

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

2021 OCT -5 PM 1:00

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

NOTICE OF DECISION

Case Number:	358
Address:	34-40 Hampshire Street
Zoning:	Industry B (IB)
Applicant:	Haasanaly Ladha, 34-40 Hampshire Street, LLC 24 Fairmont Street, Cambridge, MA 02139
Owner:	34-40 Hampshire Street, LLC 24 Fairmont Street, Cambridge, MA 02139
Application Date:	January 15, 2020
Date of Planning Board Public Hearing:	February 11, 2020; March 2, 2021; August 31, 2021
Date of Planning Board Decision:	August 31, 2021
Date of Filing Planning Board Decision:	October 5, 2021
Application:	Special Permits for Modification of bicycle parking standards (Section 6.108); Hotel use in Industry B (Section 4.31.i(2)); Reduction of required off-street parking (Section 6.35.1); Modification of provisions for access to off street parking (Section 6.43.5); and Exclusion of basement area from Gross Floor Area (GFA) calculation (Article 2.000, Definition of GFA) to construct a 70-room hotel in a six story building of 23,030 square feet including 16 off-street parking spaces with valet parking and 4 long-term and 12 short-term bicycle parking spaces as well as 1 loading bay.
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 Swaathi Joseph at 617-349-4668, or sjoseph@cambridgema.gov.

DOCUMENTS SUBMITTED

Application Documents and Supporting Material

1. Special Permit Application submitted on 1/15/2020, containing, *inter alia*, the Special Permit Cover Sheet, Dimensional Form, Ownership Certificate, Community Outreach Summary, Project Narrative, and plan set titled 'Planning Board 34-40 Hampshire Street' prepared by Boyes-Watson Architects, dated 12/16/2019.
2. Presentation slides shown to Planning Board on 2/11/2020.
3. Revised materials submitted on 1/27/2021, including responses to questions from the Planning Board, revised narrative materials and revised plan set titled 'Planning Board Revised Special Permit Submission' prepared by Boyes-Watson Architects, dated 1/22/2021.
4. Presentation slides shown to the Planning Board on 3/2/2021.
5. Revised materials submitted on 8/2/2021, including responses to questions from the Planning Board, revised narrative materials and revised plan set titled 'Revised Special Permit Submission' prepared by Boyes-Watson Architects, dated 7/30/2021.
6. Revised plan set titled 'Planning Board Revised Special Permit Submission' prepared by Boyes-Watson Architects, dated 8/11/2021.
7. Presentation slides shown to the Planning Board on 8/31/2021.

City of Cambridge Documents

8. Memorandum to the Planning Board from Department of Public Works (DPW) staff, dated 1/30/2020.
9. Memorandum to the Planning Board from Traffic, Parking and Transportation Department (TP+T) staff, dated 2/5/2020.
10. Memorandum to the Planning Board from Community Development Department (CDD) staff, dated 2/5/2020.
11. Memorandum to the Planning Board from CDD staff, dated 2/23/2021.
12. Memorandum to the Planning Board from TP+T staff, dated 8/23/2021.
13. Memorandum to the Planning Board from CDD staff, dated 8/25/2021.

Other Documents

14. Memorandum to the Planning Board from Cambridge Pedestrian Committee, dated 11/21/2019.
15. Letter to the Planning Board from Councillor Timothy Toomey dated 2/11/2020.
16. Letter to the Planning Board from Jonathan G. Davis dated 2/11/2020.
17. Letter to the Planning Board from Jaman Mia dated 3/7/2021.
18. Letter to the Planning Board from Salma Akter dated 3/7/2021.
19. Letter to the Planning Board from Mohammed Shahabuddin dated 3/7/2021.

