

CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

2018 APR 27 AM 9:22  
OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

## NOTICE OF DECISION

Case Number: 334

Address: 24 Brattle Street (1-7 & 9-11 JFK Street, 18-20 Brattle Street)

Zoning: Business B (BB) / Harvard Square Overlay District (HSOD)

Applicant: Regency Centers  
c/o James J. Rafferty, 675 Massachusetts Avenue, Cambridge MA

Owner: Harvard Collection, LLC  
410 Park Ave, Suite 1220, New York, NY

Application Date: January 16, 2018

Date of Planning Board Public Hearing: January 30, 2018; continued to March 27, 2018

Date of Planning Board Decision: March 27, 2018

Date of Filing Planning Board Decision: April 27, 2018

Application: Special Permits for building height (Section 20.54.2.2) exceeding sixty (60) feet and exemption from parking and loading requirements (Section 20.54.4) in Harvard Square Overlay District, and to exempt basement area from the calculation of Gross Floor Area (Article 2.000, Definition of Gross Floor Area) to renovate the existing building at 1-7 JFK Street and the office building at 18-20 Brattle Street, replace the existing two-story retail building at 9-11 JFK Street with a new four-story building, construct an upper story addition to 18-20 Brattle Street, and add a roof terrace on the new building at 9-11 JFK Street and a portion of 18-20 Brattle Street with total Gross Floor Area of 63,400 square feet containing 14 long-term bicycle spaces and no off-street parking spaces.

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](mailto:lpaden@cambridgema.gov).

## **DOCUMENTS SUBMITTED**

### Application Documents and Supporting Material

1. Special Permit Application dated 11/3/2017, containing, *inter alia*, the Special Permit Cover Sheet, Dimensional Form, Ownership Certificate, Community Outreach Summary, Project Narrative, LEED narrative and checklist prepared by The Green Engineer, Inc. dated 10/13/2017, Certificate of Appropriateness from Cambridge Historical Commission, dated 6/8/2017, and plan set entitled: The Abbot Buildings, prepared by Prellwitz Chilinski Associates (“PCA”), dated 11/3/2017.
2. Presentation slides shown to Planning Board on 1/30/2018.
3. Planning Board Supplemental Filing dated 2/27/2018, containing, *inter alia*, Memorandum 1, Memorandum 2 and Memorandum 3 from PCA, each dated 2/27/2018, revised Dimensional Form, and two plan sets each entitled: The Abbot Buildings, prepared by PCA, each dated 2/27/2018.
4. Planning Board Special Permit Presentation (Revised) dated 3/20/2018, including updated plan set entitled: The Abbot Buildings, prepared by PCA, dated 3/20/2018.
5. Presentation slides shown to Planning Board on 3/27/2018.

### City of Cambridge Documents

6. Memorandum to the Planning Board from Katherine F. Watkins, City Engineer, Department of Public Works (“DPW”), dated 1/23/2018.
7. Memorandum to the Planning Board from Community Development Department (“CDD”) staff, dated 1/24/2018.
8. Memorandum to the Planning Board from CDD staff, dated 3/21/2018.
9. Memorandum to the Planning Board from Joseph E. Barr, Director, Traffic, Parking & Transportation Department (“TP&T”), dated 3/21/2018.

### Other Documents

10. Certificate of Appropriateness from Cambridge Historical Commission, dated 6/8/2017.
11. Letter to the Planning Board from Harvard Square Advisory Committee, dated 1/24/2018.
12. Email communication from Suzanne Blier, Harvard Square Neighborhood Association to the Planning Board, dated 1/29/2018.
13. Email communication from Kenneth E. Taylor to the Planning Board, dated 1/30/2018.
14. Email communication from Lee Farris to the Planning Board, dated 1/30/2018.

