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March 5, 2018  
Via E-mail and Hand Delivery

Cambridge Planning Board  
City Hall Annex  
344 Broadway  
Cambridge, MA02139  
Attention: Elizabeth Paden

**RE: Request for Special Permit Amendment  
Mass + Main Project (PB #321)**

Dear Liza:

On behalf of Watermark Central LLC, owner of the Mass+Main project (the "Project") and successor to Watermark Central Venture LLC (the "Applicant"), I am submitting the attached application for an amendment to the above-referenced special permit (the "Special Permit"), to make certain updates to the Special Permit in order to clarify the zoning compliance of the parking for the Project.

Specifically, as outlined in the attached application, the Applicant is seeking this amendment to (i) reflect the use of additional carsharing spaces to satisfy accessory parking requirement for the Project and provide other minor corrections in an update to Appendix 1: Approved Dimensional Chart, (ii) affirm that the Applicant is not abandoning its rights pursuant to Special Permit, BZA Case No. 5375, with respect to its property located at 65 Bishop Allen Drive, and (iii) clarify and confirm the continued use of the rear portion of 65 Bishop Allen Drive as parking to support the Project either pursuant to Special Permit, BZA Case No. 5375, or pursuant to requested relief under Section 6.22 of the Cambridge Zoning Ordinance (the "Ordinance").

This application represents the culmination of the Applicant's coordination with multiple City departments to bring the Project to fruition in accordance with the terms of relevant zoning requirements and City approvals such as the Special Permit. A key aspect of the zoning adopted for the Project was to ensure that existing parking resources on Bishop Allen Drive would remain available for the residential development on Massachusetts Avenue and Columbia Street. However, the zoning amendment that was adopted in connection with the Project failed to clarify the use of the rear portion of 65 Bishop Allen Drive (the "Parking Lot") for as-of-right accessory parking due to the split nature of the lot. Specifically, because the rear portion of the Parking Lot is located within the Mass+Main Residential Mixed Income Subdistrict, but is not located within the Central Square Overlay District, it is unclear that it is within the area where off-site accessory parking is permitted as-of-right under Section 20.307.7(c) of the Ordinance (i.e., without an additional special permit).

In consultation with the Community Development Department, the Law Department, and the Inspectional Services Department, the Applicant is seeking this amendment to the Special Permit in order to ensure that the Project as approved by the Planning Board will meet all applicable zoning requirements. We believe that the clarifications and changes detailed in this application are consistent with the intent and purpose of the Special Permit.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'John E. Rattigan, Jr.', written over a light blue circular stamp or watermark.

John E. Rattigan, Jr.

cc: Alex Twining (via e-mail)  
Bob Flack (via email)



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

## SPECIAL PERMIT APPLICATION • COVER SHEET

In accordance with the requirements of the City of Cambridge Zoning Ordinance, the undersigned hereby petitions the Planning Board for one or more Special Permits for the premises indicated below.

Location of Premises: 411-413, 415-429, 433-445 and 453-457 Massachusetts Avenue; 9-19 and 25 Columbia Street; 65 Bishop Allen Drive

Zoning District: 20.3000 - Central Square Overlay District; 20.307 - Mass and Main Residential Mixed Income Subdistrict [Base Zoning: Business B, Business A and Residence C-1]

Applicant Name: Watermark Central LLC

Applicant Address: c/o Twining Properties, One Broadway, 3rd Floor, Cambridge, MA 02142

Contact Information: 617-340-2226 Telephone #      bob.flack@twiningproperties.com Email Address      N/A Fax #

List all requested special permit(s) (with reference to zoning section numbers) below. *Note that the Applicant is responsible for seeking all necessary special permits for the project. A special permit cannot be granted if it is not specifically requested in the Application.*

19.20 (Amendment to Project Review Special Permit) and 6.22 (Off Site Accessory Parking)

List all submitted materials (include document titles and volume numbers where applicable) below.

See attached cover letter, application and attachments.

