

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

2018 MAR 29 PM 4:05
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Case Number: 321 Amendment #1

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

Zoning: Business B (BB)/ Business A (BA)/ Residence C-1 (C-1)/ Central Square
Overlay District/ Mass and Main Residential Mixed Income Subdistrict

Applicant: Watermark Central LLC.
c/o Twining Properties, One Broadway, 3rd Floor, Cambridge, MA 02142

Owner: Watermark Central LLC.
c/o Twining Properties, One Broadway 3rd Floor, Cambridge, MA 02142

Application Date: March 5, 2018

Date of Planning Board Public Hearing: March 20, 2018

Date of Planning Board Decision: March 20, 2018

Date of Filing Planning Board Decision: March 29, 2018

Application: Amendment to Project Review Special Permit (Section 19.20) filed on February 8, 2017, which authorized the construction of a mixed-use development of two buildings containing a total of 285 dwelling units and ground-floor retail space and accessory parking in a below-grade garage, with some spaces provided on an existing surface lot at 65 Bishop Allen Drive. This proposal is to amend the approved Dimensional Chart to reflect a reduction in required accessory parking due to the use of additional parking spaces for carsharing, and to seek approval by special permit (Section 6.22) to allow additional accessory parking located at a portion of 65 Bishop Allen Drive, which will serve this project.

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 Amendment Application submitted on March 5, 2018, containing the Special Permit Cover Sheet, Dimensional Chart, Ownership Certificate, Project Narrative, Proposed Shared Parking Plan (Attachment A), and 400 feet Buffer Plan (Attachment B).

Other Documents

2. Letter to the Planning Board from George R. Metzger, H M F H Architects, dated 3/15/2018.

APPLICATION SUMMARY

In a February 8, 2017 Special Permit Decision (“Original Decision”) the Planning Board approved a proposal to construct a mixed-use development of 252,025 square feet of gross floor area, consisting of two new buildings with ground-floor retail space and upper-floor residential units and parking accommodated in a below-grade garage, with some spaces provided on an existing surface lot at 65 Bishop Allen Drive (“Mass + Main project” or “project”). The project sites are located in the Business B, Business A, and Residence C-1 Districts and modified by the Central Square Overlay District and the Mass and Main Residential Mixed Income Subdistrict.

The current application seeks approval of amended plans and an amendment to the approved Dimensional Chart attached to the Original Decision, both of which would reflect an increase from three (3) to nine (9) in the total number of parking spaces used for carsharing, which effects a reduction in the required number of accessory parking spaces by a total of forty-five (45) spaces pursuant to the provisions of the Mass and Main Residential Mixed Income Subdistrict (Section 20.307.7, paragraph d.). The application also seeks a special permit under Section 6.22 to allow a portion of the 65 Bishop Allen Drive lot, which is currently used as principal parking pursuant to BZA Special Permit #5375, to be used as additional accessory parking to serve the Mass + Main project but not to satisfy the accessory parking requirements of the project. No changes are proposed to the building design or to the physical configuration of the 65 Bishop Allen Drive parking lot.

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. Amendment to Project Review Special Permit (Section 19.20)

Because the original Special Permit Decision involved the granting of a Project Review Special Permit, the Board makes the following findings regarding the effects of the proposed Amendment on the criteria for issuance of a Project Review Special Permit.

(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...

The proposed Amendment does not propose changes to the project that would affect the traffic impacts assessed in the original special permit review. The project will continue to provide parking spaces in conformance with applicable zoning requirements, and the use of additional carsharing spaces is encouraged by the provisions of the Mass and Main Residential Mixed Income Subdistrict. Hence, the Board finds that the project, if the proposed amendment is granted, will continue to have no substantial adverse impact on city traffic within the study area.

(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 requested Amendment involves no design changes to the building. Therefore, the Board finds that the proposed change to the project continues to serve the Urban Design Objectives set forth in Section 19.30 as well as the area-specific Central Square Design Guidelines.

2. Approval of Off-Site Parking (Section 6.22)

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.

