



CITY OF CAMBRIDGE

Community Development Department

To: Planning Board

From: CDD Staff

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Re: Special Permit **PB #296 Amendment 1, 57 JFK Street**

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This memo contains an overview of the proposed amendment to the special permit for 57 JFK Street (PB-296) and related comments.

Background

In 2015, the Board reviewed this project at 57 JFK Street to construct a three-story office addition atop the existing two-story building within the Business B (BB) district and Harvard Square Overlay District. The addition would add approximately 18,351 square feet of net new Gross Floor Area to the existing 42,996 square feet on the lot, with no new parking or loading facilities proposed. The project required a special permit from the Planning Board to waive parking and loading requirements for the addition (Section 20.54.4). The Planning Board granted the special permit, with conditions, and Special Permit PB-296 was filed on July 30, 2015. The conditions included a requirement to make a cash contribution to the Harvard Square Improvement Fund in accordance with Section 20.54.4. In 2017, the Planning Board granted an extension of the special permit to July 30, 2018. A building permit was issued to commence interior work within the existing structure to prepare for the work associated with the additional floors.

Requested Amendment

The applicant currently seeks an additional special permit to exempt the existing basement area, a total of 12,310 square feet, from the calculation of Gross Floor Area (GFA) pursuant to the definition of GFA in Article 2.000 of the Zoning Ordinance. The resulting GFA on the lot would be less than 80% of the maximum GFA allowed by zoning. Because Section 20.54.4 does not require a cash contribution if development is reduced to less than 80% of what is allowed on the lot, the applicant seeks to amend the original special permit to delete the condition requiring the contribution. The applicable special permit findings are summarized below.

Requested Special Permits	Summarized Findings <i>(see appendix for zoning text excerpts)</i>
Exemption of basement area in the calculation of Gross Floor Area (GFA)	<ul style="list-style-type: none"> • The uses occupying such exempted GFA support the character of the neighborhood or district in which the applicable lot is located.
Exemption from parking and loading requirements in the Harvard Square Overlay District (Section 20.54.4)	<ul style="list-style-type: none"> • The lot contributes to a development pattern of diverse, small scale, new structures and the retention of existing structures. • Exemption from parking and loading requirements results in a building design that is more appropriate to its location and fabric of the neighborhood. • Design is in conformance with objectives and criteria contained in <i>Harvard Square Development Guidelines</i>. • No National Register or contributing building is demolished or altered as to terminate or preclude its designation (either now or within the past 5 years). • Conforms to general criteria for issuance of a special permit.
General Special Permit Criteria (Section 10.43)	Special permits will be normally granted if the zoning requirements are met, unless it is found not to be in the public interest due to one of the criteria enumerated in Section 10.43.

Comments on Proposed Amendment

The Zoning Ordinance was amended in 2016 to allow, by special permit, basement area to be excluded from the calculation of GFA. This amendment was adopted after the issuance of the original special permit for this project in 2015. The basement area that the applicant seeks to exclude currently includes 12,310 square feet of GFA. In the original special permit, the lot area is recorded as 17,357 square feet. With a maximum FAR of 4.0 and lot area of 17,357 square feet, the maximum GFA allowed on the lot is 69,428 square feet. The GFA authorized by the original special permit is 61,347 square feet (88% of the allowed maximum). However, the amendment application records the lot area as 14,504 square feet and with a maximum FAR of 4.0, the maximum GFA allowed on the lot is 58,016 square feet. With the basement area excluded, the amendment application indicates that total GFA would be 44,595 square feet (approximately 77% of the allowed maximum). It is recommended that the applicant confirm the actual lot area, basement area, and total GFA excluding the basement area since the plan set provided indicates that there are no changes from the original special permit, but has varying information on the dimensional form.

The original special permit has a condition (#4) stating that the project shall make a cash contribution to the Harvard Square Improvement Fund per the requirements of Section 20.54.4, which is copied below:

20.54.4 *Parking and Loading Requirements. Uses in the Harvard Square Overlay District which meet the following requirements shall be exempt from the parking and loading requirements as specified in Section 6.36 - Schedule of Parking and Loading Requirements.*

1. The use is contained within a structure or portion of a structure in existence on or before June 1, 1940 or if constructed later is identified as a National Register or contributing building; or

2. The use is contained in a new structure or new addition to a structure identified in (1.) above, after the issuance of a special permit by the Planning Board provided:

a. The total development authorized on the site is reduced to eighty (80) percent of the maximum permitted on the lot; or a cash contribution is made to the Harvard Square Improvement Fund to be established by the City of Cambridge in an amount equal to fifty (50) percent of the cost of construction of the spaces not provided, said contribution to be used by the City of Cambridge for one or more of the following capital improvements in the Harvard Square Overlay District:

(1) Provision of public parking, preferably for short term users;

(2) Improvements to public parks, or restoration of historic structures, monuments and other features owned by the City of Cambridge or other public agency or a nonprofit organization;

(3) Extension throughout the Harvard Square Overlay District of the surface improvements installed by the MBTA as part of the Red Line subway extension (brick sidewalks, light post, street furniture, etc.)

The Harvard Square Advisory Committee shall receive and make comments on any proposal for the expenditure of such cash contributions. To the extent practicable the provision of public parking facilities shall be the first priority of any expenditure. The funds shall not be used for ordinary maintenance activities normally undertaken by the City of Cambridge.

The value of the cash contribution shall be determined by the Community Development Department assuming equivalent structured parking spaces and using generally accepted cost estimation methods customarily used by architects and engineers or using actual construction costs for comparable contemporary parking construction in Cambridge.

b. The subject lot is sufficiently small in size as to contribute to a development pattern of diverse, small scale, new structures and the retention of existing structures (for lots exceeding 10,000 square feet a specific finding shall be made that this objective has been met).

c. The Planning Board shall specifically find that an exemption from parking and loading requirements will result in a building design that is more appropriate to its location and the fabric of its neighborhood and that it is in conformance with the objectives and criteria contained in Harvard Square Development Guidelines.

d. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and

e. No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

In 2018, CDD (in consultation with other City departments) conducted a review of actual construction costs for contemporary structured parking construction in Cambridge and calculated the average cost of construction of one parking space to be \$96,500. Based on this cost of \$96,500 per parking space, CDD determined that the value of the cash contribution to the Harvard Square Improvement Fund would be \$48,250 per parking space, i.e., 50% of the calculated cost, multiplied by the number of required parking spaces not provided.