

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTIC:	E OF DECISION CAMBRIDGE OF CAMBRIDGE.
Case Number:	26 Major Amendment
Address:	125 CambridgePark Drive
Zoning:	Office 2A, Alewife Overlay District 6, Flood Plain Overlay District
Applicant:	The McKinnon Company on behalf of BRE/CPD LLC,
Owner:	BRE/CPD LLC
Application Date:	February 21, 2013
Date of Planning Board Public Hearing:	April 9, 2013, May 7, 2013, May 21, 2013 and June 11, 2013
Date of Planning Board Decision:	June 11, 2013
Date of Filing Planning Board Decision:	June 27, 2013
Application: Major Amendment to perm and Section 20.97.2 of the G	it additional pooled parking pursuant to Section 6.35 Ordinance.
Decision: GRANTED with conditions	S .

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.

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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

Application Documents and Supporting Material

Application, Summary, Dimensional Form, Ownership Certificate, Project Narrative, Sewer Narrative, Water Narrative, Noise Narrative, Flood Plan Documentation, LEED Narrative Checklist, Neighborhood Outreach, Site Maps, Survey, Existing Photos, Proposed Site Plan, Floor Plans, Elevations, Perspective Renderings, Landscape Plans, Shadow Studies, Lot Subdivsion Plan, Tree Study, Open Space Plans

Other Documents

Email from Stephanie Groll to Liza Paden, dated May 20, 2013

130 Cambridgepark Drive Criteria List

130 Cambridgepark Drive Special Permits Needed and Criteria

Letter to Hugh Russell, from Richard McKinnon, dated May2, 2013

Letter from Jennifer Letourneau, Director, Cambridge Conservation Commission, dated March 12, 2013

Massachusetts Department of Environmental Protection, WPA Form 5 – Order of Conditions Memo to Brian Murphy, Assistant City Manager for Community Development, from Owen O'Riordan, City Engineer, dated April 9, 2013

Memo to Jennifer Letourneau, Director, Cambridge Conservation Commission, from Owen O'Riordan, City Engineer, dated February 25, 2013

Memo to Cambridge Planning Board, from Sue E. Clippinger, Director, Cambridge Traffic, Parking, and Transportation Department, dated April 9, 2013

Letter to Richard McKinnon, The McKinnon Company, from David Hall, Cambridgepark Drive Limited Partnership, dated May 16, 2013

Letter to the Cambridge Planning Board, from Cambridge Systematics Inc., dated May 17, 2013 Email to Liza Paden, from Hugh Russell, dated May 8, 2013

Open Space Calculations, dated April 8, 2013

Plan of Land, dated April 8, 2013

Article 20.70, Flood Plain Overlay District, of the Cambridge Zoning Ordinance

Memo to Meghan Miller, Vanasse, Hangen, Brustlin, Inc. from Sue Clippinger, dated March 8, 2013

Email to Michael Brandon, from Richard McKinnon, dated March 22, 2013

Email to Liza Paden, from Kevin Renna, dated March 26, 2013

Email to Liza Paden, from Adam Shulman, dated March 11, 2013

Legal Notice of Public Hearing, dated March 21, 2013

FINDINGS

After review of the Application Documents and other documents submitted to the Planning Board, testimony given at the public hearing, and review and consideration of the applicable requirements and criteria set forth in the Ordinance with regard to the relief being sought, the Planning Board makes the following Findings:

1. General Criteria for Issuance of a Special Permit (10.43)

The Planning Board finds that the project meets the General Criteria for Issuance of a Special Permit, as set forth below.

10.43 Criteria. 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 because:

(a) It appears that requirements of this Ordinance cannot or will not be met.

With the requested Major Amendment to PB#26, the project will meet the requirements of the Ordinance.

(b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character.

The project is expected to have minimal impact on traffic and will not cause congestion, hazard, or substantial change to the established neighborhood character. The office use is already in existence and, if anything, the additional pooled parking may reduce vehicular traffic.

(c) the continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use.

The proposed changes to the parking layout will not adversely affect the continued operation or future development of adjacent uses.

(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.

The project already exists, and will not create any nuisance or hazard to the detriment of the health, safety and/or welfare of the occupants of the project or the citizens of the City.

(e) 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.

The Major Amendment will advance the intent and purpose of Alewife Overlay District 6, to encourage development that will facilitate and encourage walking, biking and transit use and reduce the growth of auto trips through shared parking facilities, by facilitating shared parking opportunities that will allow the construction of a 220-unit residential building with an increase of only 149 parking spaces.

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

There is no new use or building construction is anticipated as part of this Major Amendment.

