



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Eight

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

A. Amend the Text of the Zoning Ordinance of the City of Cambridge as described below.

In Article 17.000, create a new Section 17.20 to read as follows:

17.20 - Special District 2

17.21 - Scope and Purpose. This Section 17.20 regulates development within the Special District 2 as shown on the Zoning Map of the City of Cambridge. Except as herein provided in this Section 17.20, all requirements of, and regulations applicable to, the Office 1 District shall apply equally to the Special District 2. It is the intent of this Special District 2 to provide a use and physical transition between the high density office and industrial development in Kendall Square and the low density residential development along adjacent neighborhood streets.

17.22 - Permitted Uses. Uses permitted in the Office 1 District shall be equally allowed in the Special District 2, except that the following additional uses as set forth in Section 4.35 - Retail Business and Consumer Service Establishments, shall be permitted by special permit: 4.35 a-e and f1. In granting a special permit for uses allowed by special permit in this Special District 2, and the Office 1 district as set forth in Section 4.35, the following limitations and conditions shall apply:

- a. The use shall be located only on the first floor or the basement of a building having two or more stories.
- b. All public entrances to a retail establishment shall front directly onto Broadway and may not be located on any lot or portion of a lot lying west of the centerline of Moore Street or its northerly extension.

17.23 - Dimensional Regulations. The Dimensional Regulations of the Office 1 district shall apply except as modified in this Section 17.23.

17.23.1 - Maximum FAR. The FAR applicable on a lot may be increased to 1.25 by special permit from the Planning Board.

17.23.2 - Maximum Height. The maximum height may be increased to 70 feet by special permit from the Planning Board.

17.23.3 - Minimum Lot Area per Dwelling Unit. The minimum lot area per dwelling unit may be reduced to 900 square feet by special permit from the Planning Board

17.23.4 - Yard Requirements. The minimum side yard may be waived by special permit from the Planning Board.

17.23.5 - Standards for Issuance of a Special Permit.

In granting a special permit for dimensional relief or for additional retail uses in the district, the special permit granting authority shall be guided by the following:

a. The amount, scale, and height of building proposed is shifted away from the critical edges of the site adjacent to neighborhood residential development, low density residential district lines, or public parks; shadows cast on existing residential development is reduced from that development that would be permitted as of right.

b. Increased height or waiver of side yard setbacks permits the provision of greater setbacks adjacent to neighborhood residential development, low density residential district lines, or public parks than would otherwise be provided; increased height permits a more effective transition between the proposed development and existing adjacent larger-scaled development; increased height and gross floor area is located adjacent to Broadway or to existing large scale development on nearby lots.

c. Increased height facilitates the provision of on-site green area and open space

d. The location, type and quantity of retail use is such that negative impacts on nearby residential streets, in terms of service vehicular activity, pedestrian or vehicular customer traffic, glare of accessory signs, management of trash and waste, and other similar matters is limited; the types of retail activity proposed may provide services to the adjacent residential neighborhood.

e. Where additional gross floor area is permitted, access to parking and loading facilitates is located where it minimizes any impact on adjacent residential development; surface parking lots are located away from existing residential development or are substantially screened from view from that residential development; accessory parking is provided underground or within structures and is adequately screened from view from public ways and residential lots; parking on the first or second floor of a building is designed so as to be screened in part from view from public ways and residential neighborhoods by active retail or office uses.

17.24 - Off Street Parking and Loading requirements. The quantity of off street parking and loading required in this Special District 2 shall be as specified in Article 6.000 for uses in Residence C-3, Office 3, and Industry B zoning districts.

B. Amend the Zoning Map of the City of Cambridge by doing the following.

1. Delete the zoning district designations Industry B, Industry A and Industry A-2 on the Zoning Map and substitute therefor the designation Special District 2, for the following described area.

1.0 Rezone an area of land, currently zoned Industry B, Industry A, and Industry A-2 to a Special District 2 designation, said area bounded by a line, said line beginning at a point which is the intersection of the centerline of Hampshire Street and the northeasterly extension of the centerline of Clark Street;

1.1 Thence proceeding in a westerly direction along the northeasterly extension of the centerline of Clark Street and the centerline of Clark Street and its southwesterly extension to its intersection with the centerline of Broadway, a distance of approximately 400 feet;

1.2 Thence turning and proceeding in a southeasterly direction along the centerline of Broadway to its intersection with the northeasterly extension of the centerline of Moore Street, a distance of approximately 220 feet;

1.3 Thence turning and proceeding in a southwesterly direction along the northeasterly extension of the centerline, the centerline, and the southwesterly extension of the centerline of Moore Street to its intersection the centerline of Harvard Street, a distance of approximately 340 feet;

1.4 Thence turning and proceeding in a southeasterly direction along the centerline of Harvard Street to its intersection with the southwesterly extension of the centerline of Davis Street, a distance of approximately 260 feet;