20. Letter to the Planning Board from Musammat Sadarbanu dated 3/7/2021.
21. Letter to the Planning Board from Abdul G. Sikdar dated 3/7/2021.
22. Letter to the Planning Board from Lovely B Sikdar dated 3/7/2021.
23. Letter to the Planning Board from Mohammed Niazuddin dated 3/7/2021.
24. Letter to the Planning Board from Halima Khatun dated 3/7/2021.
25. Letter to the Planning Board from Mohammed Waheduddin dated 3/7/2021.
26. Letter to the Planning Board from Jarna Uddin dated 3/7/2021.
27. Letter to the Planning Board from Islam Uddin dated 3/7/2021.
28. Letter to the Planning Board from Bibi Islam dated 3/7/2021.
29. Letter to the Planning Board from Dulnaakter Emdadul Hoq dated 3/7/2021.
30. Letter to the Planning Board from Ethrat Jahan Einthia dated 3/7/2021.
31. Letter to the Planning Board from Mohammed Islam dated 3/7/2021.
32. Letter to the Planning Board from Rokeya Begum dated 3/7/2021.
33. Letter to the Planning Board from Robel Bhuigan dated 3/7/2021.
34. Letter to the Planning Board from Sumaya Yeasmin dated 3/7/2021.
35. Letter to the Planning Board from Israel Masdonaco dated 3/11/2021.

APPLICATION SUMMARY

The Applicant proposes to demolish the two existing buildings on a site consisting of three parcels on Hampshire Street, to construct a new 6-story hotel building with 70 guest rooms, parking for 16 cars in the basement with valet service, 4 long-term bicycle parking spaces, 12 short-term bicycle parking spaces, and 1 loading bay. The building will be six stories tall and approximately 23,030 square feet and excludes areas exempt from GFA calculations either as-of-right or by special permit. The site is located in the Industry B (IB) zoning district.

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 to modify bicycle parking standards (6.108)

6.104.2 Short-Term Bicycle Parking shall located in one of the two following ways:

- 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:

- 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.*

A total of 4 long-term and 12 short-term bicycle parking spaces will be provided, which will exceed zoning requirements. The Board finds that the proposal for bicycle parking is consistent with the purpose of the bicycle parking requirements in Section 6.100, and that with the exception of location of short-term spaces more than 50 feet from the primary building entrance, the city's standards will be met. The requested modification is necessitated by the specific circumstances of the site and the proposal and shall be subject to conditions as set forth in this Special Permit.

Pursuant to Section 10.45, as this project is subject to a special permit within the purview of the Planning Board, the Planning Board may grant the following special permits that would otherwise be granted by the Board of Zoning Appeal.

2. Special Permit to reduce required parking (Section 6.35.1)

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. ...

The Applicant seeks approval to reduce the required amount of accessory parking by proposing 16 spaces with valet services instead of 35 spaces required by zoning. Such relief is allowed by special permit pursuant to Section 6.35.1 and Section 10.45, which allows the Planning Board to grant special permits otherwise within the purview of the Board of Zoning Appeal for projects that are also subject to Planning Board special permit approval.

The site is also located near the MBTA Kendall/MIT Red Line Station and bus service as well as connections to existing and planned bike paths, which provide good access to alternative transportation modes. The current proposal to reduce parking for the proposed development is consistent with the city-wide goals to discourage driving and encourage other modes of transportation and serves to reduce auto trip generation and thereby mitigate potential traffic impacts, as discussed earlier in these Findings.

In its memorandum to the Planning Board dated August 23, 2021, TP+T expressed general support for the Applicant's request to reduce automobile parking spaces as the project is subject to a small Parking Transportation Demand Management (PTDM) plan that reduces parking demand for projects and additional parking can be accommodated in the commercial parking garages in the area. In its memo, TP+T also noted that the proposed delivery and parking arrangement does not impact the future feasibility of separated bicycle lanes on Hampshire Street. Hence, the Board finds that there will be minimum impact on availability of parking and no other adverse impacts on the neighborhood. The Board also finds that the reduction in parking will be reasonable in light of the considerations set forth below.

... In making such a determination the Board shall also consider whether or not less off street parking is reasonable in light of the following:

- a. The availability of surplus off street parking in the vicinity of the use being served and/or the proximity of an MBTA transit station.*

The project is within an area served by the MBTA Kendall/MIT Red Line Station and MBTA bus route stops serving Cambridge and surrounding towns.

- b. 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.*

The project is close to three commercial parking facilities that can adequately serve users who are unable to use other modes of transportation to travel to the project site.