## APPLICATION SUMMARY

The Applicant proposes to renovate the existing building at 1-7 JFK Street and the office building at 18-20 Brattle Street, replace the existing two-story retail building at 9-11 JFK Street with a new four-story building, construct an upper story addition to 18-20 Brattle Street, and add a roof terrace on the new building at 9-11 JFK Street and a portion of 18-20 Brattle Street, including long-term bicycle spaces. No off-street parking exists on the site and none is proposed. The site is located in the Business B District (BB) zoning district, modified by the Harvard Square Overlay District (HSOD). The proposed project is in the Harvard Square Historic District, and was reviewed by the Cambridge Historical Commission, which issued a Certificate of Appropriateness on June 8, 2017, with the provision that a more detailed design review would be conducted by the Historical Commission in the future. 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. Special Permit for increasing the building height in the Harvard Square Overlay District (Section 20.54.2)

*(20.54.2) Building Height Limitations. The maximum height of buildings in the Harvard Square Overlay District shall be governed by the requirements of this Section 20.54.2; however, at locations where the base zoning district establishes a more restrictive height limitation, the more restrictive shall apply.*

1. *As of Right Height Limitations. The maximum height of any building shall be sixty (60) feet.*
2. *Special Permit for Additional Height. The maximum allowable height in the Harvard Square Overlay District may be increased up to eighty (80) feet upon issuance of a Special Permit by the Planning Board. If a Special Permit is issued portions of the building may extend to eighty (80) feet in height provided that those portions in excess of sixty (60) feet are set back from the street line at least ten (10) feet, and that those portions are also set back from one or more forty-five (45) degree sky exposure planes, unless otherwise permitted by the Planning Board. A forty-five (45) degree sky exposure plane shall be an imaginary inclined plane beginning fifty-five (55) feet above any streetline in the districts and rising over one or more lots at a forty-five (45) degree angle.*

The Planning Board has determined that it is appropriate to grant a special permit to allow the building height to reach about 65.5 feet, as shown in the project plans, as it is a moderate

increase in height from the 60-foot as-of-right limitation. The façade above fifty-five feet is set back from the edges of the building and behind a 45-degree bulk control plane, as prescribed by zoning, with little visibility from the public realm. Following extensive discussion by the Board and revision by the Applicant, the Board approves of the design of the portion of the building exceeding 60 feet, although the Board requires using actual copper material for the roof of the building, subject to the Cambridge Historical Commission's approval of the same.

2. Special Permit for exemption from Parking and Loading Requirements in the Harvard Square Overlay District (Section 20.54.4)

Section 20.54.4 provides that for uses contained in new structures or new additions to structures built after June 1, 1940, the requirements for parking and loading may be waived after issuance of a special permit by the Planning Board provided that the following findings are made. The Planning Board makes such findings for the reasons set forth below.

*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 total development authorized on the site is reduced to eighty (80) percent of the maximum permitted on the lot; or a cash contribution is made to the Harvard Square Improvement Fund to be established by the City of Cambridge in an amount equal to fifty (50) percent of the cost of construction of the spaces not provided, said contribution to be used by the City of Cambridge for one or more of the following capital improvements in the Harvard Square Overlay District:*

*(1) Provision of public parking, preferably for short term users;*

*(2) Improvements to public parks, or restoration of historic structures, monuments and other features owned by the City of Cambridge or other public agency or a nonprofit organization;*

*(3) Extension throughout the Harvard Square Overlay District of the surface improvements installed by the MBTA as part of the Red Line subway extension (brick sidewalks, light post, street furniture, etc.)*

*The Harvard Square Advisory Committee shall receive and make comments on any proposal for the expenditure of such cash contributions. To the extent practicable the provision of public parking facilities shall be the first priority of any expenditure. The funds shall not be used for ordinary maintenance activities normally undertaken by the City of Cambridge.*

*The value of the cash contribution shall be determined by the Community Development Department assuming equivalent structured parking spaces and using generally accepted cost estimation methods customarily used by architects and engineers or using actual construction costs for comparable contemporary parking construction in Cambridge.*

The Abbot Buildings project includes three existing buildings, the Abbot Building at 1-7 JFK Street, the Corcoran's (Urban Outfitters) Building at 9-11 JFK St (with frontage also on Brattle Street), and the office building at 18-24 Brattle Street. All three buildings were constructed prior to June 1, 1940 and all three are contributing buildings within the Harvard Square National Register District. The total development proposed would exceed 80% of the development allowed on the lot (totaling 100%), and therefore a cash contribution shall be required in accordance with the requirements set forth above.