2. 20.75 Criteria for Flood Plain Overlay District Special Permit

Pursuant to Section 20.75 of the Ordinance, the Planning Board shall grant a Major Amendment to Special Permit #26 for development in the Flood Plain Overlay District if the Board finds that such development has met the following criteria in addition to other criteria specified in Section 10.40:

- 1) No filling or other encroachment shall be allowed in Zone A areas or in the floodway which would impair the ability of these special flood hazard areas to carry and discharge flood waters, except where such activity is fully offset by stream improvements such as, but not limited to, flood water retention systems as allowed by applicable law.
 - No new use or construction, and, therefore, no filling or other encroachment, is anticipated as part of this Major Amendment.
- 2) Displacement of water retention capacity at one location shall be replaced in equal volume at another location on the same lot, on an abutting lot in the same ownership, on a noncontiguous lot in the same ownership, or in accordance with the following requirements.
 - No changes are anticipated to the existing water retention capacity on the site.
- 3) All flood water retention systems shall be suitably designed and located so as not to cause any nuisance, hazard, or detriment to the occupants of the site or abutters. The Planning Board may require screening, or landscaping of flood water retention systems to create a safe, healthful, and pleasing environment.
 - The existing water retention capacity on the site will remain the same.
- 4) The proposed use shall comply in all respects with the provisions of the underlying zoning district, provisions of the State Building Code, Wetlands Protection Act, and any other applicable laws.
 - The Major Amendment is part of the project that will comply with all applicable provisions of the Office 2-A District, the Alewife Overlay District 6 and the Flood Plain Overlay District. The project also will comply with the Wetlands Protection Act, State Building Code and any other applicable laws.
- 5) Applicants for development in the Alewife area shall be familiar with area-specific and general city-wide land use plans and policy objectives (e.g. Concord-Alewife Plan, A Report of the Concord Alewife Planning Study, November 2005; Toward a Sustainable Future,

Cambridge Growth Policy, 1993, Update, 2007; Section 19.30 – Urban Design Objectives of this Zoning Ordinance) and shall demonstrate how their plan meets the spirit and intent of such documents in conjunction with the requirements of this Section 20.70 – Flood Plain Overlay District and Section 20.90 – Alewife Overlay Districts 1-6.

The Major Amendment is part of the project that will comply with all applicable provisions of the Office 2-A District, the Alewife Overlay District 6 and the Flood Plain Overlay District. The project also will comply with the Wetlands Protection Act, State Building Code and any other applicable laws.

6) The requirement of Section 20.74(3) has been met (i.e., Certification and supporting documentation by a Massachusetts registered professional engineer demonstrating that any encroachment of the floodway shall not result in any increase in flood levels during the occurrence of the 100-year flood).

There are no new encroachments in the floodway beyond those approved in the 1982 Special Permit.

3. Section 20.93.2 Criteria for Approval of an Alewife Overlay District Special Permit

In reviewing applications for Alewife Overlay District special permits, the Planning Board shall be guided by the objectives, criteria, and guidelines contained in the publication Concord-Alewife Plan in addition to the requirements of Section 10.40 (Special Permits) and Section 20.90. These guidelines are also intended to assist in shaping any contemplated physical change within the Alewife Overlay Districts. With respect to consistency with the Concord-Alewife Plan, special emphasis shall be placed on preservation of key rights-of-way for infrastructure projects as indicated in the Priority Infrastructure Plan.

- 1) The Concord-Alewife objectives, criteria and guidelines, generally and for the "Triangle District" (in which the Site is located), include the following:
- (a) Break large blocks into smaller blocks, of sizes similar to those in surrounding Cambridge neighborhoods, to improve circulation and to be compatible with surrounding neighborhoods.

The Major Amendment will enable, in part, development of a project which will replace an existing surface parking lot with a residential development of a scale similar to that found in other areas of Cambridge, and will complement the surrounding office buildings. Close proximity to the Alewife MBTA station, area parks and trails, and retail shopping will help facilitate walking, biking and transit use and minimize negative impacts on surrounding neighborhoods.

(b) Vary the design of individual buildings to create an architecturally diverse district and create building height/façade setbacks between 85' and 105'.

There is no change to the existing office building at 125 CambridgePark Drive.

(c) Street-level facades should include active uses such as frequent residential entrances, with setbacks for stoops and porches; neighborhood-serving retail including shops, restaurants, cafés; services for the public or for commercial offices such as fitness centers, cafeterias, day care centers; community spaces such as exhibition or meeting spaces; and commercial lobbies and front entrances. Provide small setbacks (5' to 15') from the right-of-way for café seating, benches, or small open spaces.

