

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION

Case Number:	301 Amendment #1
Address:	249 Third Street
Zoning:	Industry A-1 / Eastern Cambridge Housing Overlay (ECHO) District / PUD-4C Overlay District
Applicant:	Equity Residential on behalf of Owner 1500 Massachusetts Ave, N.W. Washington, D.C. 20005
Owner:	ASN Kendall Square LLC Two North Riverside Plaza, Suite 400, Chicago, IL 60606
Application Date:	August 23, 2016
Date of Planning Board Public Hearing:	September 6, 2016
Date of Planning Board Decision:	September 6, 2016
Date of Filing Planning Board Decision:	October 11, 2016
Application:	Amendment to previously granted Special Permit Decision authorizing a residential building with ground-floor retail space. The Gross Floor Area is proposed to increase by 14,484 square feet due to the addition of a full story below grade. Special permits were granted pursuant to the following Sections of the Zoning Ordinance: Project Review Special Permit (19.20); reduction of the required side yard setback (5.34.2-b); reduction of required parking (6.35.1); provision of required residential parking off-site (Section 6.22.2).
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: Jeffrey C. Roberts

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

1. Special Permit Application filed on August 23, 2016, containing the Special Permit Cover Sheet, Amended Dimensional Form, Ownership Certificate, Amendment Narrative, Site Plan dated August 12, 2016, Building Elevations dated 05-13-2016, and Renderings.

Other Documents

3. Memo to the Planning Board from Traffic, Parking and Transportation Department staff, dated August 25, 2016.
4. Memo to the Planning Board from Department of Public Works staff, dated August 30, 2016
5. Memo to the Planning Board from the Community Development Department staff, dated August 31, 2016.

APPLICATION SUMMARY

In an October 6, 2015 decision (“original Decision”) the Planning Board approved a proposal to construct a new building at 249 Third Street with 84 units of housing and a corner ground floor retail space of approximately 1,540 square feet with modification to setback requirements. The Board also approved modifications for parking requirement reduction and pooled parking among the proposed building and two existing residential buildings in the area at 303 Third Street and 195 Binney Street, which are governed by previously granted Planning Board special permits PB #189 and PB #118, respectively. The current application seeks an amendment to the original Decision approval in order to add a full story below grade, resulting in an increase of 14,484 square feet to the Gross Floor Area of the project. The addition is due to site conditions that will require the excavation and removal of a substantial amount of soil from the site. The proposed addition will include residential amenity space and bicycle parking (relocated from the ground floor) and will not change the approved number of dwelling units in the project.

The Applicant presented the project changes at the public hearing but no other members of the public appeared to testify.

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 Zoning Ordinance with regard to the relief being sought, the Planning Board makes the following Findings:

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

The Planning Board finds that the proposed amendment to the project does not alter the Findings made in its prior decision with regard to the general special permit criteria, which are set forth in the original Decision attached to this Amended Decision.

2. Project Review Special Permit (Section 19.20)

(19.25.1) Traffic Impact Findings. Where a Traffic Study is required as set forth in Section 19.24 (2) the Planning Board shall grant the special permit only if it finds that the project will have no substantial adverse impact on city traffic within the study area as analyzed in the Traffic Study. . . .

After reviewing the August 25, 2016 communication from the Traffic, Parking and Transportation Department confirming that since there is no proposed change in dwelling units or parking for the project, the analysis in the original Transportation Impact Study is unchanged, the Board finds that the amended proposal will have no substantial adverse impact on city traffic within the study area, as referenced in the Findings set forth in the original Decision attached to this Amended Decision.

(19.25.2) Urban Design Findings. The Planning Board shall grant the special permit only if it finds that the project is consistent with the urban design objectives of the city as set forth in Section 19.30. In making that determination the Board may be guided by or make reference to urban design guidelines or planning reports that may have been developed for specific areas of the city and shall apply the standards herein contained in a reasonable manner to nonprofit religious and educational organizations in light of the special circumstances applicable to nonprofit religious and educational activities.

The Board finds that the proposed amendment remains consistent with the Urban Design Objectives set forth in Section 19.30, given that the additional Gross Floor Area will be entirely below grade and not visible, and given the resulting improvements to the site design and the building's ground floor. The Board makes reference to the Findings set forth in the original Decision attached to this Amended Decision, which remain unaltered by the proposed amendment.

3. Special Permits Related to Parking (Article 6.000)

The Board finds that the proposed amendment will have no impact on the proposed arrangements for parking, and therefore makes reference to the Findings set forth in the original Decision attached to this Amended Decision.

4. Reduction of Side Yard Requirements (5.34.2b)

In the Industry A-1 district, side yard and rear yard setbacks may be reduced to a minimum required setback of 10 feet by special permit, provided that the yard is suitably landscaped to effectively buffer building walls from abutting lots.

The Board finds that the proposed amendment will not alter or further encroach into the approved side yard, and that moreover the landscaping will be improved as a result of the proposed amendment, and therefore finds that the criteria for approval continue to be met.

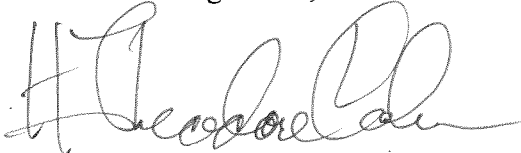
DECISION

Based on a review of the Application Documents, testimony given at the public hearing, and the above Findings, the Planning Board hereby GRANTS the requested Special Permit Amendment subject to the following conditions and limitations. Hereinafter, for purposes of this Decision, the Permittee shall mean the Applicant for the requested Special Permits and any successor or successors in interest.