- b. The subject lot is sufficiently small in size as to contribute to a development pattern of diverse, small scale, new structures and the retention of existing structures (for lots exceeding 10,000 square feet a specific finding shall be made that this objective has been met).*

The proposal will renovate two existing buildings, add an upper story to one of those buildings and replace the third building on the parcel. The lot is 15,850 square feet in area. The Planning Board finds that the objective set forth above is met because each of the three small scale building components is designed to have its own distinct façade, while conforming to an overall development pattern that is consistent with the prevailing character in Harvard Square. The Cambridge Historical Commission has approved the proposed addition to be in character with the scale of existing neighboring buildings.

- 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 Harvard Square Development Guidelines.*

The Planning Board finds that the design of the proposed renovations and building addition all with street level retail facilities will benefit from an exemption from parking and loading requirements as the existing buildings cannot accommodate such activities without compromising the street-level experience of pedestrians on Brattle Street and JFK Street. In reaching this finding and in deciding to grant the special permits requested by the Applicant, the Planning Board has considered and been guided by the objectives and criteria contained in the Harvard Square Development Guidelines as follows.

- i) Preserve the Square's architecturally and historically significant buildings and structures as well as those that contribute to the distinctive visual character and historical significance of the District.*

The project protects and restores the existing Abbot and 18-24 Brattle Street Buildings, which are within the Harvard Square Historic District and have

significant architectural character. The Cambridge Historical Commission issued a Certificate of Appropriateness for the project.

- ii) *Support creative, contemporary design for new construction that complements and contributes to the character of the district.*

The new building, replacing the existing Corcoran's Building and connecting the other two buildings that are retained, is well considered and creates a coherent composite block, which supports the development goals for Harvard Square. While the new building will use similar materials to the historic buildings, the contemporary façade treatment creates a subtle separation from the historic elements. The additional multiple storefront retail spaces in the building will contribute to the vitality of the area.

- iii) *Respect for the diversity of building form and scale; encourage green yards and courtyards and small, free-standing buildings where that character prevails; encourage streetwall buildings where that character has been set.*

The existing buildings are set to the street edge, which is generally consistent with streetwall buildings within the district. The proposed addition will reinforce the continuity of the wall plane by aligning its façade with the existing and adjacent buildings.

- iv) *Expand the high quality public environment now established in the heart of the District with a compatible palette of materials and street furniture.*

The exterior materials palette provides a contemporary aesthetic, which subtly blends well with the other two buildings and the historic context of Harvard Square. The condition of the existing buildings will be improved along with the proposed new building.

- v) *Expand the network of pedestrian walkways and paths wherever they can conveniently provide alternate routes through the District.*

The lot is located in a small island block at a prominent pedestrian intersection in Harvard Square. Additional pedestrian connections through the block would be challenging given the conditions of the site and would not be compatible with the proposal to retain and connect the two existing buildings with a consistent streetwall pattern.

- d. *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*

The Corcoran's Building is slated for demolition as part of this project. But the other two buildings will be preserved and restored. Demolition of the Corcoran's Building, though it is a contributing building in the National Register district, was determined by the

Cambridge Historical Commission to be not incongruous with the Harvard Square Conservation District within the context of the overall project design, and was approved with the issuance of a Certificate of Appropriateness subject to the Applicant returning to the Commission for approval of the final design and of various construction details.

- e. *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.*

No such demolition or alteration has preceded the application. In addition, the Cambridge Historical Commission approved this project based on the findings that demolition and replacement of the Corcoran's Building conforms to the language of the Harvard Square Conservation District guidelines for demolition, and that the proposed infill replacement building, and the renovations and additions to the other buildings conform to the guidelines for new construction and additions in the district.

### 3. Definition of Gross Floor Area (Article 2.000)

The Zoning Ordinance allows that the definition of Gross Floor Area may be modified by special permit as set forth below.

*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.*

The project is designed such that retail uses can span both basement and first floor levels in all three buildings, and to provide additional space at the basement level that would serve retail establishments with smaller ground-floor footprints. The Board finds the uses proposed for the basement area of the project to be generally consistent with the character of the neighborhood for commercial buildings. Making existing basements code-compliant for commercial use will allow for expanded retail use in the area. The additional retail space will contribute to the vitality of the area.

### 4. 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 ...*

The proposed renovation of two existing buildings and replacement of the third building with no new off-street parking spaces is not anticipated to cause particular congestion or hazard. The project does not trigger the zoning requirement for a Transportation Impact Study. In the memo dated March 21, 2018, TP&T staff expressed support for the requested waiver of off-street parking and loading, which mitigates potential conflicts with pedestrian movement in the area. With no new curb cuts or driveways proposed, no changes are anticipated to the existing traffic patterns.

