

Requested Special Permits	Summarized Findings <i>(detailed zoning text on following pages)</i>
Special permit for hotel use in Industry B district (Section 4.31.i(2))	<p>Special permits will be normally granted if the zoning requirements are met, unless it is found not to be in the public interest due to one of the criteria enumerated in Section 10.43:</p> <ul style="list-style-type: none"> <li>(a) It appears that requirements of this Ordinance cannot or will not be met, or</li> <li>(b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or</li> <li>(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</li> <li>(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</li> <li>(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</li> <li>(f) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.</li> </ul>
Special Permit to reduce required parking (Section 6.35.1)	<p>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 will provide positive environmental or other benefits to the users of the lot and the neighborhood, including assisting in provision of affordable housing units.</p>
Special Permit to modify access for off-street parking (Section 6.43.5)	<p>Provisions for layout of parking spaces can be modified with a valet parking arrangement for the parking facility.</p>
Special Permit to modify bicycle parking standards (Section 6.108)	<ul style="list-style-type: none"> <li>• The proposal is consistent with the purpose of Section 6.100 and that the Bicycle Parking Plan proposes a quantity, design and arrangement of bicycle parking that will serve bicycle users in a way that is sufficiently comparable, given the circumstances of the specific project, to the bicycle parking that would be required under the regulations of Section 6.100.</li> <li>• The Bicycle Parking Plan will satisfactorily serve the needs of all expected users, based on quantitative and/or qualitative evidence provided by the Applicant.</li> </ul>

<b>Requested Special Permits</b>	<b>Summarized Findings</b> <i>(detailed zoning text on following pages)</i>
Special Permit for exemption of basement area in the calculation of Gross Floor Area (GFA)	The uses occupying such exempted GFA support the character of the neighborhood or district in which the applicable lot is located.
General Special Permit Criteria (Section 10.43)	Special permits will be normally granted if the zoning requirements are met, unless it is found not to be in the public interest due to one of the criteria enumerated in Section 10.43.

## Special Permit for hotel use in Industry B (IB) District

- 4.12** A use listed in Section 4.30 is permitted as of right in any district under which it is denoted by the word “YES”. Uses designated in the Table by the letters “SP” may be allowed only if a special permit is issued by the Board of Zoning Appeal. Uses designated in the Table by the letters “PB” may be allowed only if issued a special permit by the Planning Board. Special permits shall be issued in accordance with the provisions of Section 10.40 and may be subject to such restrictions as the special permit granting authority may establish.
- 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
  - (g) 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
  - (h) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.

## Special Permit for Reduction of Required Parking

**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.

Example: Office and Theatre uses with peak user demands at different times. Office requires a minimum of one hundred and fifty (150) spaces and the theatre requires a minimum of one hundred (100). Seventy-five (75) percent of the lesser minimum requirement is seventy-five (75) (75% of 100). Therefore seventy-five (75) spaces can be shared but twenty-five (25) (100-25) would still be required, making the total amount or required parking for both uses (150 + 25) one hundred and seventy-five (175).

- (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 to Modify Access for Off Street Parking**

- 6.43** *Access for Off Street Parking Facilities.* Off street parking facilities shall have maneuvering areas and appropriate means of vehicle access to a street and shall be so designed as not to constitute a nuisance, hazard, or unreasonable impediment to traffic.
- 6.43.2** The layout of parking spaces shall permit entering and exiting without moving any other vehicles parked in other spaces except where more than one space is provided for any dwelling unit, such spaces may be located in tandem to the required parking spaces for that dwelling unit.
- 6.43.5** The Board of Zoning Appeal may grant a special permit modifying the provisions of this subsections 6.43 in accordance with the following conditions:
- (a) The provisions for layout of parking spaces in paragraph 6.43.2 may be modified where there is a valet parking arrangement for an off-street parking facility.

## Special Permit to Modify Bicycle Parking Standards

**6.104.2** *Short-Term Bicycle Parking* shall be provided within the building containing the use or uses that it is intended to serve, or within a structure whose pedestrian entrance is no more than two hundred feet (200') from a pedestrian entrance to such building. Long-Term Bicycle Parking serving multiple uses or buildings may be pooled into a single area, enclosure or facility. Where Long-Term Bicycle Parking is located adjacent to motor vehicle parking or loading facilities, a physical barrier shall be provided to prevent damage to bicycles by other vehicles:

- a. *Private Lot.* Short-Term Bicycle Parking on a private lot shall be located within fifty feet (50') feet of a pedestrian entrance to the building or buildings containing the use or uses it serves. For buildings or uses requiring more than eight (8) Short-Term Bicycle Parking Spaces, some of the required spaces may be located at a greater distance from the entrances, so long as eight (8) Short-Term Bicycle Parking Spaces are available within fifty feet (50') of any entrance.

