



Office 6th floor + 18,357
basement + 14,118

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

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Case No.: PB#66 Major Amendment #2

Zoning District: Business A/PUD-4

Petitioner: CambridgeSide Galleria Associates Trust, formerly
known as Riverside Galleria Associates Trust

Date of Planning Board Decision: June 16, 1987

Date of Minor Amendment #1: May 3, 1988

Date of Minor Amendment #2: November 15, 1988

Date of Minor Amendment #3: April 4, 1989

Date of Minor Amendment #4: April 18, 1989

Date of Minor Amendment #5: May 16, 1989

Date of Minor Amendment #6: June 5, 1990

Date of Minor Amendment #7: August 14, 1991

Date of Major Amendment #1: September 17, 1991

Date of Minor Amendment #8: April 14, 1992

Date of Minor Amendment #9: July 20, 1993

Date of Minor Amendment #10: November 9, 1993

Date of Major Amendment #2: December 21, 1993

Decision (summary): GRANTED

DOCUMENTS SUBMITTED

1. Special Permit Application dated December 1, 1993, together with a letter to the Planning Board from Richard D. Gass, attorney for the applicant, dated December 1, 1993 requesting the following:

- a. Amendment to the Special Permit to add approximately 18,357 square feet to the office building, which would be located on a new sixth floor.
 - b. Amendment to the Special Permit to permit a usable basement of approximately 14,118 square feet to be used by Lotus for its business purposes.
 - c. An increase in the maximum ratio of floor area to the total area of the development for the PUD-4 district, which is fixed at 2.0 FAR under Section 13.53.1 of the Zoning Ordinance, to allow the additional space in the basement and on the sixth floor of the office building.
2. Drawing 2.7, "Sixth Level Plan", and Drawing 2.1, "Basement Plan", both dated November 29, 1993, by Arrowstreet, Inc., and associated plans, also dated November 29, 1993.
 3. "Lotus at One Charles Park Square Foot Accounting", November 29, 1993, by Arrowstreet, Inc.
 4. "Dimensional Form" and related calculations, by Arrowstreet, Inc.

DISCUSSION

The Planning Board held a public hearing on Major Amendment #2 for Special Permit #66 (CambridgeSide Galleria Mall) on Tuesday, December 21, 1993. The application was presented by D. Ratner, of Lotus Development Corporation, requesting additional square footage at the office site as there would be additional Lotus employees working on various projects who would be most logically housed at this location. He discussed the design review process which has been happening with the Community Development Department. The Planning Board asked various questions concerning the ongoing design review, the use and the need for loading bays at this building, and the variance requests based on the site soil conditions.

There were no questions from the public, nor any comments in favor or opposition.

FINDINGS

- a. The Planning Board finds that the unforeseen difficulty and expense involved in the excavation for the office building, including the need to remove old piling and to remove and dispose of creosote and other contaminants used in such pilings have significantly increased the cost of the office building and thereby created hardship for Lotus Charles Park Corporation. Accordingly, the Planning Board finds that such hardship justifies this Major Amendment to allow an increase in the size of the building by adding a sixth floor of approximately 18,357 square feet and a usable basement of approximately 14,118 square

feet and making related necessary changes in the Special Permit requirements under relating to floor area ratio and loading dock requirements under the Zoning Ordinance.

- b. The Planning Board finds that the additional loading dock required by Section 6.91 of the Zoning Ordinance is not necessary or desirable for the office building because it would not be designed in an operationally effective manner and would detract from the design of the office building.
- C. The two Special Permits requested, in combination, constitute a covered project as defined in Section 11.200 of the Zoning Ordinance and are therefore subject to the provisions of Section 11.200 - Incentive Zoning Provisions.

DECISION

After review of the information presented and comments made at the meeting of the Planning Board, the Planning Board **GRANTS** the Major Amendment #2:

- a. Amends for cause the Special Permit to permit the addition of a new sixth floor to the office building to be constructed on the office parcel, such new sixth floor to contain approximately 18,357 square feet.
- b. Amends for cause the Special Permit to permit the basement of the office building to be constructed as a usable basement of approximately 14,118 square feet of floor area.
- c. Allows an increase in the maximum floor area ratio for the PUD-4 District to the extent necessary to allow the additional space contemplated by (a) and (b), above.
- d. Waives the requirement of an additional loading dock otherwise required by Section 6.91 of the Zoning Ordinance for the office building due to the increase in space attributable to the new sixth floor and the usable basement.
- e. The development plans for the office building shall continue to undergo design review by the Community Development Department as outlined in the Special Permit #66.
- f. The permittee shall be obligated to make a payment of \$4,950* as prescribed in Section 11.203, before the issuance of any Occupancy Permit by the Superintendent of Buildings for any gross floor area authorized by either of the special permits granted in this Major Amendment #2, provided that at the time of application for that Occupancy Permit, a building permit or Occupancy Permit for the gross floor area authorized by the other special permit has been granted.

* 18,357 square feet + 14,118 square feet = 32,475 square feet (total authorized gross floor area). 32,475 square feet - 30,000 square feet (gross floor area exempt from application of Section 11.203) = 2,475 square feet (gross floor area subject to Section 11.203). 2,475 square feet x \$2.00 = \$4,950 (total payment required).

Voting to **GRANT** the Major Amendment #2 were Board members V. Mathias, H. Salemme, H. Russell, A. Cohn, P. Dietrich and A. Callaghan.

Respectfully submitted for the Planning Board,



P. Dietrich, Chair

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 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 January 5, 1994, by Elizabeth J. Malenfant authorized representative of the Cambridge Planning Board. All plans referenced 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. City Clerk, City of Cambridge