

Special Permit for Waiver of Parking & Loading Requirements

20.304.6 Waiver of Parking and Loading Requirements. Uses in the Central Square Overlay District which meet the following requirements shall be exempted from the parking and loading requirements as specified in Section 6.36 - Schedule of Parking and Loading Requirements.

1. The use is contained within a structure or portion of a structure in existence on or before June 1, 1940 or if constructed later is identified as a National Register or contributing building; or
2. The use is contained in a new structure or new addition to a structure identified in (1) above, after the issuance of a special permit by the Planning Board provided:
 - a. The standards set forth in Section 6.35 of this Zoning Ordinance are met; and
 - b. The standards set forth in Section 20.305 are met.
 - c. The Planning Board shall specifically find that an exemption from parking and loading requirements will result in a building design that is more appropriate to its location and the fabric of its neighborhood and that it is in conformance with the objectives and criteria contained in the “Central Square Development Guidelines”.

20.305 *Standards for Issuance of Special Permits.* In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the special permit granting authority shall in addition make the following findings:

1. The proposed development is consistent with the goals and objectives of the Central Square Action Plan:
 - encourage responsible and orderly development;
 - strengthen the retail base to more completely serve the needs of the neighborhoods;
 - preserve the Square’s cultural diversity;
 - create active people oriented spaces;
 - improve the physical, and visual environment;
 - provide retail establishments that serve people of diverse economic and social groups who live in the surrounding neighborhoods
2. The building and site designs are consistent with “Urban Design Plan for Central Square” as outlined in the “Central Square Action Plan” and the “Central Square Development Guidelines”;
3. The building and site designs adequately screen the parking provided and are sensitive to the contributing buildings in the vicinity;
4. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and
5. No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

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

Special Permit for Exemption of Basement Area in the Calculation of Gross Floor Area

2.000 *DEFINITIONS:*

Floor Area Gross

Gross Floor Area shall not include:

- (15) Any basement or cellar living space in any single-family or two-family home.
- (16) Any basement or cellar living space in any other type of structure with the issuance of a special permit. In granting such a special permit, the permit granting authority may approved the exemption of any portion of Gross Floor Area (GFA) located in a basement or cellar from the calculation of GFA, provided the permit granting authority finds that the uses occupying such exempted GFA support the character of the neighborhood or district in which the applicable lot is located.

General Criteria for Issuance of a Special Permit

- 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
 - (b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or
 - (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
 - (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
 - (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
 - (f) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.

19.30 Citywide Urban Design Objectives [SUMMARIZED]

| Objective | Indicators |
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| New projects should be responsive to the existing or anticipated pattern of development. | <ul style="list-style-type: none"> • Transition to lower-scale neighborhoods • Consistency with established streetscape • Compatibility with adjacent uses • Consideration of nearby historic buildings |
| Development should be pedestrian and bicycle-friendly, with a positive relationship to its surroundings. | <ul style="list-style-type: none"> • Inhabited ground floor spaces • Discouraged ground-floor parking • Windows on ground floor • Orienting entries to pedestrian pathways • Safe and convenient bicycle and pedestrian access |
| The building and site design should mitigate adverse environmental impacts of a development upon its neighbors. | <ul style="list-style-type: none"> • Location/impact of mechanical equipment • Location/impact of loading and trash handling • Stormwater management • Shadow impacts • Retaining walls, if provided • Building scale and wall treatment • Outdoor lighting • Tree protection (requires plan approved by City Arborist) |
| Projects should not overburden the City infrastructure services, including neighborhood roads, city water supply system, and sewer system. | <ul style="list-style-type: none"> • Water-conserving plumbing, stormwater management • Capacity/condition of water and wastewater service • Efficient design (LEED standards) |
| New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically. | <ul style="list-style-type: none"> • Institutional use focused on existing campuses • Mixed-use development (including retail) encouraged where allowed • Preservation of historic structures and environment • Provision of space for start-up companies, manufacturing activities |
| Expansion of the inventory of housing in the city is encouraged. | <ul style="list-style-type: none"> • Housing as a component of large, multi-building development • Affordable units exceeding zoning requirements, targeting units for middle-income families |
| Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city. | <ul style="list-style-type: none"> • Publicly beneficial open space provided in large-parcel commercial development • Enhance/expand existing open space, complement existing pedestrian/bicycle networks • Provide wider range of activities |

Central Square Action Plan and Development Guidelines, 1987 – Summary of Relevant Design