Signature of Applicant: *Bob Flack, SVP*

For the Planning Board, this application has been received by the Community Development Department (CDD) on the date specified below:

Date

Signature of CDD Staff



**OWNERSHIP CERTIFICATE**

**Project Address:** 411-413, 415-429, 433-445 and 453-457  
Massachusetts Avenue; 9-19 and 25  
Columbia Street; 65 Bishop Allen Drive

**Application Date:**

This form is to be completed by the property owner, signed, and submitted with the Special Permit Application:

I hereby authorize the following Applicant: Watermark Central LLC

at the following address: c/o Twining Properties, One Broadway, 3rd Floor, Cambridge, MA 02142

to apply for a special permit for: amendments related to Mass+Main Residential Mixed-Income Project

on premises located at: see above

for which the record title stands in the name of: Watermark Central LLC

whose address is: see above

by a deed duly recorded in the:

Registry of Deeds of County:

Book:

Page:

**OR** Registry District of the Land Court,  
Certificate No.:

Book:

Page:

- (1) Quitclaim Deed recorded with the Middlesex County South Registry of Deeds in Book 69828, Page 398, and registered with the Middlesex South Registry District of the Land Court as Document No. 1768887.
- (2) Quitclaim Deed recorded with the Middlesex County South Registry of Deeds in Book 70359, Page 56.

Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)

Robert F. Flack, Officer

To be completed by Notary Public:

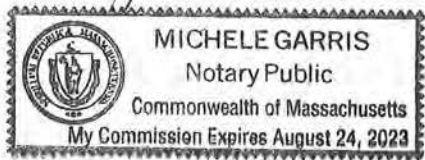
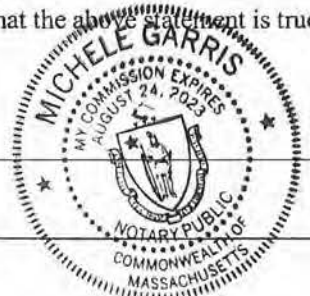
Commonwealth of Massachusetts, County of Middlesex

The above named Robert F. Flack personally appeared before me,

on the month, day and year March, 2018 and made oath that the above statement is true.

Notary: Michele Garris

My Commission expires: August 24, 2023



## **APPLICATION FOR SPECIAL PERMIT AMENDMENT**

### **1. Introduction and Special Permit History**

This application (this “Application”) represents the culmination of the Applicant’s coordination with multiple City departments to bring the Project to fruition in accordance with the terms of the relevant zoning requirements and City approvals such as the Existing Special Permit (as defined below). While a key aspect of the zoning adopted for the Mass + Main project was to ensure that existing parking resources along Bishop Allen Drive would remain available for the residential development on Massachusetts Avenue and Columbia Street, the zoning amendment adopted in connection with the Project failed to clarify the use of the rear portion of 65 Bishop Allen Drive (the “Parking Lot”) for accessory parking due to the split nature of the lot. Specifically, although the rear portion of the Parking Lot is located within the Mass and Main Residential Mixed Income Subdistrict (the “Subdistrict”), it is not located within the Central Square Overlay District and therefore is not exempted pursuant to Section 20.307.7(c) of the Ordinance from the need to obtain a special permit for off-site accessory parking.

This application is not requesting any changes in the approved density for the Project, the overall number of parking spaces being provided in connection with the Project, nor any other aspect of the Existing Special Permit, except for approval of the use of additional carsharing spaces so that the accessory parking requirement for the Project may be satisfied entirely on the portion of the Parking Lot located within the Subdistrict. The proposed amendments will ensure that the Project as approved by the Planning Board in January 2017 pursuant to the Existing Special Permit will meet all applicable zoning requirements pursuant to the applicable interpretation of the Commissioner of Inspectional Services.

The Notice of Decision (Case No. 321) was voted on January 24, 2017 and filed on February 8, 2017. This Existing Special Permit approved the construction of the Project: a new mixed-use development of two buildings with 17,279 square feet of ground-floor retail space, 285 residential units, 95 off-street parking spaces in a below grade garage and 39 spaces off-site at 65 Bishop Allen Drive (with three spaces to be dedicated for carsharing), pursuant to Section 19.20 Project Review Special Permit and Section 22.33 Special Permit for floor area exemptions for functional green roof area. On September 12, 2017, the Applicant presented design updates to the Planning Board for approval following a design review process with staff of the Community Development Department.

The existing Special Permit is referred to herein as the “Existing Special Permit.”

