

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

CASE NO: PB #38

PREMISES: Parcel's C and F, Cambridge Street and First Street at Lechmere Canal

ZONING DISTRICT: Business A and PUD 4

PETITIONER: The Marcus Organization

APPLICATION DATE: December 13, 1984

DATE OF HEARING: January 3 and May 1, 1984

PETITION: PUD Special Permit for construction of two, four story office buildings with retail on the ground floor.

DATE OF PLANNING BOARD DECISION: July 3, 1984

DATE OF FILING THE DECISION: July 13, 1984

Decision (summary): Approval with conditions to construct 265,000 square feet of office building with retail uses on the first floor.

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 the date of 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 office of Community Development and the City Clerk.

July 13, 1984
Date

Robert Barber
Authorized Representative
to the Planning Board



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

CASE # 38: One Canal Park

PETITION: Special Permit for Planned Unit Development

ZONING DISTRICT: BA/PUD-4

PROJECT: Parcels C and F, Lechmere Canal

APPLICANT: The Marcus Organization

DEVELOPMENT LOCATION: First and Cambridge Streets

APPLICATION DATE: December 13, 1983

FIRST PUBLIC HEARING: January 3, 1984

SECOND PUBLIC HEARING: May 1, 1984

DATE OF PLANNING BOARD DETERMINATION: January 17, 1984

DATE OF EXTENSION OF DECISION: July 15, 1984

DATE OF FINAL DECISION: July 3, 1984

The Development Proposal

A two-building, two-phased development is proposed with a total of 264,520 square feet of gross floor area. The buildings, which face the Lechmere Canal, will be four stories in height and contain 195 parking spaces within the Parcel F building.

The Application

In support of the petition, the applicant submitted the following documents:

1. Planned Unit Development Application, Final Development Plan; date June 5, 1984.
2. Maps, plans, elevations titled PUD Final Submission, One Canal Park, the Marcus Organization; Tsoi/Kobos and Associates and others; dated June 5, 1984.

All documents were submitted for review by the Planning Board at the public hearing held May 1, 1984 in preliminary form.

Public Hearing

At the Public Hearing held on May 1, 1984, the applicant and architects presented the plans as they had evolved from the first presentation made at the Public Hearing held on January 3, 1984, where issues of vehicular access, service, and relationship of buildings to the adjacent public park were discussed. Presentation of the June 5, 1984 documents at the Planning Board's regular meeting on that date had refined the details of the building design and had resolved issues of service and garage entrances to the building. These final plans have included retail at the Cambridge St./First St. corner and service which will jointly use maneuvering room in the park to be also used by park service vehicles. The final plans show buildings containing 264,520 square feet, the maximum allowed on the site, and an increase of 20,000 square feet over earlier plans. Planning Board member Kennedy was concerned with the location of garage entrances on both First and Cambridge Streets. The architect indicated that the locations were the best compromise given the needs of traffic safety and efficient design of the garages. The Board suggested that structural impediments be installed on Cambridge St. to prevent left hand exit from the Cambridge Street Garage.

No one was present at the Public Hearing or subsequent meetings to express opposition to the development.

A representative of Graham Gund Associates, developers of the Middlesex Courthouse Complex, spoke in support of the development at the May 1, 1984 hearing, commending the two-building design and other building details.

Findings

After consideration of all information presented at two Public Hearings and several public briefings by the developer, the Board finds:

1. All procedural requirements of Section 12.30 have been met by the submission of the completed application and public hearing, and the mutually agreed to extensions of dates for the submission of such material and decisions.
2. The proposal is in conformance with the development controls of Section 13.50, as detailed below, except for loading requirements of Section 6.80 and 6.90.
 - a. Office and retail uses are proposed as allowed in Section 13.523 and 13.524.
 - b. The 264,520 square feet proposed are permitted for a lot of 99,780 square feet and an additional equivalent lot area of 32,480 square feet as allowed in the open space bonus provision of Section 5.223. 132,260
 - c. The height does not exceed 85 feet.
 - d. On Parcels C and F the city's principal urban design objective is the development of active retail uses on as many edges bordering the park and First and Cambridge Streets as possible. Open Space on the parcels is of minor importance. Therefore a reduction in usable open space, as permitted in Section 13.55, is appropriate. Nevertheless, 7,600 sq. ft. of Otis way will be designed, constructed, and maintained by the grantee as usable open space. In addition the arcades along First Street and Otis Way are public urban design amenities more appropriate in these circumstances than additional parkland on the parcels.