1.5 Thence turning and proceeding in a northeasterly direction along the southwesterly extension of the centerline, the centerline, and the northeasterly extension of the centerline of Davis Street its intersection with the centerline of Broadway, a distance of approximately 360 feet;

1.6 Thence turning and proceeding in a northwesterly direction along the centerline of Broadway to its intersection with the southwesterly extension of the northwesterly side lot line of lot # 87, a distance of approximately 80 feet;

1.7 Thence turning and proceeding in generally northeasterly direction along the northwesterly side lot line of lot #87 and its southwesterly and northeasterly projections to its intersection with the centerline of Hampshire Street, a distance of approximately 280;

1.8 Thence turning and proceeding in a northerly direction along the centerline of Hampshire Street to its intersection with the easterly extension of the centerline of Clark Street, a distance of approximately 380 feet, the point of origin.

Affected properties

1.01 Premises shown on Assessor's Plat #42

Affecting all or parts of lots #1, 14, 33, 77, 80, 86, 88, 89 and 96.

Even numbers 156-192 Clark Street; Odd number 9 Market Street, Odd numbers 205-209 Broadway.

Odd numbers 11-21 Davis Street, Even numbers 200-212 Broadway.

Even numbers 78-86 Moore Street, Odd numbers 125-139 Harvard Street.

2. Delete the zoning district designations Business C and Residence C-1 on the Zoning Map and substitute therefor the designation Business A-1, for the following described area.

2.0 Rezone an area of land, currently zoned Business C and Residence C-1, to a Business A-1 designation, said area bounded by a line, said line beginning at a point which is the intersection of the centerline of Broadway and the northeasterly extension of the centerline of Moore Street;

2.1 Thence proceeding in a northwesterly direction along the centerline of Broadway to its intersection with the centerline of Clark Street, a distance of approximately 235 feet;

2.2 Thence turning and proceeding in a southwesterly direction along the centerline of Clark Street Broadway to its intersection with the northwesterly extension of the centerline of Dickinson Street, a distance of approximately 140 feet;

2.3 Thence turning and proceeding in a southeasterly direction along the northwesterly extension of the centerline and the centerline of Dickinson Street to its intersection with the southwesterly extension of the side lot line of Lot #91, a distance of approximately 110 feet;

2.4 Thence turning and proceeding in a northeasterly direction along the side lot line of Lot #91, and its southwesterly extension, its intersection with the southwesterly lot line of Lot #18, a distance of approximately 50 feet;

2.5 Thence turning and proceeding in a southeasterly direction along the southwesterly lot lines of Lots #18, 19, 94 and 95, and their southeasterly extension to its intersection with the centerline of Moore Street, a distance of approximately 120 feet;

2.6 Thence turning and proceeding in a northeasterly direction along the centerline of Moore Street and its northeasterly extension to its intersection with the centerline of Broadway, the point of origin, a distance of approximately 80 feet.

Affected properties

2.01 Premises shown on Assessor's Plat #42

Affecting all or parts of lots #81, 82, 91, 18, 19 and 95.

Even numbers 214-228 Broadway; Even numbers 138-154 Clark Street; Odd numbers 17-25 Dickinson Street.

3. Delete the zoning district designations Business A and substitute therefor the designation Residence C-1 for the following described area.

Lot #28 on Assessor's Plat #76 and the abutting area in the public streets, to the centerline of Windsor Street and the centerline of Broadway.

Even number 242 Windsor Street.

Passed to a second reading at the City Council meeting held on May 18, 1998 and on or after June 1, 1998 the question comes on passing to be ordained.

Attest:-

D. Margaret Drury
City Clerk

Nancy Hall, 3 Putnam Gardens, spoke in support of the Gregory petition. The Bulfinch proposal for a 12 story office building does not provide any affordable housing. The developer is clearly the enemy. Big corporate interests seek to divide the neighborhood along race and class lines. The city should provide services, jobs and housing. All development should be built with union labor.

Dennis Benzan, 1 Pine Street, spoke in support of the petition. The neighborhood has come together to express its vision for its neighborhood through healthy debate. The proposed development is too high. There is a need for housing. The neighborhood wants to be involved in any planning process for its community.

William Marcotte, 19 Agassiz Street, stated that he was speaking on behalf of the Campaign to Save 2000 Homes and the Eviction Free Zone. He expressed support for the petition and noted that some have described the developer's benefits package as a bribe. It certainly does not go far enough. The development will harm the neighborhood.

Bill Cavellini, 9 Speridakis Terrace, expressed his support for the petition. It makes no sense for this large development to go up across the street from single family homes. There has to be a transition. This petition is a reasonable compromise.

Jan Solet, 86 Otis Street, spoke in support of the petition. This is a grass roots community movement that could be a model for other communities. She hopes the City Council will support it.

Julia Brown, 14 1/2 Market Street, spoke in support of the petition. The neighborhood does not need a high rise building looming over it. It could use a nice supermarket.