1. All use, building construction, and site plan development shall be in substantial conformance with the plans approved by Special Permit Decision PB #301, attached to this Special Permit, except as amended by the Application Documents filed on August 23, 2016. Appendix I summarizes the amended dimensional features of the project as approved.
2. All other Conditions set forth in the previously granted Special Permit Decision PB #301, attached to this Special Permit Decision, shall continue to apply.

Voting in the affirmative to approve the Special Permit Amendment were Planning Board Members Louis Bacci, Jr., Catherine Preston Connolly, H Theodore Cohen, Mary Flynn, Hugh Russell, Tom Sieniewicz and Associate Member Ahmed Nur, appointed by the Chair to act on the case, constituting at least two thirds of the members of the Board.

For the Planning Board,



H Theodore Cohen, Chair.

A copy of this decision PB #301 Amendment #1 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 11, 2016 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:

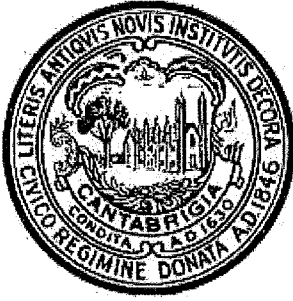
City Clerk of Cambridge

Appendix I: Approved Dimensional Chart (Amended)

	Existing	Allowed or Required	Proposed	Permitted
Lot Area (sq ft)	26,918	5,000	No Change	No Change
Lot Width (ft)	217.65	50	No Change	No Change
Total GFA (sq ft)	N/A	87,484	86,381	86,381
Residential Base	N/A	67,295	66,189 ¹	Consistent with Application Documents and applicable zoning requirements
Non-Residential Base	N/A	33,657	1,420 ¹	
Inclusionary Bonus	N/A	20,189	18,772 ¹	
Total FAR	N/A	3.25	3.21	Consistent with Application Documents and applicable zoning requirements
Residential Base	N/A	2.50	2.46 ¹	
Non-Residential Base	N/A	1.25	0.05 ¹	
Inclusionary Bonus	N/A	0.30	0.70 ¹	
Total Dwelling Units	N/A	115	84	84
Base Units	N/A	89	64	Consistent with Application Documents and applicable zoning requirements
Inclusionary Bonus Units	N/A	26	20	
Base Lot Area / Unit (sq ft)	N/A	300	420.59	
Total Lot Area / Unit (sq ft)	N/A	300	320.45	
Height (ft)	N/A	45/55 max	45/55	Consistent with Application Documents and applicable zoning requirements
Front Setbacks (ft)	N/A	0/4	0/7	
Side Setback (ft)	N/A	10	10.1	
Rear Setback (ft)	N/A	N/A	N/A	
Open Space (% of Lot Area)	20.7%	None	20.4%	Consistent with Application Documents and applicable zoning requirements
Private Open Space	0	--	2,126	
Permeable Open Space	5,571	--	4,737	
Off-Street Parking Spaces	78	84	2 ²	2 ²
Long-Term Bicycle Parking	0	89	90	Consistent with Application Documents, PTDM and other applicable requirements
Short-Term Bicycle Parking	0	10	12	
Loading Bays	0	N/A	N/A	

¹ Development shall conform to schematic site plan dated August 12, 2016, and other plans and elevations dated May 13, 2016. GFA dedicated to inclusionary housing will be calculated at the time of Building Permit application.

² Parking spaces will be allocated in the existing garage at 195 Binney Street to serve residential uses at 249 Third Street according to the conditions of this Special Permit. See attached summary of approved pooled parking arrangements among residential uses at 249 Third Street, 195 Binney Street and 303 Third Street.



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Address:	249 Third Street
Zoning:	Industry A-1 / Eastern Cambridge Housing Overlay (ECHO) District / PUD-4C Overlay District
Applicant:	Equity Residential on behalf of Owner 1500 Massachusetts Ave, N.W. Washington, D.C. 20005
Owner:	ASN Kendall Square LLC Two North Riverside Plaza, Suite 400, Chicago, IL 60606
Application Date:	July 1, 2015
Date of Planning Board Public Hearing:	August 18, 2015
Date of Planning Board Decision:	October 6, 2015
Date of Filing Planning Board Decision:	November 16, 2015
Application:	Construction of a residential building with ground-floor retail spaces, requesting special permits pursuant to the following Sections of the Zoning Ordinance: Project Review Special Permit (19.20); reduction of the required side yard setback (5.34.2-b); reduction of required parking (6.35.1); provision of required residential parking off-site (Section 6.22.2).
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: Jeffrey C. Roberts JCR 11/16/15

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

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OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