*(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 non-residential uses conform to the allowed uses in this district, resulting in an overall net increase of 10,227 square feet in Gross Floor Area. Hence it will not adversely affect adjacent uses that exist or are anticipated in the future. The proposed project will be compatible with the use and scale of surrounding lots, and will improve the streetscape with sidewalk 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 use 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 and development are consistent with the intent of the zoning requirements for the district and other applicable citywide requirements.

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

The Board finds that the proposed project is consistent with the Urban Design Objectives set forth in Section 19.30, as described below.

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

As discussed above in these Findings, the project fits well within the context of nearby building heights and existing streetwalls. The proposed new building continues the prevailing streetwall and form of adjacent buildings.

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

The project will result in improvements to the existing buildings at street level that will improve the public realm. The new building will contain multiple storefronts and an office entrance in its existing location, activating the streetscape. The proposed sidewalk improvements will make the area more pedestrian and bicycle friendly. No off-street parking or loading is proposed, though long-term bicycle parking will be provided in conformance with zoning requirements.

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

Rooftop mechanical equipment is proposed to be recessed and located within a roof well on top of the new building so that it is barely visible from the public way. Green roofs proposed at multiple levels on top of the three buildings will further mitigate the aerial visual impact. Trash will be stored internally in the first floor of the new building, which will be accessed through the service entry located on JFK Street. Shadow studies have been provided showing minimal new shadows compared to existing conditions.

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

The scale of the project is not expected to cause a burden on City infrastructure. All development will be subject to ongoing review by the DPW. As noted in its 1/23/2018 memorandum, the DPW does not anticipate that the project will have any issue meeting all of the DPW's requirements.

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

As discussed above in these Findings, the project complies with the general development guidelines for the Harvard Square Overlay District and reinforces and enhances the diverse development patterns of this area of Cambridge. The preservation of two of the historic buildings at this site balances the demolition of the Corcoran's Building, and the new construction reinforces and enhances the renovated historic buildings.

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

The project does not include residential development, but will continue to support the prevailing commercial character of the area.

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

The proposed development will not create nor remove open space, but will add roof decks and green roofs on top of the buildings. The Board encourages providing public access to roof areas where possible.

## 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 and other supporting materials submitted to the Planning Board by the Applicant, and the additional Conditions of this Special Permit Decision. The project plans hereby approved by the Planning Board are those dated 3/20/2018. 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 provided to CDD for review and approval of the final design details:
  - a. The detailed façade composition of the new building with attention to the proportions of the fenestration and a more pronounced cornice.
  - b. Details of the glazing to be used in the new building as well as in the replacement windows in the existing buildings to be reasonably clear and transparent, rather than reflective or tinted.
  - c. Details of the restoration of the corner façade, including the historic curved glass windows, the stone knee walls at the ground floor entrance, and the replacement windows at the ground floor of the Abbot Building, subject to further review and approval by the Cambridge Historical Commission.
  - d. Details of the exterior lighting to be used on the façades and roof levels, including shielding, illumination levels, and color temperature.
  - e. Layout details regarding the flexibility of the retail space for different size tenants.
  - f. Options for screening or shading at the west facing penthouse elevation to protect the interior from western sun, and to differentiate the north and west facades of the penthouse as seen from Brattle Street.
  - g. Detail of all proposed mechanical equipment and appurtenances on the rooftop, façade, or elsewhere on the exterior of the building.

