

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION

Case Number:	313
Address:	135 Fulkerson Street
Zoning:	Residence C-1 (C-1)/ Industry A-1 (IA-1)/ Eastern Cambridge Housing Overlay District (ECHO)
Applicant:	135 Cambridge LLC. 185 Dartmouth Street, Suite 402, Boston, MA 02116
Owner:	The Scarborough Realty Trust 114 Waltham Street, Watertown, MA 02472
Application Date:	June 24, 2016
Date of Planning Board Public Hearing:	July 26, 2016
Date of Planning Board Decision:	September 6, 2016
Date of Filing Planning Board Decision:	October 11, 2016
Application:	Request to demolish the existing single-story garage building to construct a new three-story building with 40 residential units, above-grade parking for 40 cars, and a shed for 42 long-term bicycle parking spaces, pursuant to Section 4.26.1 Multifamily Special Permit.
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: Swaathi Joseph

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

CAMBRIDGE, MASSACHUSETTS
OFFICE OF THE CITY CLERK

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DOCUMENTS SUBMITTED

Application Documents and Supporting Material

1. Special Permit Application submitted on 6/24/2016, containing the Special Permit Cover Sheet, Dimensional Form, Ownership Certificate, Community Outreach Summary, Project Narrative, plan set titled Site Development Plans, prepared by Bohler Engineering, dated 6/21/2016 and building plan set prepared by Cube3 Studio, dated 6/21/2016.
2. Revised building rendering with revision date 7/18/2016, prepared by Cube3 Studio.
3. Special Permit Amendment submitted on 8/9/2016, containing summary of revisions, Site Development Plans, prepared by Bohler Engineering, dated 6/21/2016 with revisions through 8/8/16, and building plan set prepared by Cube3 Studio, dated 8/9/2016.

Other Documents

4. Memorandum to the Planning Board from Community Development Department staff, dated 7/19/2016.
5. Memorandum to the Planning Board from Traffic, Parking and Transportation Department staff, dated 7/19/2016.
6. Memorandum to the Planning Board from Community Development Department staff, dated 8/31/2016.
7. Memorandum to the Planning Board from Traffic, Parking and Transportation Department staff, dated 8/30/2016.

APPLICATION SUMMARY

The Applicant proposes to demolish the existing single-story garage building to construct a new three-story building with 40 residential units, a surface parking lot for 40 cars, and 42 enclosed long-term bicycle parking spaces within the building and a separate shed. The project also includes addition of sidewalks on Fulkerson Street in addition to a pathway along the northern side of the property that is intended to provide a potential future public access from Fulkerson Street to the planned Grand Junction Rail-with-Trail multiuse pathway. The majority of the site is located in the Residence C-1 District (C-1) and a small portion of the site at the southern tip is located in the Industry A-1 District (IA-1), within which the base zoning is also modified by the Eastern Cambridge Housing Overlay (ECHO) district. The Applicant reviewed the proposal with staff at the Cambridge Historical Commission, who did not find the existing building to be significant and therefore no demolition review hearing was required. The requested special permits are discussed in detail in the Findings below.

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. Multifamily Dwelling in Residence C-1 District (Section 4.26.1)

4.26.1 The construction of a multifamily dwelling containing twelve (12) or more dwelling units or of elderly oriented congregate housing containing twenty-four (24) or more separate living spaces in a Residence C, Residence C-1, Residence C-1A, Office 1, Business A-1, or Business A-3 district shall require a special permit granted by the Planning Board.

10.47.4 Criteria for approval of Townhouses and Multifamily Dwellings. In reviewing applications for townhouse developments and multifamily dwelling, the special permit granting authority shall consider and address the following site plan criteria as applicable:

(1) Key features of the natural landscape should be preserved to the maximum extent feasible. Tree removal should be minimized and other natural features of the site, such as slopes, should be maintained.

At present, the site has a large building footprint and paved area with limited natural landscape features and no trees over three inch caliper. The proposed development, with a smaller building footprint and multiple trees in the front setback and sidewalk, will increase the landscaped areas on the site and improve site drainage conditions.

(2) New buildings should be related sensitively to the existing built environment. The location, orientation and massing of structures in the development should avoid

overwhelming the existing buildings in the vicinity of the development. Visual and functional disruptions should be avoided.

The proposed new building will provide a transition between the larger-scale commercial buildings closer to Kendall Square and smaller-scale residential buildings in the East Cambridge neighborhood with a streetscape treatment that is responsive to the open space in the neighborhood and future plans for the area.

- (3) *The location, arrangement, and landscaping of open space should provide some visual benefits to abutters and passersby as well as functional benefits to occupants of the development.*

The proposed development will create a landscaped open space with deciduous and evergreen trees, shrubs and groundcovers in the front and side yards, which will provide visual benefits to the building residents and to the general public.

