building is on the rear and side lot lines of the property and sets back from the front lot line. The conversion plans does not change the existing window openings: it neither creates new ones nor closes existing ones. The roof is proposed to have a light well to bring light to the north side of the building which is on the property line.

- *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 building is located within walking distance to Central Square, a hub of the MBTA including the Red Line and it is reasonable to assume that some residents will not own a car preferring to use public transportation. A bus stop is located at the front of the property. New bicycle racks will be installed for 4 bicycles.

3. Consistence with the Criteria in Section 5.28.25 – Waiver of Open Space Requirements

- *Amount of open space may be reduced if the Board finds that full compliance cannot reasonably be expected given existing development on the lot and the provision of parking.*

The Planning Board finds that the open space requirement cannot be met given the past development history of the site and waives the requirement upon its determination of the adequacy of the landscape improvements provided based on the building layout on the lot and the lack of building setback on the rear and two sides. The project proposal includes improvements to the area in front of 169 Western Avenue.

4. Consistency with other Section 5.28.2 Requirements

- All of the Gross Floor Area will be within the limits of the existing structure.
- The number of dwelling units exceeds the minimum 900 square feet of existing gross floor area per unit, and is 1,950 square feet, meeting the requirement of Section 5.28.2.
- No increase in the height of the existing building is proposed.
- The existing setbacks of the building are maintained.
- Portions of the site will be converted to Green Area Open Space.

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 uses, 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, dated August 16, 2010 and initialed on September 21, 2010. Appendix 1 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) and before issuance of a 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 to GRANT the Special Permit were, H. Russell, T. Anninger, W. Tibbs, P. Winters, S. Winter, and C. Studen, Associate Member appointed by the Chair to vote on this application, constituting two-third of the members of the Planning Board necessary to grant a Special Permit.

For the Planning Board,

Hugh Russell, Chair

A copy of this decision PB#250 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 October 14, 2010, 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

APPENDIX 1 – Dimensional Form

Special Permit #250

169 Western Avenue

	Allowed/Required	Existing	Proposed	Granted
Total FAR	.75	2.67	2.67	2.67
Residential	.75		2.67	2.67
Non-Residential	0			
Total GFA in Sq. Ft.	3851	13,735		
Residential Building		7885		
Residential	5850		5850	5850
Non-Residential		5850		
Inclusionary Bonus				
Max. Height	35	30	30	30
Range of heights		28 to 30.75 ft	28 to 30.75 ft	28 to 30.75 ft
Lot Size	5134	5134	5134	5134
Lot area/du	1,500			
5.28	5850/900		1,950	1,950
Total Dwelling Units			7	
Existing Residential		4	4	
5.28 Units	6.5		3	3
Min. Lot Width	50	50	50	50
Min. Yard Setbacks	NA	NA	NA	NA
Front				
Side, Left				
Side, Right				
Rear				
Total % Open Space	30%	439/5134 = 9%	1236/5134 = 24%	24%
Usable				
Other				
Off Street Parking		0	0	0
Handicapped				
Bicycle Spaces	1 per 2 DU		4	4
Loading Bays	NA	NA	NA	NA