- h. Review and approval of bicycle parking location, layout, and access by the Traffic, Parking & Transportation Department (“TP&T”).
  - i. All exterior materials, colors, and details, with particular attention to the new top-floor addition. The Board requires the use of actual copper material in the roof of the proposed new building, subject to review and approval by the Cambridge Historical Commission.
- 4. In accordance with Section 20.54.4, Paragraph 2, Subparagraph a. of the Zoning Ordinance, the Permittee shall make a cash contribution to the Harvard Square Improvement Fund established by the City of Cambridge in an amount equal to fifty (50) percent of the cost of construction of the minimum number of parking spaces required based on the Gross Floor Area of the proposed uses. The funds shall be used by the City of Cambridge in accordance with that section of the zoning, and as set forth therein, the Harvard Square Advisory Committee shall receive and make comments on any proposal for the expenditure of such cash contributions, and the value of the cash contribution shall be determined by the Community Development Department assuming equivalent structured parking spaces and using generally accepted cost estimation methods customarily used by architects and engineers or using actual construction costs for comparable contemporary parking construction in Cambridge. Such payment shall be made and certified prior to issuance of a Building Permit for construction authorized by this Special Permit.
- 5. The Permittee shall comply with all the conditions set forth in the memorandum dated 1/23/2018 issued by the Department of Public Works (“DPW”) (attached to this Decision as Appendix II and made a part hereof).
- 6. The Permittee shall comply with all the conditions associated with automobile parking and loading, bicycle parking, and construction impacts set forth in the memorandum dated 3/21/2018 issued by TP&T (attached to this Decision as Appendix III, and made a part hereof).
- 7. The Permittee shall be required to prepare and implement a Construction Management Program in accordance with Section 18.20 of the Zoning Ordinance, which shall be reviewed and certified by TP&T and DPW prior to issuance of a Building Permit for development authorized by this Special Permit. Such a program shall also include, in addition to the specific items required by Section 18.20, a community outreach program to be approved by CDD, including, at a minimum, the following elements:
  - a. An identified point of e-mail and telephone contact to respond to community questions and feedback throughout the construction process;
  - b. A system for communicating ongoing project updates, which may include a web page, e-mail list, social media presence, direct outreach, and/or other measures, with a particular focus on dialogue with abutting retailers who would be impacted by construction activity; and

- c. One or more signs posted on-site, legible from the public way, providing the information above along with a brief description of the project, an expected completion date, and a rendering of the street-facing elevations.
8. All authorized development shall abide by all applicable City of Cambridge Ordinances, including the Noise Ordinance (Chapter 8.16 of the City Municipal Code).
9. 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.
10. 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, including rooftop screening elements, 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., Steven Cohen, H Theodore Cohen, Catherine Preston Connolly, Mary Flynn, 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. Planning Board Member Hugh Russell voted in the negative.

For the Planning Board,

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

H Theodore Cohen, Chair.

A copy of this decision PB-334 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 has been filed on April 27, 2018 with the Office of the City Clerk, by Swaathi Joseph, 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

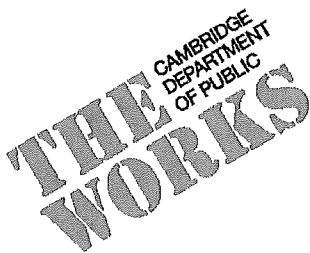
|                               | Existing | Allowed or Required | Proposed            | Permitted                             |
|-------------------------------|----------|---------------------|---------------------|---------------------------------------|
| Lot Area (sq ft)              | 15,850   | None                | No Change           | No Change                             |
| Lot Width (ft)                | 151      | None                | No Change           | No Change                             |
| Total GFA (sq ft)             | 54,747   | 63,400              | 63,400 <sup>1</sup> | 63,400                                |
| Residential Base              | 0        | 47,550              | 0                   | Consistent with Application Documents |
| Non-Residential Base          | 54,747   | 63,400              | 63,400 <sup>1</sup> |                                       |
| Inclusionary Bonus            | n/a      | n/a                 | n/a                 |                                       |
| Total FAR                     | 3.45     | 4.0                 | 4.0                 | Consistent with Application Documents |
| Residential Base              | 0        | 3.0                 | 0                   |                                       |
| Non-Residential Base          | 3.45     | 4.0                 | 4.0                 |                                       |
| Inclusionary Bonus            | n/a      | n/a                 | n/a                 |                                       |
| Total Dwelling Units          | 0        | 52                  | 0                   | 0                                     |
| Base Units                    | n/a      | n/a                 | n/a                 | Consistent with Application Documents |
| Inclusionary Bonus Units      | n/a      | n/a                 | n/a                 |                                       |
| Base Lot Area / Unit (sq ft)  | n/a      | 300                 | n/a                 |                                       |
| Total Lot Area / Unit (sq ft) | n/a      | n/a                 | n/a                 |                                       |
| Height (ft)                   | 32       | 60/80 <sup>2</sup>  | 65.5 <sup>2</sup>   | Consistent with Application Documents |
| Front Setbacks (ft)           | 0        | None                | 0                   |                                       |
| Side Setback (ft)             | 0        | None                | 0 to 7.75           |                                       |
| Side Setback (ft)             | 0        | None                | 0                   |                                       |
| Rear Setback (ft)             | 0        | None                | n/a                 |                                       |
| Open Space (% of Lot Area)    | 0        | None                | 0                   | Consistent with Application Documents |
| Private Open Space            | 0        | None                | 0                   |                                       |
| Permeable Open Space          | 0        | None                | 0                   |                                       |
| Off-Street Parking Spaces     | 0        | 43                  | 0 <sup>3</sup>      | 0                                     |
| Long-Term Bicycle Parking     | 0        | 13                  | 14                  | Consistent with Application Documents |
| Short-Term Bicycle Parking    | 0        | 29                  | 0 <sup>4</sup>      |                                       |
| Loading Bays                  | 0        | 3                   | 0 <sup>3</sup>      |                                       |