### **2. Requested Amendment to the Existing Special Permit**

The Applicant requests that the Planning Board specifically approve the following:

- (i) replace Appendix 1: Approved Dimensional Chart with the revised Appendix 1 attached hereto, in order to reflect the use of increased carsharing spaces to satisfy accessory parking requirement for the Project and to reflect updated residential base and non-residential base gross floor area and open space calculations (based on discussions between the Applicant and city staff from the Inspectional Services Department); and

- (ii) grant a special permit pursuant to Section 6.22 of the Ordinance to clarify and confirm the continued use of the rear portion of 65 Bishop Allen Drive as parking to support the Project.

An updated Figure 5.7 is enclosed. See Attachment A.

In connection with the approvals above, the Applicant respectfully requests that the Planning Board acknowledge and affirm that the Applicant does not intend to abandon, and the Planning Board does not intend for the grant of the Special Permit (as amended) to cause the Applicant to abandon, its rights pursuant to Special Permit, BZA Case No. 5375, to utilize the rear portion of the Parking Lot as parking to support the Project.

### 3. Ordinance Compliance

The provisions of the Ordinance excerpted forth below in *bold and italics* apply to the special permit amendment requested in this Application. Application of each provision to the requested amendment follows the provision in normal text.

#### A. **Special Permit Approval Criteria – Section 10.43**

*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*

All requirements of the applicable provisions of the Ordinance will be met with the requested amendments.

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

No relevant changes, including as to access or egress, from the Existing Special Permit.

*(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*

No relevant changes from the Existing Special Permit. There will be no adverse effect on 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*

No relevant changes from the Existing Special Permit. No nuisance or hazard will be created.

*(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*

No relevant changes from the Existing Special Permit.

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

No relevant changes from the Existing Special Permit.

**B. Off-Site Accessory Parking – Section 6.22**

*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.*

The Applicant seeks approval of a Special Permit to permit the rear portion of the Parking Lot, which is located within the Subdistrict, but is not located within the Central Square Overlay District, to serve as parking for the Project. Within the Subdistrict, the zoning classification of lots is consistent and there are no applicable differences in zoning classification as between the lot being served and the Parking Lot. Therefore, with respect to the Project, the Parking Lot does not have a more restrictive zoning classification than the lot on which the residential building will be 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 rear portion of the Parking Lot is located within four hundred (400) feet of the lot on which the residential uses being served are located. See Attachment B.

The Applicant seeks approval of the aforementioned relief from the Planning Board pursuant to Section 10.45 of the Ordinance, which provides that a development 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.

## Appendix I: Revised Dimensional Chart

	Existing	Allowed or Required	Proposed	Requested to be Permitted
Lot Area (sq ft)	38,773	none	No Change	No Change
Lot Width (ft)	Multiple lots	none	No Change	No Change
Total GFA (sq ft)	62,905	252,025	252,025 <sup>1</sup>	252,025
Residential Base	0	252,025	251,831	Consistent with Application Documents and applicable zoning requirements
Non-Residential Base	62,905	252,025	0 <sup>2</sup>	
Inclusionary Bonus	N/A	0	0	
Total FAR	1.6	6.5	6.5	Consistent with Application Documents and applicable zoning requirements
Residential Base	0	6.4	6.5	
Non-Residential Base	1.6	0.1	0	
Inclusionary Bonus	N/A	0	0	
Total Dwelling Units	0	N/A	285	285
Base Units	0	N/A	N/A	Consistent with Application Documents and applicable zoning requirements
Inclusionary Bonus Units	N/A	N/A	N/A	
Base Lot Area / Unit (sq ft)	N/A	N/A	136	
Total Lot Area / Unit (sq ft)	N/A	N/A	136	
Height (ft)	35	195 & 70	195 & 70	Consistent with Application Documents and applicable zoning requirements
Front Setbacks (ft)	0	none	0	
Side Setback (ft)	0	none	10	
Rear Setback (ft)	0	none	0	
Open Space (% of Lot Area)	0	10	10	Consistent with Application Documents and applicable zoning requirements
Private Open Space	0	10	10	
Permeable Open Space	0	N/A	N/A	
Off-Street Parking Spaces	51	143 min/ 214 max	125 <sup>3</sup>	125 <sup>3</sup>
Long-Term Bicycle Parking	0	301	302	Consistent with Application Documents and applicable zoning requirements
Short-Term Bicycle Parking	0	40	40	
Loading Bays	0	1	1	

<sup>1</sup> Development shall conform to plans included in the application material dated October 11, 2016 and updated through March 1, 2018.