**6.108.3** *Findings and Approval.* Upon granting a special permit to modify any requirements of this Section 6.100, the Planning Board shall make a general determination that the proposal is consistent with the purpose of this Section 6.100 and that the Bicycle Parking Plan proposes a quantity, design and arrangement of bicycle parking that will serve bicycle users in a way that is sufficiently comparable, given the circumstances of the specific project, to the bicycle parking that would be required under the regulations of this Section 6.100. The Planning Board shall also make specific determinations applicable to the modifications being sought as set forth below:

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- b. Where modifications to the location or quantity of bicycle parking is proposed, the Planning Board shall determine that the Bicycle Parking Plan will satisfactorily serve the needs of all expected users, based on quantitative and/or qualitative evidence provided by the Applicant. Such a modification may be appropriate for a campus master plan or other large development site within which bicycle parking is planned comprehensively across an area instead of on a specific site-by-site basis.

## 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
- (i) 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
- (j) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30. **[SEE FOLLOWING PAGE]**

**10.45** Any 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.



**19.30 Citywide Urban Design Objectives [SUMMARIZED]**

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

## **Eastern Cambridge Design Guidelines – Summary of Relevant Design Principles & Guidelines**

### **Urban Design Goals – Transition Areas**

1. Encourage new residential development and conversions of existing buildings to residential use but allow existing commercial uses to remain.
2. Use finely graduated heights to create transitions in scale from Kendall Square to residential neighborhoods.
3. Create better pedestrian and bicycle connections between residential neighborhoods, Kendall Square, Central Square, and the Charles River.

### **Street-level Uses and Design – Mixed Use Blocks**

1. Street-level facades should include active uses such as:
  - Residential entrances
  - Shops, restaurants, and cafes
  - Services for the public or for offices such as fitness centers, cafeterias, daycare, etc.
  - Community spaces, such as exhibition or meeting space
  - Art exhibition space/display windows
  - Commercial lobbies and front doors
2. Major entrances should be located on public streets, and at or near corners wherever possible.
3. Transparent materials and interior lighting should be used to maximize visibility of street level uses. Ground floor facades should be at least 30 to 50 % transparent surface.
4. Blank walls should be avoided along all streets and pedestrian walkways.

### **Building Height and Orientation – Major Public Streets**

1. Set back any portion of the building above 65 feet by at least 10 feet from the principal facade.
2. Setbacks used exclusively for ornamental landscaping are not permitted but may be allowed to accommodate street furniture, street trees, or generous sidewalks. Awnings and canopies are encouraged.
3. Driveway turnaround and vehicle drop-off facilities are strongly discouraged along public streets
4. Locate loading docks on side streets or service alleys, and away from residential areas.
5. In use, design, and entry, orient buildings towards corners.

### **Building Height and Orientation – Other Streets**

1. If the prevailing height of surrounding buildings is 65 feet or less, establish a cornice line that matches the prevailing height of surrounding buildings. For additional height above the cornice line, provide a setback of at least 10 feet from the principal façade.

### **Scale and Massing**

1. Buildings should avoid continuous massing longer than 100 feet facing residential streets and 200 feet facing mixed-use and retail streets. If massing extends beyond this length, it should be made permeable and visibly articulated as several smaller masses.
2. Buildings should reflect a rhythm and variation appropriate to the urban context. E.g., express bay widths of 16-25 feet along residential streets and 25-50 feet along mixed-use and retail streets.
3. Buildings should have a clearly expressed base, middle, and top. This may be achieved through changes in material, fenestration, architectural detailing, or other elements.
4. Use variations in height and architectural elements such as parapets, cornices and other details to create interesting and varied rooflines and to clearly express the tops of buildings.

5. Emphasize corners using taller elements such as towers, turrets, and bays.
6. Taller buildings should be articulated to avoid a monolithic appearance: Taller buildings should be point towers instead of slabs and should have smaller floor plates.

#### **Architectural Character**

1. Create varied architecture and avoid flat facades by using recessed or projected entryways, bays, canopies, awnings, and other architectural elements.
2. Vary the architecture of individual buildings to create architecturally diverse districts.
3. Where buildings are set back at upper stories, lower roofs may be used as balconies, balustrades, and gardens.

#### **Environmental Guidelines**

1. Design buildings to use natural resources and energy resources efficiently in construction, maintenance, and long-term operation of the building. Buildings should be sited to allow construction on adjacent lots to do the same. Compliance with LEED certification standards and other evolving environmental efficiency standards is encouraged.
2. Rooftop mechanical equipment should be sited and shielded to protect neighboring uses from noise impacts.

#### **Parking**

1. While underground parking is preferable everywhere, if above ground parking is to be built it should be designed so as not to be visible from public streets or pathways.
2. Locate vehicular parking entrances on side streets and alleys and provide safe pedestrian access from public streets.
3. All parking garages must provide direct pedestrian access to the street.
4. The primary pedestrian exit/access to all garages serving non-residential uses should be to the street or a public area.
5. Design and locate lighting fixtures in surface parking lots and garages to enhance safety while minimizing light spillover onto adjacent properties

#### **Public Realm**

1. Use streetscape elements such as trees, benches, signage, and lighting to support active pedestrian uses and to reinforce the character and identity of each district.
2. Provide strong pedestrian, bicycle and visual connections to the Charles River and public parks through view corridors, signage, and/or art installations.
3. Provide safe pedestrian and bicycle connections to existing and new bus stops and transit stations