There is no change to the existing office building at 125 CambridgePark Drive.

(d) Encourage awnings/canopies to provide shelter and enliven ground-floor façades.

There is no change to the existing office building at 125 CambridgePark Drive.

(e) Design residential buildings with individual units and front doors facing street, including row-house units on the lower levels of multifamily residences. Create a pedestrian-friendly environment along CambridgePark Drive.

There is no change to the existing office building at 125 CambridgePark Drive.

(f) Encourage sustainable and green building design and site planning.

There is no change to the existing office building at 125 CambridgePark Drive.

(g) Use low-impact-development principles in building and site design as a way to meet city, state, and federal stormwater requirements.

There is no change to the existing office building at 125 CambridgePark Drive.

(h) Use site design that preserves future rights-of-way identified in the Circulation Concept Plan. Locate new development to preserve right-of-way for future crossing of the railroad tracks to connect the Triangle and Quadrangle. Provide pedestrian links that strengthen physical connections to Alewife Reservation, consistent with its master plan. Strengthen bicycle and pedestrian links to adjacent areas. Provide links that strengthen physical and visual connections to open space resources.

There is no change to the existing office building at 125 CambridgePark Drive.

(i) Improve existing streets to meet City standards, including streetscape improvements.

There is no change to the existing office building at 125 CambridgePark Drive.

 ${\it (j) Screen service areas from \ Cambridge Park \ Drive.}$

There is no change to the existing office building at 125 CambridgePark Drive.

(k) Parking below grade is preferred. If above grade parking is to be provided, design it so it is not visible from nearby residential neighborhoods, from public streets, or from pathways. Line

above-ground structured parking with active uses (shops, cafés, lobbies) along important public ways; use parking structures to provide visual and acoustical screening between the railroad tracks and the rest of the area.

There is no change to the existing office building at 125 CambridgePark Drive. As noted above, the Major Amendment will facilitate shared parking opportunities that will allow the construction of a 220-unit residential building with an increase of only 149 parking spaces.

(1) Design and locate lighting and signage to support the district's pedestrian-friendly quality.

There is no change to the existing office building at 125 CambridgePark Drive.

- 2) The regulations contained in Section 20.90 are intended to harness the opportunities presented with the redevelopment of private property in ways that will:
- (a) Encourage forms of development, mix of uses, and range of improvements that will facilitate and encourage walking, biking and transit use and reduce the growth of auto trips in an area already burdened with regional vehicular traffic passing through to other destinations in the metropolitan region.

The Major Amendment will enable, in part, development of a project that will introduce additional residential units in close proximity to transit and surrounding commercial uses, thereby facilitating walking, biking and transit use and helping to minimize negative traffic impacts on the neighborhood. The Major Amendment will also facilitate shared parking opportunities that will allow the construction of a 220-unit residential building with an increase of only 149 parking spaces.

(b) Preserve and enhance the capacity to store floodwater, recharge groundwater and manage the collection and disposal of stormwater in ways that add to the quality and visual appeal of the built environment as well as to the quality of the water itself.

There is no change to the existing office building or the previously approved flood retention systems at 125 CambridgePark Drive.

(c) Minimize the negative impact of new development on the adjacent Cambridge Highlands residential neighborhood while introducing new amenities and services that will benefit the residents of that neighborhood.

The project is not located adjacent to the Highlands neighborhood and will not significantly impact that area.

(d) Integrate the entire area through the creation of new pedestrian paths, roadways, green spaces and bridges that will facilitate movement within the several Districts and beyond to the Cambridge Highlands, North Cambridge and Neighborhood Nine neighborhoods and the Fresh Pond Reservation.

There is no change to the existing office building at 125 CambridgePark Drive.

(e) Introduce a significant component of residential living and support retail services to enhance the area's appeal for all persons who come to work, shop as well as live within the Districts.

The Major Amendment will enable, in part, the development of a project that will add 220 additional residential dwelling units to the housing inventory of the City.

(f) Create an identity and sense of place for the Alewife Districts that parallels the development of the historic urban centers that characterize much of Cambridge.

There is no change to the existing office building at 125 CambridgePark Drive.

3) In granting a special permit under Section 20.95.34 of the Ordinance to reduce the yard requirements otherwise applicable in the Office 2-A District, the Planning Board shall consider the following:

This is not applicable to this Major Amendment as there is no request to reduce yard requirements for the existing building.

- 4) In granting a special permit under Section 20.97.2 and 20.97.3 of the Ordinance, to permit pooled parking, the Planning Board shall consider the following:
- (a) The facility advances the objective of the Concord-Alewife Plan.