<sup>1</sup> Excludes 8,347 square feet in the basement, exempted as per Article 2.000, Definition of Gross Floor Area.

<sup>2</sup> With Planning Board Special Permit as per Section 20.54.2.2.

<sup>3</sup> With Planning Board Special Permit as per Section 20.54.4.

<sup>4</sup> Provided by making a contribution to the City's Public Bicycle Parking Fund for 15 bike racks.



## City of Cambridge Department of Public Works

*Owen O'Riordan, Commissioner*

147 Hampshire Street  
Cambridge, MA 02139  
theworks@cambridgema.gov

Voice: 617 349 4800

TDD: 617 499 9924

January 23<sup>rd</sup>, 2018

TO: Planning Board

FROM: Katherine F. Watkins, PE  
City Engineer

### **RE: 24 Brattle Street: Special Permit Application**

We are in receipt of the Planning Board Special Permit submission for 24 Brattle Street, dated November 3<sup>rd</sup>, 2017. The DPW has met with the Applicant and their consultant team to review the proposal for the work. The Applicant and their consultant team have demonstrated a general understanding our Department's requirements for development projects and have indicated a willingness to work with the DPW to meet the requirements and to address our concerns.

Generally, the DPW, based on the provided documentation, does not anticipate the project having any issue meeting all of the requirements of the DPW with the understanding that the project will be subject to a thorough and complete engineering review at the time of the Building Permit Application. Issues that have been discussed have been highlighted below.

#### **Stormwater Management:**

Under the City Land Disturbance Regulations because the project requires a Special Permit from the Planning Board, the Applicant will need to obtain a Stormwater Control Permit from the Department of Public Works. The City requirements cover the design standards and long term operation and maintenance of a management system for the project site, as well as the construction phase erosion and sedimentation control plans. The DPW will work with the Applicant to make sure that all permit requirements, including but not limited to those listed below, are met:

1. Design a system that will meet the City of Cambridge standard to reduce the peak rate of runoff from the post development 25-year storm event to the rate of the existing 2-year event.
2. Provide a plan for erosion and sedimentation controls and BMP's for the construction phase of the new development.
3. Make improvements to the quality of the stormwater runoff including an 80% reduction in the amount of Total Suspended Solids and 65% reduction in the Phosphorus load.
4. Provide a plan outlining the long term operation and maintenance procedures of the designed system to ensure sustained operation of the system into the buildings future.

**Sewer Mitigation:**

It is unclear from the submitted documentation what the increase, if any, in generated sewer flow from the proposed redevelopment will be. If the increase, based on Title 5 design flows, is in excess of 15,000 gallons per day, the Development will be required to remove inflow/infiltration (I/I) from the City sewer system at a rate of 4 times the projects added wastewater generation.

The DPW will work with the Applicant to confirm all sewer flow generation volumes and coordinate the I/I mitigation effort, as needed.

**Other Public Infrastructure:**

As the design is developed for the proposed redevelopment, the DPW will review and evaluate all proposed work and impacts in the public right of way, including but not limited to:

- Public and private utility connections
- Changes and disturbance to the street and sidewalk
- Construction impacts and logistics

Curb and sidewalk reconstruction along the Brattle Street frontage is proposed by the Applicant to support the redevelopment. The DPW anticipates that the elevation changes and work to reconstruct the sidewalk will warrant resurfacing of Brattle Street and also additional length of sidewalk reconstruction extending down Brattle to the Mt. Auburn Street intersection. The DPW will work with the Applicant on this design as they progress to a building permit submission.