As originally permitted, the project intended to use the existing surface parking lot at 65 Bishop Allen Drive, which is located less than four hundred (400) feet from the project site and is contained within the Mass and Main Residential Mixed Income Subdistrict, as accessory parking to fulfill a portion of the project's accessory parking requirements. Pursuant to Section 20.307.5, lots in the Mass and Main Mixed Income Subdistrict may be used as accessory parking for any other lots within the Mass and Main Mixed Income Subdistrict so long as such lots are also within the Central Square Overlay District. The 65 Bishop Allen Drive lot had previously been used as non-accessory (principal use) parking to serve the prior use on the site of the Mass + Main project.

As currently proposed, the portion of the parking lot that is within the Central Square Overlay District is still proposed to be used as accessory parking for the Mass + Main project, as allowed by Section 20.307.7 in the Mass and Main Residential Mixed Income Subdistrict. Eighteen (18) parking spaces within the portion of the lot that is outside of the Central Square Overlay District are proposed to be used as additional accessory parking to serve the Mass + Main project and will be made available to residents of the Mass + Main project, although they will not be counted as accessory parking for the purpose of meeting zoning requirements. The Board finds it appropriate to permit the use of off-site 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.

3. 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 ...*

As discussed earlier in these Findings, the proposed change will not create any new congestion, hazard, or change in neighborhood character. Patterns of access and egress are not changed since the Original Decision.

- (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 addition of carsharing spaces will not affect the adjacent permitted 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, or ...*

The proposed change will not create nuisance or hazard, and all development activity will be subject 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 ...*

There is no change in proposed use and hence it continues to fit the existing and anticipated pattern of development in addition to enhancing the integrity of the district.

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

The Board finds the project to be consistent with the citywide urban design objectives, as set forth above in these Findings.

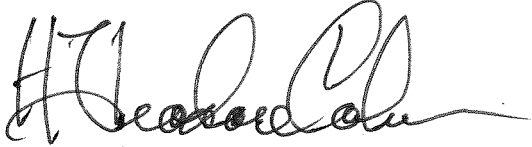
DECISION

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 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. The project plans for the Mass + Main project are the Site Development Plans dated 10/11/2016 with revisions through March 1, 2018, and are hereby approved by the Planning Board. The dimensional characteristics of the project as modified by this amendment are set forth in the Revised Dimensional Chart attached as Appendix I, which are also hereby approved by the Planning Board.
2. The eighteen (18) parking spaces located on that portion of the lot at 65 Bishop Allen Drive outside of the Central Square Overlay District identified and shown on Figure 5.7 of the Application Documents, dated March 1, 2018 and attached to this Decision, are hereby approved to be used as additional accessory parking and they shall be maintained and used only as additional accessory parking to serve the Mass + Main project, although these eighteen (18) accessory parking spaces will not be counted as accessory parking for the Mass + Main project for the purpose of meeting zoning requirements, which requirements will be satisfied entirely within parking areas located within the Central Square Overlay District (as shown on Figure 5.7).
3. All other Conditions set forth in the previously granted Special Permit Decision PB #321, 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., Steven Cohen, H Theodore Cohen, Tom Sieniewicz, Mary Flynn, Hugh Russell, and Associate Member Thacher Tiffany, appointed by the Chair to act on the case, constituting at least two thirds of the members of the Board, necessary to grant a special permit.

For the Planning Board,

A handwritten signature in black ink, appearing to read 'H Theodore Cohen', with a long horizontal flourish extending to the right.

H Theodore Cohen, Chair.

A copy of this decision PB #321 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 accurate copy of the above decision has been filed on March 29, 2018, with the Office of the City Clerk by Jeffrey C. Roberts, duly authorized representative of the Planning Board. All plans referred to in the decision have been filed with the City Clerk on said date.

Twenty days have elapsed since the above decision was filed in the office of the City Clerk and:
_____ no appeal has been filed; or
_____ an appeal has been filed within such twenty days.

The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. This certification shall in no event terminate or shorten the tolling, during the pendency of any appeals, of the periods provided under the second paragraph of G.L. c. 40A, §6.

Date: _____, City Clerk

Appeal has been dismissed or denied.