- (4) *Parking areas, internal roadways and access/egress points should be safe and convenient.*

All parking spaces are accommodated in a surface lot. A communication from TP&T dated July 19, 2016 and another one dated August 30, 2016 indicate that the final driveway design should be approved by TP&T and not include landscaping elements over 3 feet tall that could block sightlines for vehicles exiting the driveway.

- (5) *Parking area landscaping should minimize the intrusion of onsite parking so that it does not substantially detract from the use and enjoyment of either the proposed development or neighboring properties.*

All parking spaces are appropriately screened with landscaping and generally located away from Fulkerson Street. The proposed shade trees on the sidewalk provide an additional buffer as well.

- (6) *Service facilities such as trash collection apparatus and utility boxes should be located so that they are convenient for resident, yet unobtrusive.*

The proposal includes a dedicated trash room in the first floor that will be obscured from the residents of the building and its neighbors. The trash room has been located so that it is easily accessible for use by residents and for servicing of trash pickup through the rear side. A stand-alone electrical transformer on the site, which is required to be close to the street for servicing purposes, will be screened by tall vegetation to reduce its visual impact.

2. 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 permit, 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 ...

The proposed construction of 40 new dwelling units with 40 off-street parking spaces is not anticipated to cause particular congestion or hazard. A communication from TP&T dated July 19, 2016 indicates that with the proposed Transportation Demand Management (TDM) measures the project would be expected to have only a minor vehicle traffic impact in the neighborhood.

(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 residential use complies with allowed uses in this district, and hence will not adversely affect adjacent uses that exist or are anticipated in the future. The proposed project will improve the streetscape with landscape improvements.

(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 ...

The proposed use is encouraged by City plans for the area and the Zoning Ordinance. The neighborhood is transitioning from mostly commercial to include a variety of multi-family dwellings, and the proposed multi-family development of 40 dwellings would fit this existing and anticipated pattern of development.

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

The Board finds no inconsistency with the citywide urban design objectives. The urban design objectives are supported in the proposal with the expansion of the inventory of housing, improved streetscape appearance and pedestrian amenity, consistency with the pattern of development in the area, minimal environmental impacts on abutters and minimal impact on City infrastructure. In particular, the Board finds the project to be generally consistent with the Eastern Cambridge Design Guidelines in its treatment of lower-scale residential buildings.

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

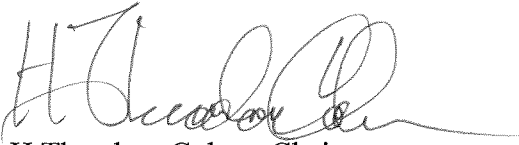
1. All use, building construction, and site plan development shall be in substantial conformance with the Application Documents and other supporting materials submitted to the Planning Board, and the additional Conditions of this Special Permit Decision. The project plans hereby approved by the Planning Board are Site Development Plans dated 6/21/2016 with revisions through 8/8/2016, and building plan set dated 8/9/2016. 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.
3. The Permittee shall address the following design comments through the continuing design review process set forth above. Each of the below items shall be subject to CDD review and approval of the final design details:
 - a. Selection of all exterior materials, colors, and details.
 - b. The landscape details, particularly associated with screening elements, fencing and hardscape materials.
 - c. The proposed screening of the electrical transformer, which should be improved to be more visually appealing.
 - d. The final design of sidewalk, parking, bicycle parking, access and egress, which shall also be reviewed and approved by Traffic, Parking and Transportation (TP&T) Department staff.
4. All authorized development shall abide by all applicable City of Cambridge Ordinances, including the Noise Ordinance (Chapter 8.16 of the City Municipal Code).
5. Final sidewalk, curb cut, landscaping, street lights, crosswalk, pedestrian ramps, and a pavement marking and signage plan shall be subject to approval by the City prior to the issuance of a building permit.
6. The driveway design shall not include landscaping elements over three feet tall that could block sightlines for vehicles exiting the driveway.

7. The Project shall create a pathway along the north edge of the property to connect Fulkerson Street to the bicycle storage shed. The path is also envisioned to be available to the public in the future, and may eventually connect to the Grand Junction Rail-with-Trail pathway:
 - a. With the approval from the City, the future pathway segment shall be constructed as shown on the plans prior to issuance of the certificate of occupancy for the project.
 - b. The proposed locations of the benches along the pathway shall be set back two feet from the edge of the pathway, unless otherwise approved by CDD, and shall be maintained by the Permittee.
 - c. The Permittee shall maintain and manage the pathway as a path for bicycles and pedestrians and be responsible for snow and ice removals as needed. As described below, in the future this path could provide public access to the potential Grand Junction Rail-with-Trail pathway (or other similar pathway).
 - d. The path shall have appropriate lighting, which shall be subject to review and approval by the City.
 - e. The Permittee shall offer to the City of Cambridge, in a form acceptable to the City, public access (in the form of an easement or other agreement) along the pathway segment, to permit unencumbered public bicycle and pedestrian access across the pathway. The access shall be offered at no cost to the City, no later than the date by which an additional pathway segment is constructed on adjacent property providing a connection to the Grand Junction Rail-with-Trail pathway (or similar pathway).
8. On-site parking management, such as parking fees where applicable, shall take into account parking use and needs to accommodate all the residents' and visitors' vehicles on-site, as feasible, and attempt to avoid or minimize spillover parking. If requested by TP&T, the Permittee, within 30 days of the request, shall provide TP&T information on the number of parking spaces rented or leased, and peak occupancy.
9. The Permittee shall be required to implement the following TDM measures to encourage residents to choose preferred modes of transportation including, transit, bicycling and walking over traveling by single-occupancy vehicles.
 - a. To establish the habit of using mass transit, each adult member of each household (up to 2) upon move-in will be offered a Charlie Card valued at the cost of 50% of a bus/subway pass at the current rate for 3 consecutive months. For condominiums, this benefit will apply to original condominium owners only. For apartments, this benefit will end after 3 months for the household and begins anew upon unit turnover.
 - b. Provide air pumps and other bike tools.