<sup>2</sup> 15,577 square feet of retail area is exempted from FAR calculations, as it is proposed to be divided into individual establishments that are 1,500 square feet or less in area, per Section 20.307.9.5.

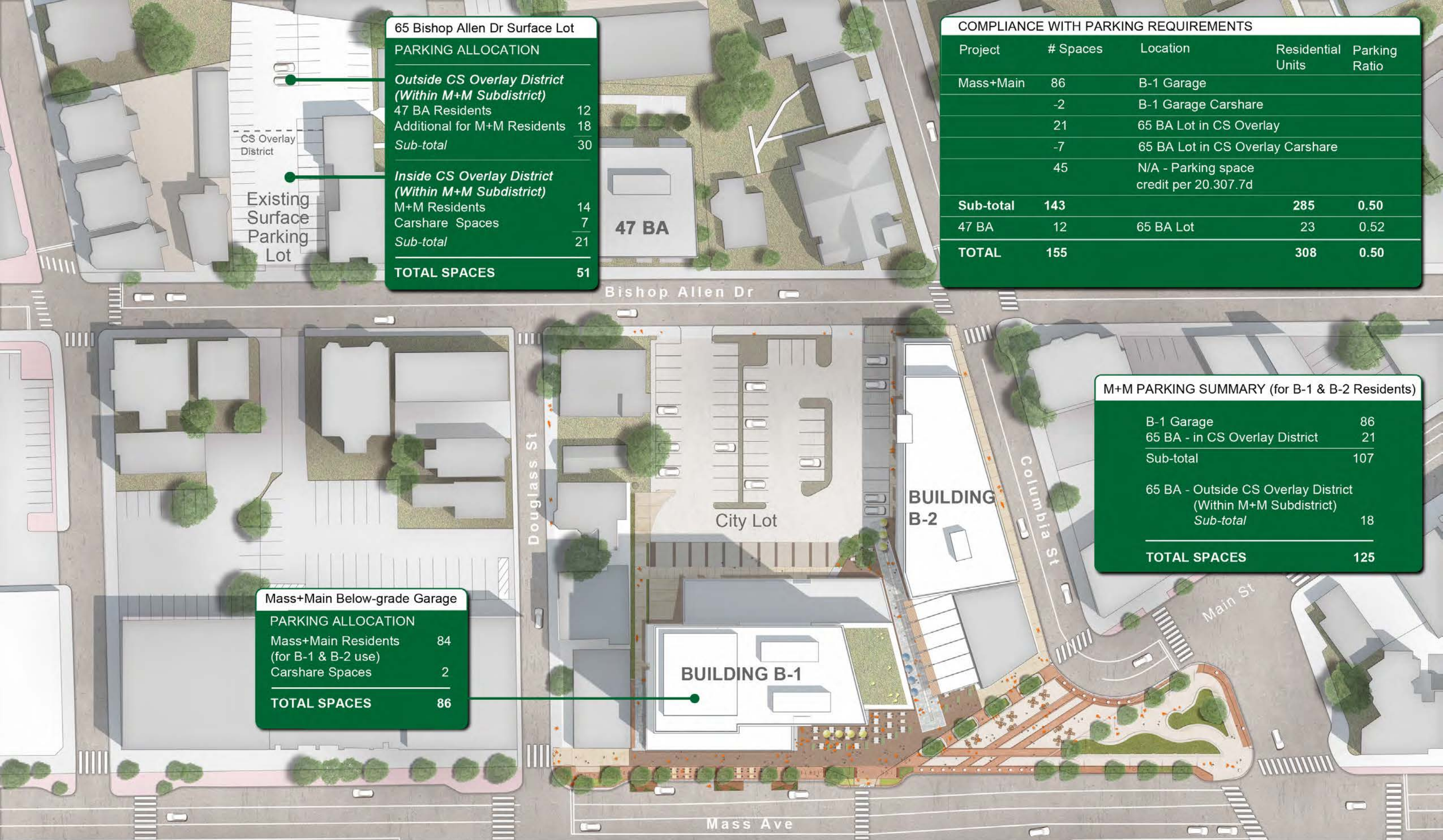
<sup>3</sup> 86 parking spaces will be provided on-site and 39 parking spaces will be available in the existing parking lot at 65 Bishop Allen Drive as shown in Figure 5.7, updated through March 1, 2018. Nine spaces will be used for carsharing, thus effecting a reduction of 45 in the minimum residential parking spaces per Section 20.307.7 of the Zoning Ordinance, Paragraph (d). The minimum parking requirement will be satisfied entirely within parking areas located within the Central Square Overlay District (as shown on Figure 5.7), while additional parking will continue to be provided on the remainder of the 65 Bishop Allen Drive lot in accordance with the terms of the Special Permit.