DOCUMENTS SUBMITTED

Application Documents and Supporting Material

1. Special Permit Application submitted on 7/1/15, containing the Special Permit Cover Sheet, Dimensional Form, Ownership Certificate, Narrative in support of 249 Third Street, Memorandum regarding Proposed Parking Reallocation dated 6/17/2015, Narrative regarding Compliance with Eastern Cambridge Design Guidelines, Executive Summary of Traffic Impact Study prepared by Howard/Stein-Hudson Associates, Inc. and Certification by Traffic, Parking and Transportation Department, Shadow Study prepared by Icon Architecture, Tree Study prepared by Highpoint Engineering, Inc. and Certification of Receipt of Plans by City Arborist, Expanded LEED Narrative, Checklist, and Affidavit prepared by Icon Architecture and Certification for Receipt of Plans by LEED Specialist, Flood Plain Documentation by Highpoint Engineering, Inc., dated 1/9/15, Certification of Receipt of Plans by Cambridge Water Department, plan set titled Residences at 249 Third Street, prepared by Icon Architecture dated 6/17/15.
2. Supplemental Information and Updated Proposal dated 9/22/15, containing a response memorandum dated 9/22/15, plan set titled 249 Third Street Supplemental Planning Board Packet prepared by Icon Architecture dated 9/22/15.

City of Cambridge Documents

3. Memo to the Planning Board from Public Works Department staff, dated 8/5/15
4. Memo to the Planning Board from Traffic, Parking and Transportation Department staff, dated 8/13/15
5. Memorandum to the Planning Board from CDD staff, dated 8/13/15
6. Memorandum to the Planning Board from CDD staff, dated 9/30/15

Other Documents

7. Letter to the Planning Board from Barbara Broussard, East Cambridge Planning Team, dated 4/24/15

APPLICATION SUMMARY

On July 1, 2015 the Applicant submitted a proposal to construct a new building at 249 Third Street with 84 units of housing and a corner ground floor retail space of approximately 1,540 square feet with modification to setback requirements. The application also sought modifications for parking requirement reduction and pooled parking among the proposed building and two existing residential buildings in the area at 303 Third Street and 195 Binney Street, which are

governed by previously granted Planning Board special permits PB #189 and PB #118, respectively. The base zoning is Industry A-1, a moderate-density light industry designation that also allows residential uses as-of-right. The base zoning is modified by the Eastern Cambridge Housing Overlay (ECHO) district, which creates incentives for residential development including a higher FAR and a graduated set of height limits. Another layer of zoning is the PUD-4C overlay district. However, the Applicant is not seeking a PUD special permit under the PUD-4C requirements, so those requirements are not applicable for this project. The requested special permits are discussed in detail in the Findings below.

After hearing testimony at the initial Planning Board public hearing, the Applicant provided additional information about the project in narrative and graphic form to revise the building's exterior design, and in addition proposed some changes in the development program with addition of units that would be provided as affordable to middle-income households.

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 Zoning Ordinance with regard to the relief being sought, the Planning Board makes the following Findings:

1. General Criteria for Issuance of a Special Permit (Section 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, or ...

Upon granting of the requested special permits, it appears that the requirements of the Ordinance will be met.

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

Traffic impacts are discussed further in the Project Review Special Permit section of these Findings. The proposed mixed use, which is supported by the planning and zoning for the area, is not anticipated to cause particular congestion or hazard.

(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, or ...

The proposed mixed use is encouraged by City plans for the area and the Zoning Ordinance, and will not adversely affect adjacent uses that exist or are anticipated in the future.

(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, or ...

The proposed uses will not create nuisance or hazard, and all development activity will adhere to applicable health and safety regulations.

(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, and ...

As noted, the proposed mixed use is encouraged by City plans for the area and the Zoning Ordinance.

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

Compliance with the urban design objectives are discussed in the Project Review Special Permit section of these Findings.

2. Project Review Special Permit (Section 19.20)

(19.25.1) Traffic Impact Findings. Where a Traffic Study is required as set forth in Section 19.24 (2) the Planning Board shall grant the special permit only if it finds that the project will have no substantial adverse impact on city traffic within the study area as analyzed in the Traffic Study. Substantial adverse impact on city traffic shall be measured by reference to the traffic impact indicators set forth in Section 19.25.11 below.

(19.25.11) Traffic Impact Indicators. In determining whether a proposal has substantial adverse impacts on city traffic the Planning Board shall apply the following indicators. When one or more of the indicators is exceeded, it will be indicative of potentially substantial adverse impact on city traffic. In making its findings, however, the Planning Board shall consider the mitigation efforts proposed, their anticipated effectiveness, and other supplemental information that identifies circumstances or actions that will result in a reduction in adverse traffic impacts. Such efforts and actions may include, but are not limited to, transportation demand management plans; roadway, bicycle and pedestrian facilities improvements; measures to reduce traffic on residential streets; and measures undertaken to improve safety for pedestrians and vehicles, particularly at intersections identified in the Traffic Study as having a history of high crash rates.

The indicators are: (1) Project vehicle trip generation weekdays and weekends for a twenty-four hour period and A. M. and P.M. peak vehicle trips generated; (2) Change in level of

service at identified signalized intersections; (3) Increased volume of trips on residential streets; (4) Increase of length of vehicle queues at identified signalized intersections; and (5) Lack of sufficient pedestrian and bicycle facilities. The precise numerical values that will be deemed to indicate potentially substantial adverse impact for each of these indicators shall be adopted from time to time by the Planning Board in consultation with the TPTD, published and made available to all applicants.