Date: _____, City Clerk

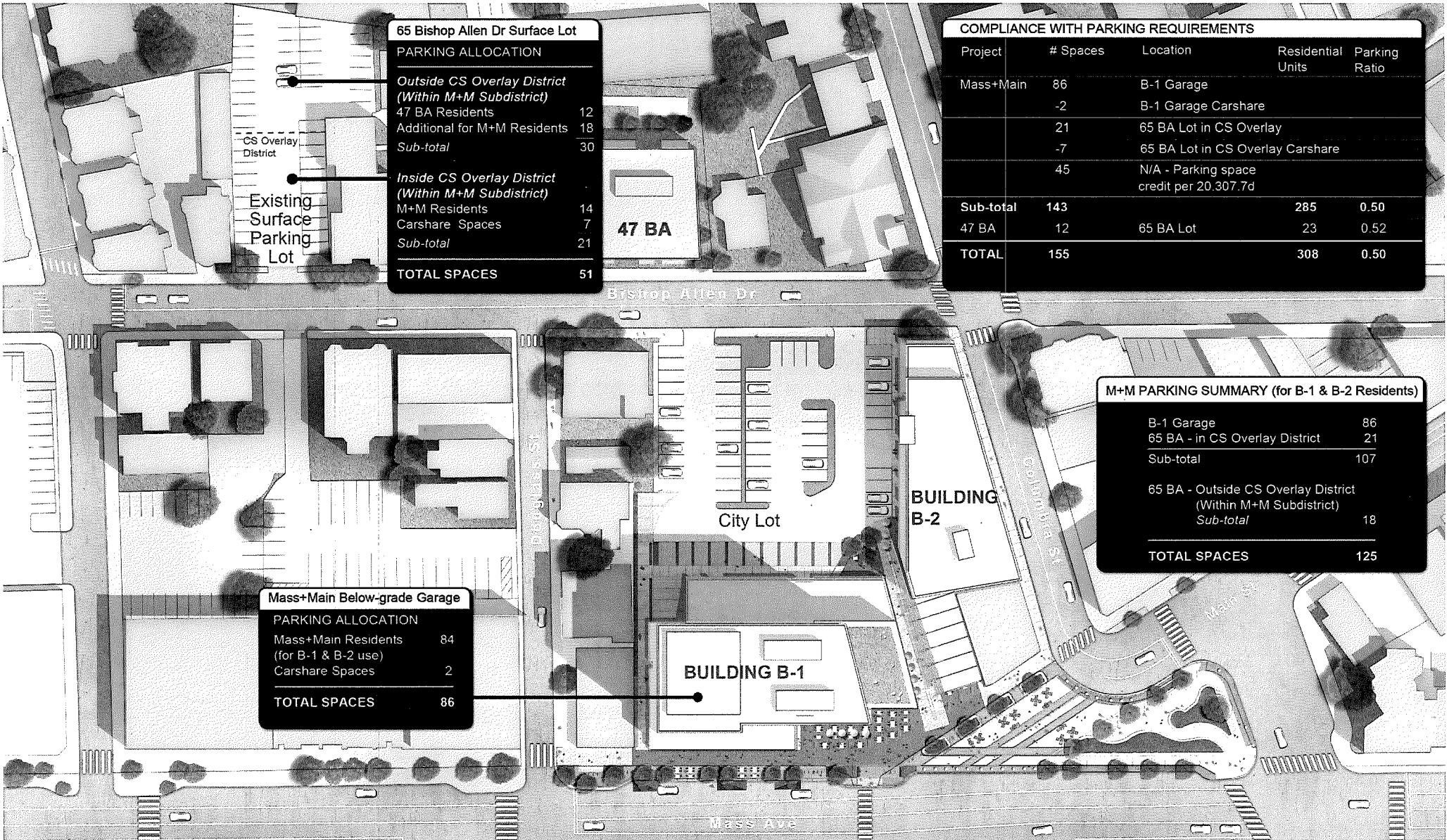
Appendix I: Approved Dimensional Chart

	Existing	Allowed or Required	Proposed	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 ¹	252,025
Residential Base	0	252,025	251,831	Consistent with Application Documents and applicable zoning requirements
Non-Residential Base	62,905	N/A	0 ²	
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	6.5	6.5	
Non-Residential Base	1.6	N/A	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		
Off-Street Parking Spaces	51	143 min/ 214 max	125 ³	125 ³
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	

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

² 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.

³ 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.



65 Bishop Allen Dr Surface Lot

PARKING ALLOCATION

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

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		
Sub-total	143		285	0.50
47 BA	12	65 BA Lot	23	0.52
TOTAL	155		308	0.50

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

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

Mass+Main Below-grade Garage

PARKING ALLOCATION

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

Source: Twining Properties



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