Attachment A

Updated Figure 5.7

[see attached]





**65 Bishop Allen Dr Surface Lot**

**PARKING ALLOCATION**

<i>Outside CS Overlay District (Within M+M Subdistrict)</i>	
47 BA Residents	12
Additional for M+M Residents	18
<i>Sub-total</i>	30
<i>Inside CS Overlay District (Within M+M Subdistrict)</i>	
M+M Residents	14
Carshare Spaces	7
<i>Sub-total</i>	21
<b>TOTAL SPACES</b>	<b>51</b>

**COMPLIANCE WITH PARKING REQUIREMENTS**

Project	# Spaces	Location	Residential Units	Parking Ratio
Mass+Main	86	B-1 Garage		
	-2	B-1 Garage Carshare		
	21	65 BA Lot in CS Overlay		
	-7	65 BA Lot in CS Overlay Carshare		
	45	N/A - Parking space credit per 20.307.7d		
<b>Sub-total</b>	<b>143</b>		<b>285</b>	<b>0.50</b>
47 BA	12	65 BA Lot	23	0.52
<b>TOTAL</b>	<b>155</b>		<b>308</b>	<b>0.50</b>

**Mass+Main Below-grade Garage**

**PARKING ALLOCATION**

Mass+Main Residents (for B-1 & B-2 use)	84
Carshare Spaces	2
<b>TOTAL SPACES</b>	<b>86</b>

**M+M PARKING SUMMARY (for B-1 & B-2 Residents)**

B-1 Garage	86
65 BA - in CS Overlay District	21
<i>Sub-total</i>	107
65 BA - Outside CS Overlay District (Within M+M Subdistrict)	18
<i>Sub-total</i>	18
<b>TOTAL SPACES</b>	<b>125</b>