A Traffic Impact Study (TIS) was prepared by the Applicant's transportation consultant, Howard/Stein-Hudson Associates, Inc., and certified complete and reliable by the Traffic, Parking and Transportation Department (TPT) on January 22, 2015. TPT provided initial comments and recommended corrections in a memo dated December 3, 2014. In response, the consultant submitted a revised TIS dated December 22, 2014 on January 8, 2015. It was noted that the TIS studied impacts of the proposed 249 Third Street project in the context of cumulative impacts anticipated from the proposed shared parking arrangements in the area.

According to the TIS and commentary provided by TPT, the traffic resulting from the project will not significantly alter peak hour trips on the major roads in that area. The only exceedances identified by the TIS are a reduction in the Vehicle Level of Service (LOS) at the intersection of Third Street and Binney Street from LOS D to LOS E during the P.M. peak hour, as well as triggering two Pedestrian Level of Service criteria at the unsignalized intersection of Third Street at Bent Street at the north and south crosswalk crossing Third Street. No indicators for traffic on residential streets are exceeded in the area of the project.

TPT recommended transportation infrastructure improvements as well as transportation demand management measures to minimize the project's traffic impacts. The mitigation measures proposed by TPT (referenced in the memo dated August 13, 2015) and agreed to by the Applicant are aimed at addressing the transportation issues associated with the project in addition to enhancing the overall transportation network in the vicinity. Therefore, after consideration of the traffic impacts indicated in the TIS and mitigation measures proposed for the project, the Planning Board finds that the project will have no substantial adverse impact on city traffic.

(19.25.2) Urban Design Findings. The Planning Board shall grant the special permit only if it finds that the project is consistent with the urban design objectives of the city as set forth in Section 19.30. In making that determination the Board may be guided by or make reference to urban design guidelines or planning reports that may have been developed for specific areas of the city and shall apply the standards herein contained in a reasonable manner to nonprofit religious and educational organizations in light of the special circumstances applicable to nonprofit religious and educational activities.

The Board finds that the proposed project is consistent with the Urban Design Objectives set forth in Section 19.30, as described below. In considering these Findings the Board also relies on the additional guidance provided in the Eastern Cambridge Design Guidelines, which are applicable in this district.

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

The anticipated pattern of development in the area is established in the Eastern Cambridge Design Guidelines, which support additional housing development to complement existing mixed uses at a density that takes advantage of proximity to public transit. Being subject to ECHO District zoning the project site is bisected by two height zones and hence the building massing steps down from five-stories on Rogers Street to four-stories on Bent Street in accordance with zoning heights, and also in deference to the low-scale character of the East Cambridge neighborhood. The scale of development is similar to other existing or permitted buildings in the area. The siting and orientation of the building is consistent with existing streetscape patterns in the area. There are no historic buildings affected.

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

The project makes great efforts to enhance the pedestrian and bicycle activity in the immediate area. Entries are oriented toward anticipated routes of pedestrian and bicycle movement and transparency is maximized on the ground floor, which results in an active street edge. A strong residential facade with small setbacks for stoops and landscaping is provided on Third Street and Bent Street, which also animates the pedestrian environment. The project further addresses the urban design objectives of the Eastern Cambridge Design Guidelines through site design that accommodates pedestrian and bicycle access to the building and improves the walking and bicycling conditions around the site. The proposed design provides open space and landscaping, while connecting to the neighborhood park and transit locations. Bicycle parking is also provided per base zoning requirements.

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

There are three street frontages, and the proposed building interfaces with the Foundry Building and Rogers Street Park. The Rogers Street Park interface represents a tremendous opportunity for the site. The project proposes a strong urban edge to the park, which is softened by townhouse forms and individual unit entrances on Third Street that also wrap around to Bent Street. This successfully frames and activates the open space while minimizing shadow impacts. In relation to the Foundry Building, the proposed residential project will be appropriately screened with fencing and vegetation and will improve sidewalk connections on Rogers Street. The Cambridge Redevelopment Authority (CRA) has recently begun a process to determine the exact future use, programming and design of the City-owned Foundry Building, and the Applicant has agreed to coordinate with the CRA and City on future public improvements related to the Foundry project.

Rooftop mechanical equipment and services will be set back from the roof edge and shielded from public view by parapet walls, and therefore will not adversely impact those adjacent uses. Throughout the review process, significant improvements have been made to the treatment of façades and landscaping to make them more attractive to passersby, and the exact treatments will be subject to final review by City staff. Trash and other service functions are housed internally, with an adjacent parking area to the rear of the building to accommodate temporary loading activity. Though the exact location of electrical transformer equipment has not been determined, the Applicant will coordinate with the electrical utility provider to locate such equipment in as unobtrusive a location as possible, preferably underground if feasible.

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

Traffic impacts have been discussed previously in these Findings. The project will be designed to meet strict Department of Public Works (DPW) stormwater standards applicable as per City of Cambridge Wastewater and Stormwater Drainage Use Regulations. Open space permeability will increase as a result of the development, which will assist to minimize stormwater run-off from the site. Roof runoff and ground runoff will be collected and appropriately treated before discharged into the municipal system. There are no anticipated impacts on water supply. The project will meet the Green Building Requirements set forth in the Zoning Ordinance.