- e. A total of 176 parking spaces are required. 195 spaces shall be provided on site and an additional 130 shall be provided in city garages as stipulated by the City in its Developer Agreement with the Marcus Organization. All parking is enclosed in a structure in a manner meeting the requirements of Section 13.573.
3. Maneuvering space for the buildings service facilities takes place on abutting lots and therefore requires relief by the Planning Board from the requirements of Section 6.92 as permitted in Section 10.45. As service for the park must be provided at these locations and as the use of the park for building service is expected to be minimal, the public interest is served by joint use of the space in a manner which will not negatively impact the use of the park.
4. The applicant requests that the number of loading facilities provided be reduced from the required 5 to 3 (one on Parcel C, two on Parcel F). Given the level of animation the City is attempting to achieve on all sides of this building, and the negative impact large expanses of service facilities have, the requested reduction is a reasonable tradeoff between conflicting goals.

Decision

Based on the above findings and having determined that the Final Development Plan referenced above meets the evaluation criteria set forth in the applicable provisions of the Zoning Ordinance and subject to the conditions set forth herein which have been agreed to in writing by the developer, the Planning Board:

1. Grants a Special Permit to construct a PUD in accordance with this Decision.
2. Conditionally permits the following uses which are allowed by Section 13.50:
 - a. Office and laboratory uses (Section 13.523)
 - b. Retail Business (Section 13.524)
 - c. Institutional Uses Only (Section 13.522)
3. Grants a reduction in the useable open space as permitted in Section 13.551 of the Zoning Ordinance to that provided in the design, construction and maintenance by the grantee of Otis Way as public open space (7,600 sq. ft. of the 19,956 sq. ft. required) and in the following contributions which directly benefit the public and are required by this permit:
 - a. incorporation of arcades along first street and along Otis Way; and atrium spaces within Parcels C and F buildings.
 - b. a payment of \$250,000 to the City of Cambridge, as required in the Developer Agreement dated October 1983 between the City and the Marcus Organization, to be made before the issuance of a building permit on Parcel C or as may otherwise be negotiated by the City to ensure a timely contribution, to help defray the cost of construction of Lechmere Canal Park, which contribution may, subject to the approval of the Community Development Department, be applied to costs anticipated under Section 8 hereof.
 - c. a yearly contribution to the maintenance of the Lechmere Canal Park as per the Developer Agreement, dated October, 1983, between the City and the Marcus Organization.
4. Requires that all major dimensional and use features of the development plan shall remain as generally represented in the Plans and Application dated June 5, 1984 from which the enclosed Development Data and Development Schedule are excerpted.

unless otherwise modified by this Decision or as may be modified should parking easements below ground in the Lechmere Canal Park not be attainable.

5. Grants a deviation from the loading requirements of Section 6.92 as they relate (a) to the on-site location of all service and loading maneuvering space but requires the Grantee to design and construct the asphalt service area to Parcel F, located in Lechmere Canal Park, in a manner approved by the Community Development Department.
5. Grants a deviation for a reduction in the loading requirements of Section 6.80 (b) to one 35' facility for building C and two facilities of 35' and 55' respectively in Building F. Nothing in this permit shall prevent the City from limiting the time at which the park may be used for service to buildings on Parcels C and F to reasonable hours during a normal business day.
6. Requires the grantee to submit plans as they evolve for review under the standard design review procedure administered by the Community Development Department, Appendix I, which evolution shall respond to the design comments in Appendix II.
7. Requires the grantee to make space available on a permanent basis, at no cost to the City, in the Parcel F building adjacent to its service area, which is suitable in location and adequate in size as determined by the Community Development Department for the storage of park refuse and equipment but in no event greater than 150 square feet.
8. Requires that the grantee restore all areas subject to construction easements on public parkland, consistent with the Plans and Specifications for the Lechmere Canal Park, Carol Johnson Associates, dated June, 1984 at the Grantee's expense should said easements continue in effect after January 1, 1986 and prevent completion of the park construction in those easements by the City on or before that date.
9. Requires that vehicular movements into and out of the Cambridge Street garage entrance be restricted to right turn in and right turn out and that the entrance be designed and signed so as to discourage or prevent all other movements.
10. All necessary easements for construction shall be secured from appropriate public bodies and are not granted as part of this decision.