Source: Twining Properties

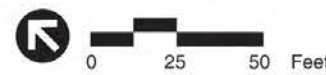


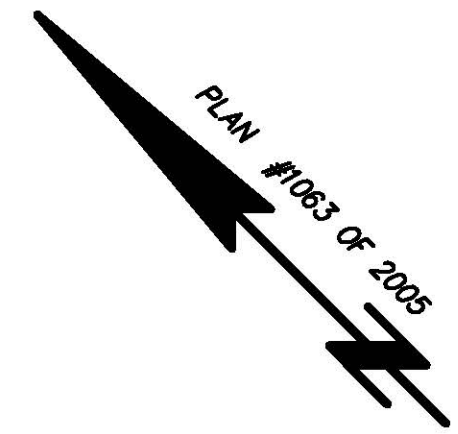
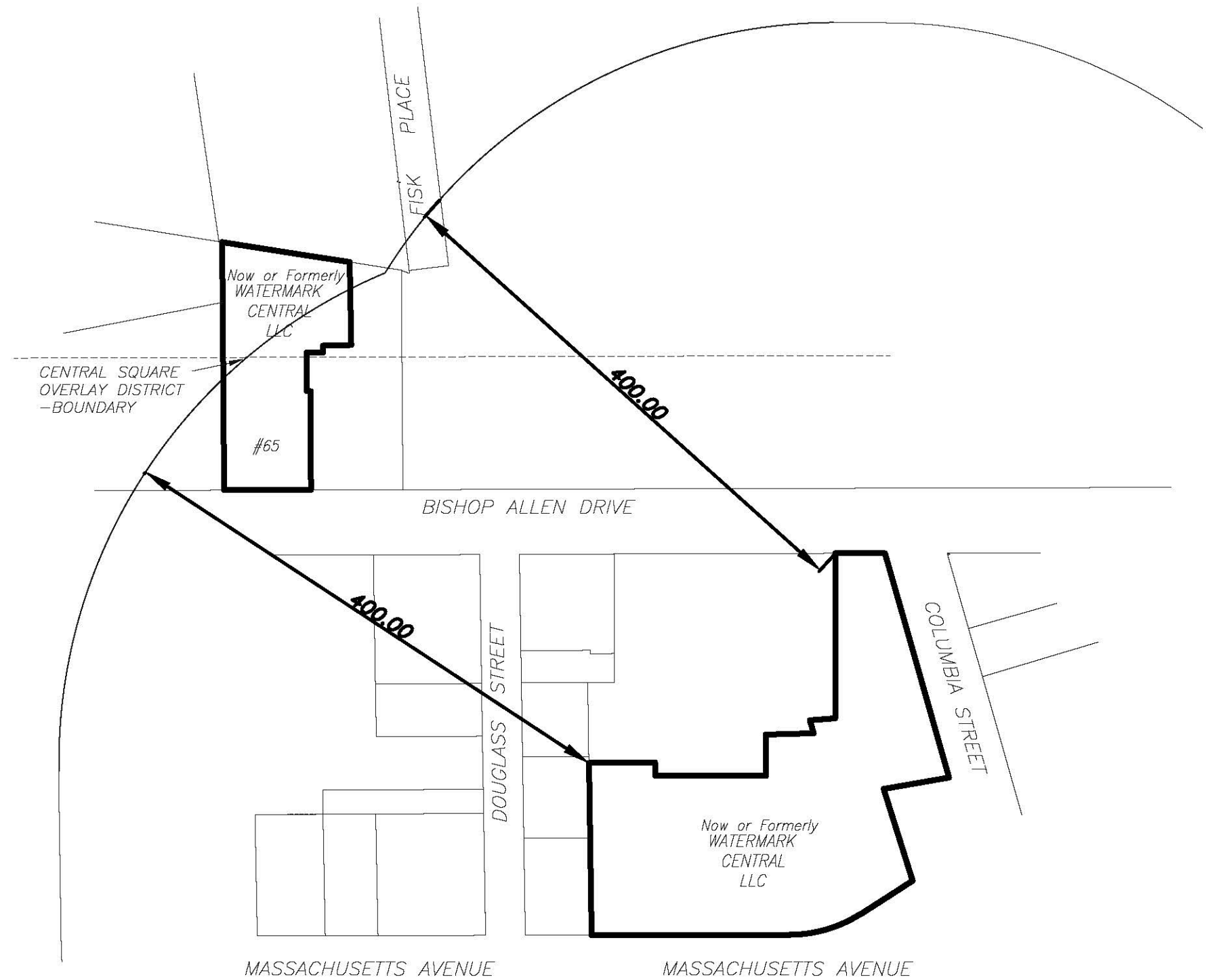
Figure 5.7 - Updated 3/1/18  
 PROPOSED SHARED PARKING PLAN  
 Mass+Main Project  
 Cambridge, Massachusetts



Attachment B

Plan showing 400 feet Buffer From Lot With Residential Uses

[see attached]



**NOTES:**

- 1) THE ENTIRE 65 BISHOP ALLEN DRIVE LOT IS WITHIN THE MASS+MAIN MIXED INCOME SUB-DISTRICT.

**EXHIBIT PLAN**  
**CENTRAL SQUARE PROPERTIES**  
**CAMBRIDGE, MASS.**

FELDMAN LAND SURVEYORS      MARCH 1, 2018  
 152 HAMPDEN STREET      PHONE: (617)357-9740  
 BOSTON, MASS. 02119      www.feldmansurveyors.com

**FELDMAN**  
 LAND SURVEYORS

SCALE: 1"=100'

RESEARCH MDS	F/CHIEF JAL/TP	PROJ MGR DAR	APPROVED
CALC DAR	COND DAR/DCH	FIELD CHECKED	CRD 18037H
SHEET NO. 1 OF 1		JOB NO. 18037H	

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