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

The project will transform a currently underutilized site into a new residential block with a small node of retail activity, resulting in the transformation of a currently unappealing streetscape into a more pleasant and lively pedestrian environment with round-the-clock residents. The project is located in an area undergoing significant redevelopment and transformation. The project supports the principles embodied in the Eastern Cambridge Design Guidelines by contributing to a mixed-use area, with housing to complement adjacent office uses, as well as retail and small landscaped setbacks at the ground floor to contribute to the sense of place in the neighborhood. There are no historic buildings or resources affected.

(19.36) Expansion of the inventory of housing in the city is encouraged.

The project will contribute eighty-four (84) housing units, including a minimum of ten (10) affordable units as required by the Inclusionary Housing provisions of the Zoning Ordinance and two (2) middle-income units. A variety of units are proposed, including three-bedroom units to accommodate larger-sized households including families with children.

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

The Project enhances the open space amenities in the neighborhood by creating a strong edge to the Rogers Street Park. The addition of residential and retail uses will activate Third Street along Rogers Street Park, thereby enhancing the experience of visitors to the park. The Project also will provide landscaped open space on all sides of the building and adjacent to Third, Bent, and Rogers Streets, improving the streetscape edges. The project will also provide balconies, a central courtyard space and a roof terrace as open space amenities for residents of the building.

3. Special Permits Related to Parking (Article 6.000)

The proposed project seeks approval to relocate required accessory parking and to reduce the required amount of accessory parking. Such relief is allowed by the Zoning Ordinance in Sections 6.22.2 and 6.35.1, respectively, and Section 10.45 of the Zoning Ordinance which allows the Planning Board to grant special permits otherwise within the purview of the Board of Zoning Appeal for projects that are also subject to Planning Board review.

The broader intent of the sought relief is to permit a pooled parking arrangement among three residential sites in close proximity along Third Street. Therefore, the Findings made by the Board in relation to these special permits are also made with consideration to special permits being sought for parking at 195 Binney Street (PB #118) and 303 Third Street (PB #189), which are filed as separate Special Permit Decisions.

6.22.2 *The Board of Zoning Appeal may grant a special permit for off-site accessory parking not allowed in Subsection 6.22.1 (a) provided that convenient and safe access from the parking facility to the use being served is provided in accordance with the following conditions:*

(a) No off-site accessory parking facility may be located on a lot which has a more restrictive zoning classification than the lot on which the use being served is located.

(b) Off-site accessory parking facilities shall be located within four hundred (400) feet of the lot being served for residential uses and within one thousand (1000) feet of the lot for other uses.

The project proposes accommodation of residential and visitor parking at the existing garage at 195 Binney Street, which is within close proximity and easily accessible from the site, meeting all of the above mentioned conditions. The Board finds it appropriate to grant the special permit to allow use of off-site accessory parking as proposed, with reference to the general Findings set forth in this Special Permit Decision and other requirements set forth in the Zoning Ordinance.

6.35.1 *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 reduction in parking is consistent with the City's goals to discourage driving and encourage other modes of transportation, particularly in areas that are served by public transit. The Kendall Square ("K2") portion of the K2C2 Planning Study encouraged reducing the parking requirements for new housing in the area as well as shared parking arrangements and the use of existing underutilized parking facilities as an alternative to constructing new parking. The current proposal to accommodate new resident parking in the existing underutilized garage at 195 Binney Street is consistent with these planning objectives and may further help to mitigate traffic concerns and promote greater use of alternative transportation in the future.

The proposed shared parking arrangement will achieve an overall residential parking ratio of about 0.7 space per dwelling unit, which is a ratio generally supported by the City for locations well served by rapid transit. The Applicant also provided a Parking Analysis as a part of the Special Permit Application, including data gathered through U.S. Census surveys, Cambridge Traffic, Parking and Transportation records, and direct monitoring of nearby parking facilities indicating that demand for residential parking in the area is significantly less than the requirement of one space per dwelling unit. As the existing and permitted residential developments in the area have off-street parking, the Board finds that there will be minimum impact on availability of parking for other residents and no other adverse impacts on the neighborhood. The Board also finds that the reduction in parking will be reasonable in light of the considerations set forth below.

... 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 reduction in parking is reasonable given the proximity of the project to the Kendall Square and Lechmere MBTA stations.

- (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.*

Aside from on-street parking, there are no public parking facilities in the vicinity of the residential building; however, the Parking Analysis provided indicates there is ample off-street residential parking available.

- (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.*

No shared parking is proposed. All parking spaces are reserved for the residential use.

- (4) *Age or other occupancy restrictions which are likely to result in a lower level of auto usage; and*

The reduction in parking anticipates a less auto-dependent future for the area, and the low parking supply will help discourage auto usage among residents, given that many other transportation alternatives are available.

- (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 reduction in parking is preferable because it promotes efficient use of the existing parking facility and prevents the need to build additional parking on the residential site, which positively impacts the urban design of the area.

- (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 project will provide affordable units pursuant to the Inclusionary Housing requirements in the Zoning Ordinance as well as additional middle-income units.

4. Reduction of Side Yard Requirements (5.34.2b)

In the Industry A-1 district, side yard and rear yard setbacks may be reduced to a minimum required setback of 10 feet by special permit, provided that the yard is suitably landscaped to effectively buffer building walls from abutting lots.