- c. *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.*

Shared use of off-street parking spaces serving other uses has not been proposed.

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

No such restrictions exist; however, the reduction in required parking anticipates a less auto-dependent future for the area.

- e. *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.*

The high water table in the area limits the below grade construction beyond one level. The reduction in parking is preferable because it prioritizes pedestrian, bicycle, and transit amenities and prevents the need to build additional parking, which positively impacts the urban design of the area.

- f. *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.*

No housing is proposed as part of the project.

3. Special Permit to modify access for off street parking (Section 6.43.5)

- 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.

The proposal explains that parking will be managed by valet service for the below grade stacked parking arrangement that allows for cars to be moved with efficient use of space. The Board received a communication from TP&T dated August 23, 2021, indicating that the circular valet zone within the property is expected to be functional and eliminates the need for a dedicated pick-up/drop-off area on the street. Therefore, based on the proposed management plan and endorsement by TP&T, the Board approves the modification to allow the proposed stacked parking with valet service in the garage.

4. Special Permits for exemption of basement from GFA calculation (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 basement of the proposed building is for accessory functions including office, kitchen, storage, and employee lounge, in addition to utilities and mechanical areas associated with the hotel use. The Board finds the uses proposed for the basement area of the project to be generally consistent with the character of the neighborhood, in which commercial buildings typically contain a variety of utilities and other uses in their basements that support other active uses above. Providing ancillary activities below grade will allow for the more active and populated spaces in the building to be located at the street level.

5. Special Permit for hotel use in Industry B district (4.31.i(2))

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.

The Planning Board finds that the hotel use is permissible based on conformance with the General Criteria for Issuance of a Special Permit as set forth below.

6. General Criteria for Issuance of a Special Permit (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:

(b) 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. The project conforms to the use and dimensional requirements of the zoning district.

(c) 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 traffic generated by the proposed hotel use will not have any substantial impact on traffic patterns and thus will not create any new congestion, hazard, or change in neighborhood character, which is currently commercial in nature. Systems of access and egress for pedestrians, bicycles and vehicles have been designed in consultation with TP+T and will be subject to continuing review.

(d) 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 hotel use is compatible with the other allowed uses in this district, which include a wide range of residential, office, and business uses at a relatively high intensity. A hotel in this location 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.

(e) 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 as well as measures recommended by DPW to mitigate area-specific risks of future flooding.

(f) 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 hotel use is consistent with the planning objectives for the district, which encourage a variety of residential and non-residential uses with active streetfronts. The proposed hotel building would fit this existing and anticipated pattern of development.

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

The Board finds no inconsistency with the citywide urban design objectives. The urban design objectives are generally supported in the proposal through improved streetscape appearance and pedestrian amenity, consistency with the pattern of development in the area, minimal environmental impacts on abutters and minimal impact on City infrastructure. The location being an intersection is very important and the proposal holds the street corner well and will be a particularly handsome addition to the urban fabric. The Board encourages the canopy on Hampshire Street as it successfully marks the building entrance and provides weather protection, with the understanding that the feature will require separate City approvals to extend over the public sidewalk.

DECISION

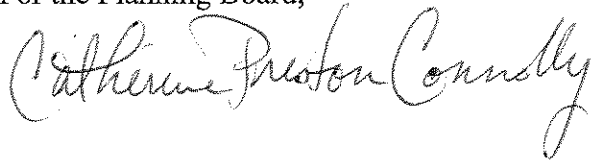
Based on a review of the Application Documents, testimony given at the public hearing, and the above Findings, the Planning Board hereby GRANTS the requested Special Permits subject to the following conditions and limitations. Hereinafter, for purposes of this Decision, the Permittee shall mean the Applicant for the requested Special Permits and any successor or successors in interest.