Principles and Guidelines

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| <p><u>Land Use</u></p> <ul style="list-style-type: none">▪ Encourage strong retail frontage for Massachusetts Ave. and Main Street.▪ Create a focal point or "anchor" at Lafayette Square that will strengthen pedestrian and retail activity. |
| <p><u>Building height</u></p> <ul style="list-style-type: none">▪ Height of buildings should be consistent within the overall context of surrounding properties.▪ Whenever possible, the greatest height and bulk of the building should be placed on Massachusetts Avenue with a diminution in height and bulk as the project approaches the lower residential uses in abutting areas.▪ Height and bulk should also be arranged to protect sight lines of significant historic structures.▪ In street wall situations, it is desirable to relate architectural elements of new construction to the significant architectural elements including cornice heights on adjacent buildings. |
| <p><u>Building scale</u></p> <ul style="list-style-type: none">▪ The heavy pedestrian activity in the Square must be recognized in renovations and new construction projects.▪ Treatment of the ground floor plane should relate to the human dimension and be rich in detail to enhance the pedestrian experience. |
| <p><u>Building massing</u></p> <ul style="list-style-type: none">▪ Continuation of a strong, unbroken linear retail frontage on Massachusetts Ave. and Main Street is critical to preserving the strength and historic character of the commercial district.▪ Adjacent structures should build to a common party wall; alleyways between buildings are not encouraged. |
| <p><u>Streetwalls and Setbacks</u></p> <ul style="list-style-type: none">▪ Building walls along Massachusetts Ave. and Main Street should be maintained at the property line with alcoves minimized so as not to create unsupervised areas, which encourage loitering.▪ Setbacks along narrow side streets are encouraged to provide non-continuous building surfaces to avoid the creation of "canyons" and expanded sidewalk widths; a minimum of eight feet is desirable to allow the planting of street trees. |
| <p><u>Stores and Storefronts</u></p> <ul style="list-style-type: none">▪ Storefronts should be oriented to the pedestrian and provide visual interest both day and night along Massachusetts Avenue and Main Street.▪ Pedestrians should be encouraged to window shop by the provision of varied and interesting display areas.▪ Every effort should be made to facilitate access into the store and to create an individual building or store identity. <p>The following elements are encouraged:</p> |

- large window areas for display or for looking into a store with lighting to facilitate night viewing awnings and/or canopies
- signage which is attractively integrated into the window area, awnings, canopies and architecture of the building
- street grade entrances which continue a strong linear edge along Massachusetts Avenue and Main Street
- window boxes
- restoration of details in historically contributing or significant buildings
- retail businesses should provide rest room facilities for customers
- small projecting signs which are compatible with the architecture of the building

The following elements are discouraged:

- small window areas that do not promote or encourage viewing into the store
- overpowering signage
- alcoves or recesses in the building wall that encourage loitering
- loading docks along Massachusetts Avenue and Main Street
- parking entrances and exits along Massachusetts Avenue and Main Street
- below or above grade store entrances
- non-retail uses on Massachusetts Avenue

Exterior Treatments

Renovations

- Contributing and historically significant buildings should be renovated whenever possible.
- Materials should be consistent with the materials used when the structure was originally built.
- Original details should be preserved and restored whenever possible.

New Construction

- Pedestrian level treatments must be rich in detail and help to reinforce human scale through the use of architectural elements such as trim, sills, lintels, awnings and canopies.
- The use of durable materials, granite or limestone will help to add interest and variation to facades.
- Windows should be large and illuminated from within to create interesting display or viewing areas for retail space.
- New construction should be compatible and sensitive to adjacent historic structures with respect to scale and massing.
- Building materials to be compatible with the historic character of Central Square.
- Use of stucco, or stucco style panels and concrete blocks are discouraged.
- As a general rule, new buildings should be faced with wood or masonry with "punched operable windows to complement the older structures in the Square.
- Brick should be a full size brick with a color which is compatible to adjacent structures.
- The building walls above the ground floor should be articulated with bays, setbacks, cutouts, flower boxes, balconies, etc. to eliminate boxy type structures.
- Care should be taken to ensure that automobile headlights and street light glare are shielded from residential windows.
- Signs should be designed to fit on the building and be integrated with windows and awnings and not overlap or cover building details. Signage should be legible, unobtrusive and not overpowering.

- Use of color should be appropriate to the historic character of the Square, such as subtle highlighting of details on awnings, and trim, etc. Overpowering, gaudy, or trendy colors are discouraged.
- All mechanical penthouses and other projections should be integrated into the building form.

Streets, Sidewalks and Open Space

- Continue MBTA and Central Square Enhancement improvements. Suggested improvements include:
 - Fill in private vaults within sidewalk areas
 - Street trees, bicycle racks
 - Trash containers, Kiosks
 - Washington Post lights or other fixture as approved by the City along Massachusetts Ave.
- Create pedestrian links between neighborhoods and Massachusetts Avenue wherever possible;
- Strengthen the tie between Lafayette Square and the "Heart" of Central Square;
- Widen sidewalk areas on side streets to a minimum of eight feet connecting Bishop Allen Drive and Green Street to Massachusetts Avenue and improve the condition of existing sidewalks.
- Upgrade lighting along Bishop Allen Drive, Green Street and the streets connecting them to Massachusetts Ave.
- The appearance of secondary public ways such as Green street, Bishop Allen Drive, Temple street, Norfolk Street, etc. should be improved by repairing sidewalks, signage, lighting and where possible provide new trees.

Parking and Service Areas

- Service areas are to be located to allow vehicles access onto the site and off of the public ways and away from residential windows.
- Commercial tenants should take advantage of the area's good access to public transportation facilities and therefore reduce the need for on-site parking facilities.
- Entrances to both parking and service areas must be constructed to minimize disruption to adjacent uses. Entries should be kept away from street intersections as much as possible.