The Applicant seeks side yard setback relief on the one lot line that does not front a public street, which is the line separating the project site from the site of the Foundry Building. Only a portion of the proposed building, along Bent Street, is ten feet from the property line, while most of the building is set back more generously to provide a landscaped courtyard between

the building and the adjacent lot. As noted above in these Findings, the entire setback along that property line is screened with fencing and vegetation, and the project will improve sidewalk connections along Rogers Street. Therefore, the Board approves the proposed setbacks shown on the project plans dated 9/22/15.

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 Special Permits subject to the following conditions and limitations. Hereinafter, for purposes of this Decision, the Permittee shall mean the Applicant for the requested Special Permits and any successor or successors in interest.

1. All use, building construction, and site plan development shall be in substantial conformance with the Application Documents dated June 17, 2015, and all supplemental documents and information submitted by the Applicant to the Planning Board dated September 22, 2015, and the additional Conditions of this Special Permit Decision. 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 Decision. As part of CDD's administrative review of the project, and prior to any certification to the Superintendent of Buildings, CDD may present any design changes made subsequent to this Decision to the Planning Board for its review and comment. At a minimum, the following specific elements of the design shall be subject to review and approval by CDD prior to issuance of a Building Permit:
 - a. Final landscape details, including placement of electrical transformer.
 - b. Final selection of materials and colors on building façades, which shall include a materials mock-up on the site to be reviewed and certified by CDD prior to finalizing the choice of materials. CDD shall notify Planning Board members when the mock-up is available to be reviewed.
 - c. Public realm improvements, which shall also be reviewed by the Traffic, Parking and Transportation Department (TPT) and Department of Public Works (DPW).
 - d. Final location and screening of rooftop mechanical units.
 - e. Ground-floor spaces intended for future retail, to assess the types of retail activities that will be viable.
3. All authorized development shall abide by all applicable City of Cambridge Ordinances, including the Noise Ordinance (Chapter 8.16 of the City Municipal Code).
4. Throughout design development and construction, the project shall conform to the Green Building Requirements set forth in Section 22.20 of the Cambridge Zoning Ordinance.
5. The required number of accessory parking spaces shall be reduced to a minimum of fifty-nine (59) spaces, or a rate of 0.7 space per dwelling unit, the majority of which shall be provided in the existing garage at 195 Binney Street to serve residential uses at 249 Third Street. There will be one (1) van accessible parking space and one (1) loading zone on-site at

249 Third Street. See attached summary of approved pooled parking arrangements among residential uses at 249 Third Street, 195 Binney Street and 303 Third Street.

6. The Permittee shall be subject to additional requirements to mitigate transportation impacts, as recommended in the communication from Joseph Barr, Director of Traffic Parking and Transportation (TPT) dated August 13, 2015, and set forth below:
 - a. Remove the two existing curb cuts on Third Street, which were previously used for access to the surface parking lot, and repair the sidewalk.
 - b. Remove the mid-block curb extension on Third Street between Rogers Street and Bent Street. The curb extension is no longer needed because it was used to protect sightlines for drivers exiting the surface parking lot. TPT expects 2-3 new on-street parking meters can be added on Third Street between Rogers Street and Bent Street after the curb extension is removed, serving short-term visitors to building residents and the retail space.
 - c. Design and install a raised pedestrian crossing across Rogers Street at Third Street, to be reviewed and approved by TPT and DPW.
 - d. Provide a new curb extension on Third Street at Rogers Street, and a new crosswalk crossing Third Street to the Rogers Street Park, including compliant pedestrian ramps at both ends of the crosswalk.
 - e. Construct a new sidewalk on the north side of Rogers Street, where there is currently no sidewalk. The sidewalk will include the City standard driveway treatment for access to the Project's on-site van accessible parking space and loading zone.
7. The Permittee shall be required to implement the following Transportation Demand Management (TDM) measures to encourage residents to use sustainable modes of transportation and shall be required to submit annual monitoring reports. Compliance with these requirements shall be certified by TPT prior to issuance of any Certificate of Occupancy for residential uses authorized by this Special Permit.
 - a. Offer each adult member of each household (up to 2) at 249 Third Street upon move-in a Charlie Card valued at the cost of 50% bus/subway pass for 6 consecutive months. This ends after 6 months for the household and begins anew upon unit turnover.
 - b. Offer adult member of each household (up to 2) at 249 Third Street upon move-in a 1-year Gold Level Hubway membership. This ends after one year for the household and begins anew upon unit turnover.

- c. Provide at least two car-sharing parking spaces on Rogers Street, if desired by a local carshare company. Carshare vehicles will be available for use by the general public as well as the residents.
- d. Become a member of a Transportation Management Association (TMA) serving the Kendall Square area.
- e. Provide free EZRide Shuttle sticker to each adult member of each household each year.
- f. Provide air pumps and other bicycle repair tools such as “fix-it” stations in the long-term bicycle parking areas prior to issuance of Certificate of Occupancy.
- g. Encourage carpooling in coordination with MassRides, a local TMA, or other private ride-matching organizations.
- h. Either install a real-time multimodal transportation display screen to help people decide which mode to choose for each trip, or establish a transportation information center located in an area that is central, visible, convenient, and equally accessible to all residents, employees and visitors, to make available information on non-driving options. The center will feature information on:
 - Cambridge bicycle facility map
 - MBTA maps, schedules, fares, and real-time transit app information.
 - Area shuttle map and schedule, if one exists.
 - "Getting Around in Cambridge" map (available from the Cambridge Community Development Department).
 - On-site bicycle parking
 - All CitySmart brochures.
 - Hubway regional bicycle share system
 - Carsharing services
 - Ride-matching services such as MassRides.
 - Other pertinent transportation information.
- i. Designate a transportation coordinator (TC) for the site to manage the TDM program. The TC will also oversee the marketing and promotion of transportation options to all residents at the site in a variety of ways:
 - Posting information in a prominent location in the building, on the Project's website, social media outreach, and in property newsletters.
 - Responding to individual requests for information in person and via phone and email.
 - Performing annual transportation surveys.
- j. The TC shall implement a monitoring program to include: annual monitoring of residents mode of travel for all trips, counts of parking space utilization (cars and bicycles), auto ownership and parking location, plus biennial driveway counts for