1. 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, and the additional Conditions of this Special Permit Decision. The project plans hereby approved by the Planning Board specifically include all information in the plan set entitled ‘Planning Board Revised Special Permit Submission’ prepared by Boyes-Watson Architects, dated 8/11/2021. 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 a Building Permit for development authorized by this Special Permit, 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. Details of streetscape improvements on Hampshire and Portland Streets, including the design of the sidewalks, and street tree plantings.
 - b. Details of glass specifications, specifically including ground floor and upper floor glazing visible light transmittance and reflectance.
 - c. All building exterior materials, colors, and details. Efforts shall be made to ensure that the façade color palette is not as dreary as portrayed in the perspective renderings.
 - d. All external lighting, including conformance with technical guidelines recommended in the proposed Cambridge Outdoor Lighting Ordinance, with consideration given to facade lighting and tree up-lighting, and use of timers to minimize light trespass.
 - e. Details of all rooftop mechanical equipment, appurtenances and associated visual/acoustical screening to ensure that the rooftop maintains a clean profile, and that equipment is orderly and symmetrically arranged.

- f. Safety bollards shall be installed to protect bicycle parking spaces from turning vehicles in the garage entry area.
4. 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. The mock-up's location shall be coordinated with CDD staff prior to construction.
5. The Permittee shall plant street trees as generally shown in the Application Materials and shall consult with TP+T and DPW staff to determine exact planting locations.
6. The Permittee shall reconstruct the sidewalks adjacent to the project, and pedestrian ramps if required, at the intersection of Hampshire Street and Portland Street as approved by DPW and TP+T staff.
7. The Permittee shall post signs for the location of the short-term bicycle parking spaces, which shall be reviewed and approved by TP+T staff.
8. The Permittee shall provide garage elevator specifications to the Inspectional Services Department (ISD) and TP+T for review prior to submitting a building permit application, along with a maintenance plan and a contingency plan for garage management at times when the elevator may be out of service.
9. The Permittee shall comply with the Parking and Transportation Demand Management (PTDM) Plan approved by the City on March 12, 2021, as it may be amended with City approval.
10. All authorized development shall abide by all applicable City of Cambridge Ordinances, including the Noise Ordinance (Chapter 8.16 of the City Municipal Code).

Voting in the affirmative to approve the Development Proposal were Planning Board Members Louis Bacci, Jr., H Theodore Cohen, Steven Cohen, Catherine Preston Connolly, Mary Flynn, Hugh Russell, and Tom Sieniewicz, 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 cursive script that reads "Catherine Preston Connolly". The signature is written in black ink and is positioned below the text "For the Planning Board,".

Catherine Preston Connolly, Chair.

A copy of this decision PB-358 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 October 5, 2021 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)	5758	5,000 (min.)	No Change	No Change
Total GFA (sq ft)	0	23,032	23,030	23,030 ¹
Residential Base	0	23,032	23,030	Consistent with Application Documents and applicable zoning requirements
Non-Residential Base	0	N/A	0	
Inclusionary Bonus	0	N/A	N/A	
Total FAR	0	4.0	4.0	Consistent with Application Documents and applicable zoning requirements
Residential Base	0	4.0	4.0	
Non-Residential Base	0	N/A	0	
Inclusionary Bonus	0	N/A	0	
Total Dwelling Units	0	N/A	N/A	0
Base Units	0	N/A	N/A	Consistent with Application Documents and applicable zoning requirements
Inclusionary Bonus Units	0	N/A	N/A	
Base Lot Area / Unit (sq ft)	0	N/A	N/A	
Total Lot Area / Unit (sq ft)	0	N/A	N/A	
Lot Width (ft)	72.7	50	No Change	No Change
Height (ft)	0	120	92	Consistent with Application Documents and applicable zoning requirements
Front Setback (ft)	N/A	0	0	
Side Setback – East (ft)	N/A	0	0	
Side Setback – West (ft)	N/A	0	0	
Rear Setback (ft)	N/A	0	0	
Open Space (% of Lot Area)	Not specified	Not required	Not specified	Consistent with Application Documents and applicable zoning requirements
Private Open Space	Not specified	Not required	Not specified	
Permeable Open Space	Not specified	Not required	Not specified	
Off-Street Parking Spaces	2	35	16	16 ²
Long-Term Bicycle Parking	0	2	4	Consistent with Application Documents, and other applicable requirements
Short-Term Bicycle Parking	0	4	12	
Loading Bays	0	1	1	

¹ Excludes basement area.

² Using 8 auto stackers.