- c. The property owner or condominium association shall join the Charles River Transportation Management Association (TMA) including access to EZ Ride shuttle buses provided by the TMA or a comparable shuttle service.
 - d. Install a real-time multimodal transportation display screen to help people decide which mode to choose for each trip or post at a transportation information center located in an area that is central, visible, convenient, and equally accessible to all residents and visitors. The center will feature information on:
 - i. Available pedestrian and bicycle facilities in the vicinity of the Project site.
 - ii. MBTA maps, schedules, and fares.
 - iii. Area shuttle map and schedule, if one exists.
 - iv. “Getting Around in Cambridge” map (available at the CDD office).
 - v. Location of bicycle parking.
 - vi. Hubway regional bikeshare system
 - vii. Carsharing/Ride-matching programs.
 - viii. Other pertinent transportation information.
 - e. The Property owner or condominium association shall designate a transportation coordinator (TC) for the site to manage the TDM program and coordination with the TMA. The TC will also oversee the marketing and promotion of transportation options to all residents at the site in a variety of ways:
 - i. Posting information in a prominent location in the building and on the Project’s website, social media, and property newsletters.
 - ii. Responding to individual requests for information in person and via phone and email.
 - iii. Provide one new resident packet of transportation information to all units upon move-in.
 - iv. The TC will participate in any TC trainings offered by the City of Cambridge or local TMA.
10. 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. CDD shall certify that the applicable requirements are met prior to issuance of a building permit, and again prior to issuance of a certificate of occupancy, for development authorized by this special permit.
11. Prior to the final selection of colors and textures for façade materials, the Permittee shall erect a mock-up(s) of an exterior wall section on or near the building site to be reviewed by CDD for comment. Members of the Planning Board shall be notified when the mock-up is erected and given an opportunity to view the materials and transmit any comments to CDD.

Voting in the affirmative to approve the requested special permits were Planning Board Members Louis Bacci, Jr., H Theodore Cohen, Mary Flynn, Hugh Russell, and Associate Member Ahmed Nur, appointed by the Chair to act on this case, constituting at least two thirds of the members of the Board, necessary to grant a special permit.

For the Planning Board,

A handwritten signature in black ink, appearing to read 'H Theodore Cohen', written in a cursive style.

H Theodore Cohen, Chair.

A copy of this decision PB #313 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 Swaathi Joseph, 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

	Existing	Allowed or Required	Proposed	Permitted
Lot Area (sq ft)	44,786	5,000	No Change	No Change
Lot Width (ft)	149.4	50	No Change	No Change
Total GFA (sq ft)	37,600	45,306	43,488	43.488
Residential Base	0	34,851	33,452	Consistent with Application Documents and applicable zoning requirements
Non-Residential Base	37,600	N/A	0	
Inclusionary Bonus	N/A	10,455	10,036	
Total FAR	0.84	1.01	0.97	Consistent with Application Documents and applicable zoning requirements
Residential Base	N/A	0.78	0.75	
Non-Residential Base	0.84	N/A	0	
Inclusionary Bonus	N/A	0.23	0.22	
Total Dwelling Units	0	40	40	40
Base Units	0	30	30	Consistent with Application Documents and applicable zoning requirements
Inclusionary Bonus Units	N/A	10	10	
Base Lot Area / Unit (sq ft)	N/A	1,493	1,493	
Total Lot Area / Unit (sq ft)	N/A	1,120	1,120	
Height (ft)	20	35	35	Consistent with Application Documents and applicable zoning requirements
Front Setbacks (ft)	0	13	13.2	
Side Setback (ft)	0	19	19.2	
Rear Setback (ft)	0	38	38	
Open Space (% of Lot Area)	0	30	33	Consistent with Application Documents and applicable zoning requirements
Private Open Space	0	30	33	
Permeable Open Space	0	15	29	
Off-Street Parking Spaces	0	40	40	40
Long-Term Bicycle Parking	0	41	42	Consistent with Application Documents and applicable zoning requirements
Short-Term Bicycle Parking	0	4	4	
Loading Bays	3	N/A	0	