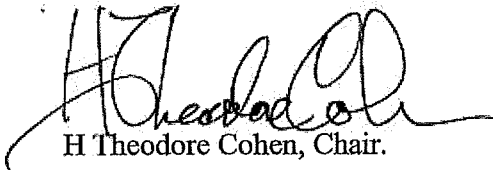
285/303 Third Street and 195 Binney Street. All surveys and counts shall be designed and conducted in a manner approved by CDD. The program should be coordinated with monitoring of 195 Binney Street and 303 Third Street buildings and should include auto ownership and where residents park. Approval of the form of any survey instrument or monitoring method is required before issuance of first Certificate of Occupancy. Monitoring and surveying shall begin when the occupancy of the building has reached ninety percent (90%) or within one year of the date of the first Certificate of Occupancy, whichever is sooner. If the Certificate of Occupancy is issued between September 1st and February 29th, the monitoring should take place during the months of September or October and be reported to the City no later than November 30. If the Certificate of Occupancy is issued between March 1st and August 31st, monitoring should take place during the months of April or May and be reported to the City no later than June 30.

- k. The TC will compile and distribute up-to-date information explaining all transportation options to all new residents as part of their New Resident Packet. The packets will contain information on both the range of options available and any building manager programs to support the use of these options.
- l. The TC will be on-site during a minimum of 2 hours per week and will be available during other times to residents via email and telephone. Email and phone information for the TC will be posted in the transportation information center.
- m. The TC will participate in any TC trainings offered by the City of Cambridge or local TMA and will oversee any City of Cambridge monitoring and reporting requirements.
- n. The TC should actively manage and monitor the residents' auto ownership and parking location and use all reasonable measures to:
 - Encourage non-automobile ownership
 - Provide an appropriate and flexible market-rate parking fee program that best accommodates all residential vehicles (and guest vehicles) in the 195 Binney Street and 285/303 Third Street garages.
8. The Permittee shall work with staff to optimize the design of any additional bicycle parking that is proposed so that it is as functional as possible.
9. The Permittee shall conduct periodic monitoring of bike storage capacity and demand to ensure there is adequate bike parking, which will be incorporated into the Transportation Demand Management (TDM) monitoring program.
10. The Permittee shall retain the current auto parking fee for 195 Binney Street residents who are presently parking at 249 Third Street parking lot, upon being relocated to the 195 Binney Street and/or 285/303 Third Street garage, until the end of their tenancy at 195 Binney Street. As part of the TDM monitoring program, the Permittee shall assess whether a significant number of residents are opting to park on-street rather than off-street.

11. In addition to the required affordable units provided pursuant to the Inclusionary Zoning Ordinance, two units will be made permanently affordable and restricted to households earning 80% to 120% of area median income, guaranteed through a covenant to be established between the City and the owner prior to issuance of a building permit in a manner similar to the Inclusionary Housing requirements.
12. The residential units shall comprise of a mix of studio, one bedroom, two bedroom and three bedroom units, with a minimum of two (2) three bedroom units.

Voting in the affirmative to approve the Development Proposal were Planning Board Members Louis Bacci, Jr., Catherine Preston Connolly, H Theodore Cohen, Steven Cohen, Hugh Russell, and Associate Members Thacher Tiffany and Ahmed Nur, appointed by the Chair to act on the case, constituting at least two thirds of the members of the Board.

For the Planning Board,



H Theodore Cohen, Chair.

A copy of this decision PB #301 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.