Severability

If any other term, provision, finding or condition of this Decision is determined by a court of competent jurisdiction to be invalid, that determination shall not affect the validity of their Decision as a whole or any other term, provision, finding or condition.

This approval of the Application for a PUD Special Permit under Section 12.364 of the Zoning Ordinance has been made by the affirmative vote of five (5) members of the Planning Board. Voting to approve the Permit were members Paul Dietrich, Arthur Parris, David Kennedy, Joyce Bruckner and Carolyn Mieth.

Respectfully submitted

For the Planning Board

Arthur C. Parris
Chairman

ATTEST: I, _____, duly authorized representative of the Marcus Organization, have read this decision prior to action by the Planning Board and hereby agree to the foregoing conditions as approved by the Planning Board.

A copy of this decision 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 decision filed with the Office of the City Clerk on _____ by _____, authorized representative of the Cambridge Planning Board. All plans referred to in the decision have likewise been filed with the City Clerk on such date.

Twenty (20) days have elapsed since the filing of this decision. No appeal has been filed.

Date _____
City Clerk, City of Cambridge

APPENDIX II

The Marcus Organization
Parcels C & F

PUD Design Review Comments and Guidelines for Future Design Development
Final Approval 7/3/84

Overview: The applicant's proposed development plan largely follows Cambridge's urban design plan for Parcels C & F. The City's concerns are largely matters of detail, with many possible solutions now being negotiated between the City and the development team. The following comments, which build on design review comments dated January 17, 1984, respond to drawings submitted and presented on June 19, 1984. Although not repeated here, many January 17th comments are still relevant and must be addressed as if they were a part of this review.

Site Plan:

°Service at Thorndike: Your site plan drawing of the park is incorrect. It should show trees on the north side of Thorndike Way. (See Canal Drawings, L-9.) If this affects your service access, how would you propose to remedy this situation?

°Cambridge Street Edge: It is the City's goal to develop a rich urban landscape edge along the northside of Building II @ F. A serious effort will be necessary for this area's design evolution.

°Otis Way: Although the present design is an improvement over earlier submissions, Otis Way's paving pattern is not in the spirit of the urban design plan or canal park design. The plan views Otis Street and Way as a connection between the Bulfinch Square neighborhood of buildings and the Canal Park. Otis way is not an important public focal point unto itself, but a mediator between the two focal points. Therefore, Otis Way should be indistinguishable from the Canal Park. The Canal Park concept including the radial paving pattern in brick (see Canal Drawings, L-5) and landscaping details are required to be extended through Otis Way.

°MBTA Bridge Connection: The applicant shall undertake detailed studies to determine the feasibility and architectural expression of integrating the planned MBTA bridge into Building II @ F's East facade in an elegant and convincing manner. The City strongly feels that it is to both the developer's and public's benefit to achieve this goal. When properly designed, this will not only strengthen the retail viability but also assist in the means of public safety and maximize public open space.

The Marcus Organization PUD Comments
Parcels C & F

Lower Level Parking:

°Projection Under Park: The City is investigating the feasibility of Marcus locating parking below public land dedicated for open space. There is a strong possibility that this will not be allowed by the Commonwealth.

Ground Floor Plan:

Awnings: Provide awnings along the entire length of Building I's (c) eastern facade except at the two story arcade. The lateral-arm awnings shall project 6'-11".

Mystery Room: What purpose does the room just to the west of the Thorndike Way entrance have? Since the City is planning on a very active retail complex at the Crescent, can this area be retail and not dormant?