The Major Amendment will enable, in part, the development of a project that will replace an existing surface parking lot with a parking structure and a residential development of a scale similar to that found in other areas of Cambridge, and will complement the surrounding office and residential buildings.

(b) A shared facility is established that aids in implementation of effective Transportation Demand Management measures to reduce dependence on the single occupancy automobile.

The shared parking facility will allow the construction of a 220-unit residential building with an increase of only 149 parking spaces.

(c) The facility is appropriately located to serve the development it serves.

The parking facilities serving 125 CambridgePark Drive will be located on site as well as on 150, 160 and 180R CambridgePark Drive, across CambridgePark Drive.

(d) The facility is well designed, does not diminish the pedestrian—friendly quality of the area around it, and is otherwise consistent with the urban design objective of the Concord-Alewife Plan.

There is no change to the existing office building at 125 CambridgePark Drive. The development of the residential project at 130 CambridgePark Drive will include outdoor passive recreation.

(e) The additional bulk of building above grade is well designed and does not have an unreasonably negative impact on its abutters or the public realm.

There is no change to the existing office building at 125 CambridgePark Drive.

(f) The extent to which the construction of an above grade parking structure facilitates the creation of at grade soil permeability.

There is no change to the existing office building at 125 CambridgePark Drive.

4. 6.35 Criteria for Approval of Special Permit for Reduction of Required Parking

Any minimum required amount of parking may be reduced only upon issuance of a special permit from the Board of Zoning Appeals. A special permit shall be granted only if the Board determines and cites evidence in its decision that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood, or that such lesser amount of parking will provide positive environmental or other benefits to the users of the lot and the neighborhood, including specifically, among other benefits, assisting in the provision of affordable housing units.

The proposed shared parking arrangement will meet legal obligations under existing easement agreements.

In making such a determination the Board shall also consider whether or not less off street parking is reasonable in light of the following:

1) The availability of surplus off street parking in the vicinity of the use being served and/or the proximity of an MBTA transit station.

The site is located less than a quarter mile from the Alewife MBTA station.

2) The availability of public or commercial parking facilities in the vicinity of the use being served provided the requirements of Section 6.23 are satisfied.

The proposed shared parking arrangement will adequately serve the relevant residential and office uses. After subdivision of 150 and 180R CambridgePark Drive, 125, 150 and 180R CambridgePark Drive will contain 1,206 parking spaces, and the residential building at 130 CambridgePark Drive will contain approximately 120 parking spaces (including four exterior parking spaces). Pursuant to recorded easement agreements: (i) the residential building at 130 CambridgePark Drive will have a right to use approximately 100 parking spaces in the parking structure at 150 CambridgePark Drive; (ii) the residential building at 160

¹ Per Section 10.45 of the Ordinance, any "application requiring a special permit from the Planning Board that contains elements requiring a special permit from the Board of Zoning Appeal may be allowed by the Planning Board within the scope of the Planning Board special permit and shall not require a separate application to the Board of Zoning Appeal."

CambridgePark Drive will have a right to use 100 parking spaces in the parking structure at 150 CambridgePark Drive during nights and weekends; (iii) 200 CambridgePark Drive will have a right to use 40 parking spaces in the parking structure at 150 CambridgePark Drive; (iv) 150 vehicular parking spaces at 160 CambridgePark Drive will continue to be shared with the existing office buildings at 125, 150 and 200 CambridgePark Drive; (v) approximately 200 spaces will be maintained on 150/180R CambridgePark Drive for use by 125 CambridgePark Drive; and (vi) approximately 323 spaces will be maintained on 150/180R CambridgePark Drive for use by 100 CambridgePark Drive.

- 3) Shared use of off street parking spaces serving other uses having peak user demands at different times, provided that no more than seventy-five (75) percent of the lesser minimum parking requirements for each use shall be satisfied with such shared spaces and that the requirements of Subsection 6.23 are satisfied.
 - Residential and commercial uses typically have peak user demands at different times. The 220 vehicular parking spaces required for the residential units at 130 CambridgePark Drive under the Ordinance is less than the parking required for the existing office buildings. The proposed shared parking will involve less than 75% of the residential building's 220 parking spaces and allows for sufficient parking for the properties served under the proposed plan.
- 4) Age or other occupancy restrictions which are likely to result in a lower level of auto usage.

 There is no change to the existing office building or its use.
- 5) Impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, significant negative impact on the historic resources on the lot, impairment of the urban design objectives of the city as set forth in Section 19.30 of the Zoning Ordinance, or loss of pedestrian amenities along public ways.
 - The proposed shared parking arrangement will meet legal obligations under existing easement agreements, while providing adequate parking for the residential building at 130 CambridgePark Drive. The Property is located within the Flood Plain Overlay District and no below grade parking is proposed.
- 6) The provision of required parking for developments containing affordable housing units, and especially for developments employing the increased FAR and Dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space on the lot, or will significantly diminish the environmental quality for all residents of the development.