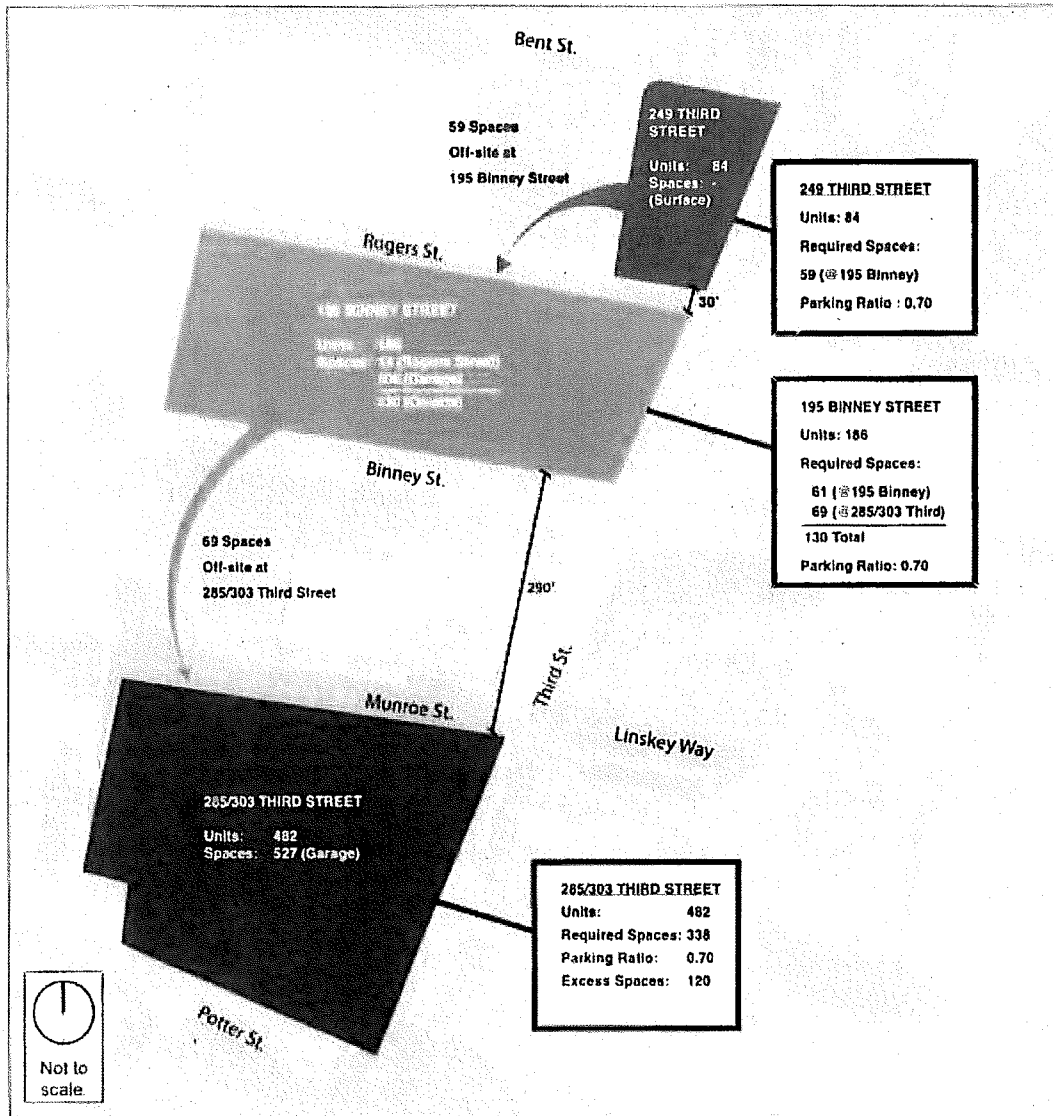
ATTEST: A true and correct copy of the above decision filed with the Office of the City Clerk on November 16, 2015, by Jeffrey C. Roberts, authorized representative of the Cambridge Planning Board. All plans referred to in the decision have been filed with the City Clerk on said date.

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

DATE:

City Clerk of Cambridge

Figure 2. Proposed Parking Allocation Plan



Howard/Stein-Hudson Associates, Inc.

Proposed Parking and Reassignment

The Project-generated and existing garage vehicle trips were relocated assuming a future parking ratio of 0.7 spaces per residential unit at 195 Binney Street and 285/303 Third Street. The existing vehicle trips to and from the Project site were redistributed to the 195 Binney Street parking garage and a portion of the 195 Binney Street trips were redistributed to the 285/303 Third Street garage driveway (see Table 3.C.3 for future parking space assignment). The resulting a.m. and p.m. peak hour re-distributed traffic volume networks are shown in Figure 3.D.1 through Figure 3.D.4

Table 3.C.3 Proposed Parking Allocation Plan

Location	Units	Existing		Proposed	
		Spaces	Ratio (spaces/unit)	Required Spaces	Ratio (spaces/unit)
195 Binney Street	186				
195 Binney Street Garage		106		46	
249 Third Street Lot		74		-	
Rogers Street		14		14	
285/303 Third Street Garage		-	-	70	
<i>Subtotal</i>	<i>186</i>	<i>194</i>	<i>1.04</i>	<i>130</i>	<i>0.70</i>
285/303 Third Street	482				
285/303 Third Street Garage		527	1.12	338	0.70
<i>Subtotal</i>	<i>482</i>	<i>527</i>	<i>1.12</i>	<i>338</i>	<i>0.70</i>
249 Third Street Proposed Project	84				
195 Binney Street Garage				59	0.70
<i>Subtotal</i>	<i>84</i>			<i>59</i>	<i>0.70</i>
Total	752	721	0.97	527¹	0.70

¹ 527 spaces would be required at 0.70 spaces per unit, leaving 120 spaces unused in the 285/303 Third Street Garage.

Following the redevelopment of the 74-space surface lot at 249 Third Street, the combined parking supply at 249 Third Street, 285/303 Third Street, and 195 Binney Street would total 647 spaces (721-74=647). As shown in Table 3.C.3, 527 spaces would be allocated for the combined 752 units at the proposed parking ratio of 0.70 spaces per unit rather than the 1.0 ratio required in the IA:1 district. Therefore, the 285/303 Third Street garage will have an additional capacity of 120 spaces (647-527 = 120).