°Atrium Walls: The City assumes that the walls represented by a double line between the atrium and the adjacent retail is largely glass. If not, immediately notify the City.

°Core/Retail Dilemma: The location of the core at the westerly Otis Way entry to Building II @ F is disappointing. It cuts into the retail frontage in a very unfortunate manner. What is planned for this 3'-0" deep space and at what elevation is it located? What benefits were gained by relocating the cores on the retail side of the atrium from the parking side as previously submitted?

°Canal Park Elevation vs. Retail/Entry Elevation: Building II's easterly entry and adjoining retail areas are set at elevation 12.00. The Canal Park edge immediately adjacent is set at elevation 10.5. As stated in earlier PUD review comments, the City has a major objective to have all retail/restaurant entrances at the same level as the adjoining public space. How do you intend to achieve this objective?

°Cambridge Street Parking Entry: The two parking entries as presently designed appear to have a strangling-hold on the corner retail and greatly diminishes the retail's chances for quality and success. Therefore, the Planning Board would consider as a minor modification to the plans approved on July 3, 1984 any revisions which move the Cambridge Street parking entry/exist at least 100 feet further to the east or, if this is not feasible, use the First Street entry/exit for all the parking spaces. Exclusive First Street entry and exit is the preferred alternative.

°Service Bay Understanding: The City has assisted the development team in introducing a common service area bordering Building II (f) as shown on the applicant's drawings. One of the major reasons why the City agreed to this approach was because the Marcus Organization agreed to provide sufficient interior areas for park refuse

The Marcus Organization PUD Comments
Parcels C & F

storage and/or equipment storage. How will this be handled?
What maximum capacity will the City be offered as part of this agreement?

°Cambridge Street/First Street Retail: What efforts have the development team undertaken to better animate and magnify the corner retail space's presence. It was the City's understanding that the retail would have colorful awnings. Why are they not on the drawings?

Sections A Through D:

°The atriums in the sections have the potential of being very elegant. What are the atrium's walls constructed of?

Elevations:

In general, the elevations form the basis for successfully meeting the urban design guidelines. Most comments can be easily solved without dramatically altering the applicant's design intent.

°Entry Areas to Buildings I & II: The actual entry arches are appropriately scaled and have great architectural potential. To either side of the entry arches, the second floor office window pattern should be more articulated and not just an identical extension of the retail level glass pattern. Both of these areas, the formal entries and the second floor glass areas, need additional design development to better become more humanistic and inviting elements enriching both the buildings and Otis Way.

°Mechanical Penthouses: The elevations show much lower penthouses than are normally expected. Is this accurate? If not, what do you propose?

°East Elevation, Building II: Why is the southern corner not architecturally treated (with Palladian-like windows) as every other pavilion corner? Also put large retail/restaurant windows in all 3 bays which will overlook an extensive planting area and play sculpture.

°Focus at First Street Corner at Cambridge Street: Although improved, this corner must be architecturally strengthened to better express its prominent location overlooking Lechmere Square, forming an urban gateway to and from First Street and better relate to the height of the adjacent chocolate works.

°Thorndike Pavilion: The Thorndike Way pavilions should project forward similar to the Otis Way pavilion corners. What is the setback as planned?

The Marcus Organization PUD Comments
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Typical Partial Elevation: The cornice of the building is insubstantial in relationship to the rest of the facade. An increased amount of limestone with a strong shadow-line(s) created through a relief in the limestone profile and a double brick soldier course would become a much more fitting cornice expression. Pre-cast concrete is not acceptable in lieu of limestone. Further smaller embellishments may be necessary to properly articulate the top.

Easement Setbacks:

°Thorndike Way: The City is indicating a 10'-0" easement on the Canal Drawings. Your PUD submission is proposing a 25'-0" construction easement. Contact the City immediately if you cannot accept the 10'-0" limitation.

Parking Edge Sections:

°Section G: The sections appear to be reasonable considering space limitations. However, Section G does need softening. This can be achieved in wall articulation (granite, limestone and brick), street tree planting and related urban amenities, such as handsome tree grates, tree guards, etc.