The residential project at 130 CambridgePark Drive, which is partially enabled by this Major Amendment, includes affordable housing units.

7) For a project seeking a reduction in required off-street parking for residential uses, a Parking Analysis shall be required as part of the Special Permit Application as set forth in Section 6.35.3.

A Parking Analysis was submitted with the project's Transportation Impact Study.

DECISION

Based on a review of the Application Documents, testimony given at the public hearings, and the above Findings, the Planning Board hereby GRANTS the requested Major Amendment to Special Permit #26 subject to the following conditions and limitations:

- 1. All use, building construction, and site plan development shall be in substantial conformance with the Application Documents dated February 21, 2013, and all supplemental documents and information submitted by the Applicant to the Planning Board as referenced above; and Minor Amendment for landscaping approved on March 20, 1984; Major Amendment to permit the consolidation of parking lots filed on November 3, 1983; the Special Permit decision filed September 15, 1982; and the Major Amendment to reduce parking and permit pooled parking filed on July 11, 2012. Appendix I summarizes the dimensional features of the project as approved.
- 2. The project shall be subject to and conform for the commitments and requirements outlined in the original Special Permit decision filed September 15, 1982, except as specifically modified by the July 11, 2012 Major Amendment and/or this Major Amendment.

Voting in the affirmative to GRANT the Special Permits were Planning Board Members H. Russell, P. Winters, H Cohen, S. Winter and S. Cohen, and Associate Member C. Preston Connolly, appointed by the Chair to act on the case, constituting at least two thirds of the members of the Board, necessary to grant a special permit.

For the Planning Board,

H b M

Hugh Russell, Chair

A copy of this decision Major Amendment to PB#26, 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.

City of Cambridge, MA • Planning Board Decision PB # 26 – Major Amendment – 125 CambridgePark Drive

ATTEST: A true and correct copy of the above decision filed with the Office of the City Clerk on June 27, 2013, 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

Project Address: 125 CambridgePark Drive

	Existing	Allowed or Required (max/min)	Proposed	Permitted
Lot Area (sq ft)	126,595 sq ft	5,000 sq ft	126,595 sq ft	126,595 sq ft
Lot Width (ft)	300 +/- ft	50 ft	300 +/- ft	300 +/- ft
Total Gross Floor Area (sq ft)	184,000 sq ft	158,244 sq ft	184,000 sq ft	184,000 sq ft
Residential Base	N/A	N/A	N/A	
Non-Residential Base	184,000 sq ft	158,244 sq ft	184,000 sq ft	
Inclusionary Housing Bonus	N/A	N/A	N/A	
Total Floor Area Ratio	1.45	1.25	1.45	
Residential Base	N/A	N/A	N/A	1.45 non
Non-Residential Base	1.45	1.25	1.45	residential
Inclusionary Housing Bonus	N/A	N/A	N/A	
Total Dwelling Units	N/A	N/A	N/A	N/A
Building Height(s) (ft)	85 ft	85 ft	85 ft	85 ft 5.85 +/- ft 23.10 +/- ft 23.10 +/- ft 205.72 +/- ft
Front Yard Setback (ft)	5.85 +/- ft	74 +/- ft	5.85 +/- ft	
Side Yard Setback –right (ft)	23.10 +/- ft	49+/- ft	23.10 +/- ft	
Side Yard Setback –left (ft)	23.10 +/- ft	49/- ft	23.10 +/- ft	
Rear Yard Setback (ft)	205.72 +/- ft	74 +/- ft	205.72 +/- ft	
Open Space (% of Lot Area)	16.2 +/- %	15%	16.2%	16.2% N/A 16.2%
Private Open Space	N/A	N/A	N/A	
Permeable Open Space	16.2%	25%	16.2%	
Other Open Space (Specify)	N/A	N/A	N/A	N/A
Off-Street Parking Spaces	379	230 to 460	379*	379*
Bicycle Parking Spaces	N/A	N/A	N/A	N/A
Loading Bays	1	1	1	1

^{*}Approximately 179 spaces on 125 CambridgePark Drive and approximately 200 spaces on 150 and 180R CambridgePark Drive. Up to 150 spaces on 160 CambridgePark Drive may be used by 125 and 150 CambridgePark Drive (approximately 80 spaces) and by 200 CambridgePark Drive (approximately 70 spaces). See April 9, 2013 TPTD Letter.