We look forward to working with the Applicant and other City Departments on this project. Please feel free to contact me with any questions or concerns related to the comments or information provided above.

Sincerely,



Katherine F. Watkins, P.E.  
City Engineer




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## MEMORANDUM

**To:** Cambridge Planning Board  
**From:** Joseph E. Barr, Director   
**Date:** March 21, 2018  
**Re:** Abbot Building - 1-7 & 9-11 JFK Street, 18-20 Brattle Street (PB #334)

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The Cambridge Traffic, Parking, and Transportation Department (TP&T) met with Regency Centers regarding their Planning Board Special Permit Application for the Abbot Building project located at 1-7 & 9-11 JFK Street and 18-20 Brattle Street.

Regency Centers proposes to renovate existing buildings at 1-7 JFK Street and 18-20 Brattle Street, replace the existing two-story retail building at 9-11 JFK Street with a new four-story building, construct an upper story addition to 18-20 Brattle Street, and add a roof terrace on the new building at 9-11 JFK Street and a portion of 18-20 Brattle Street.

The Abbot Building project proposes no new automobile parking spaces by making a payment in lieu of parking, 14 long-term bicycle parking spaces and a contribution to the City's bicycle fund for the 29 zoning required short-term bicycle parking space. The project did not trigger the zoning requirement for a Transportation Impact Study (TIS).

TP&T offers the Planning Board the following comments on the Abbot Building project.

### 1. Automobile Parking and Loading

Because this project is located in the heart of Harvard Square directly across the street from the MBTA Harvard Square Station and near multiple bus stops and bus routes, TP&T supports the developer's plan to construct no new parking for this project. In lieu of new automobile parking spaces the Project will be required to make a payment to the Harvard Square Improvement Fund.

TP&T also supports the developer's plan to construct no off-street loading for this project because new curb cuts for off-street loading would create a new conflict point between trucks, pedestrians and bicyclists, and negatively impact the pedestrian conditions for this site. Loading and delivery service operations will need to rely on on-street loading zones, like many other buildings in Harvard Square, including the existing loading zones on JFK Street and Brattle Street. The Project has been designed for loading activities to occur on JFK Street (not Brattle Street) which is appropriate because there is an existing loading zone directly abutting the site on JFK Street, while the loading zone on Brattle Street is

located on the opposite side of the street. TP&T is open to considering modifications to the JFK Street loading zone, such as its precise location and length, based on the needs of this project (while balancing the other curb uses along that block).

Once TP&T has more information about who the building tenants are going to be, we will be able to make decisions about how to best manage the curb space. We recently made curb-use changes on JFK Street in response to the needs of the recently-opened CVS and will continue to adjust curb regulations as best we can to serve all needs.

TP&T also discussed with Regency Centers the potential for a future restaurant to want valet parking, as well as the need to encourage desirable behavior from UPS/FedEx type deliveries and discouraging deliveries taking place from locations that are not safe or legal. We will continue to work with the property owner/manager on these issues as the project moves through planning, construction, and ongoing operations.

## **2. Bicycle Parking**

The Project will provide a minimum of 14 long-term bicycle parking spaces with elevator access from the lobby off Church Street or from the trash/loading area off JFK Street. The layout for the long-term bicycle parking space will meet the city's zoning requirements.

Because the project cannot provide short-term bicycle parking spaces on its property due to zero lot line setbacks, the project will make a public contribution for bicycle parking in lieu of private property bicycle parking for the 29 zoning required short-term bicycle parking spaces.

## **3. Construction Impacts**

Lastly, like all development projects, prior to the issuance of a Building Permit this project will be required to submit and obtain approval of a Construction Management Plan from the Department of Public Works (DPW) and TP&T. During our discussions with Regency Centers we also made them aware of the expected MBTA bus tunnel project which will have impacts on Brattle Street since the MBTA buses will need to occupy space on Brattle Street when the bus tunnel is under construction late 2018 and early 2019. Regency Centers stated that they have already begun thinking about construction management and are well aware of the challenges they will have. For TP&T, safety and minimizing the length of disruptions to the transportation network will be our top priorities.