Glen McDonald, 1 Lilac Court, stated that he lives directly across the street from the proposed development. The building at 201 Broadway is a good indication of how unpleasant it will be for residents to live in the shadow of these buildings.

Richard Goldberg, 170 Harvard Street, spoke in support of the Gregory petition. The proposed development has an excessive height, largely due to the parking for traffic that will come in at 8:00 a.m. and leave at 5:00 p.m. After 5:00 p.m., it will be an empty cavern that will create safety problems.

Bob Walters, 17 Bishop Allen Drive, stated that he has been involved in this issue since the beginning when he went to a community meeting at the Fletcher School. Much of the space is for Camp, Dresser and McKee, which only employs thirty Cambridge residents. He urged the City Council to consider how the politics have changed. Area Four is becoming a politically active neighborhood with more voters. If the development goes forward this building will be here for 100 years.

Elie Yarden, 143 Pleasant Street, Co-Chair, Cambridgeport Neighborhood Initiative, spoke in support of this petition and urged comprehensive rezoning. Cambridge is an extremely attractive prey for predators. He noted that there are several faults in the petition. It does not take into consideration incentive and inclusionary zoning.

Marjorie Wilson, 125 Portland Street, stated that she lives beside the US Trust building and across from the Draper Lab and works in Kendall Square. Walking home from work, she is conscious of the absence of people which makes walking alone feel more dangerous. From Portland Street on, the neighborhood has been a neighborhood. This building will create another square block of desert.

John Levine, 111 Hampshire Street, stated that he has lived in Cambridge for 19 years and worked here for 15 years. He is a physician with a public health background. He spoke in support of the Gregory petition. A building of the size currently proposed in the development will have a detrimental physical effect on the neighborhood and a detrimental effect on the social fabric of the neighborhood.

Robert Winters, 366 Broadway, spoke in support of the Gregory petition. Transitions are important.

David Hoicka, 10 Lopez Street, spoke in support of the Gregory petition. The developer has behaved better than the Holmes developer, but the proposed development would harm the neighborhood.

Michael Schwartz, 84 Pine Street, stated that the City has an investment in open space areas across from the proposed development that would be compromised by the new development.

Karen Gillespie, 167 Harvard Street, spoke in support of the Gregory petition on behalf of the working people in her neighborhood.

James Williamson, 17 Perry Street, spoke in support of the Gregory petition. Enough is enough. There has been way too much development in Cambridge. It is important not to be parochial in support for just one neighborhood and to encourage and support cooperation between property owners and tenants to make a stand against corporate developers.

John Pitkin, 18 Fayette Street, spoke in support of the petition. Traffic from that development would affect his neighborhood; also it is the right thing to do.

Tim Cook, 267 Windsor Street, spoke in support of the petition.

Lydia Vickers, 45 Cherry Street, spoke in support of downzoning in general. The Area Four neighborhood is squeezed on all sides.

Ian MacKinnon, 11 Suffolk Street, spoke in support of the petition. The community's interest is in housing.

Councillor Davis then invited testimony in opposition to the petition.

Dwayne Warren, 69 Webster Street, spoke in opposition to the petition. He has seen many changes in Cambridge since he first came here in 1971. He favors the Bulfinch proposal. The developers are demonstrating a good attitude.

Bruce Cohen, 112 Central Street, Somerville, owner of the Garment District on Broadway, spoke in opposition. Development has been good for this neighborhood. The developer is responsible and has met with neighbors. His property has been downzoned once; that is enough. Commercial buildings make up a small part of Neighborhood 3 and 4.

Ken May, 241 Cardinal Medeiros Avenue, spoke in opposition to the petition. The Bulfinch developers are the first developers to work hard at meeting with neighbors. Bulfinch has already given up 40% of what they could have developed as-of-right.

Gerald Bergman, 82 Elm Street, stated that his position is undecided. Just-A-Start put in a bid for 210 Broadway of \$2.1 million dollars more than Bulfinch paid for the site. Bulfinch could improve its benefits package by selling this parcel for affordable housing. If they would do this and continue to agree to currently proposed deed restrictions, it would be a better outcome than a downzoning.

Eric Schlager, Bulfinch Property, owner of 210 and 205 Broadway, spoke in opposition. The zoning would allow only 58% of what is currently allowed.

Their proposal is reasonable and generous. They have attempted to address all issues raised by the community.

Jackie Carroll, 36 Market Street, spoke in opposition to the petition. The neighborhood has been in turmoil. Many people in the neighborhood want the benefits proposed by the developer. For some, the building represents height and density; for others it represents hope.

Edmund Wright, 61 Holworthy Street, representing Ironworkers Local Seven, spoke in support of the project because of the jobs it will provide to Cambridge residents.

Don Harding, 187 Windsor Street, spoke in opposition to the Gregory petition because Bulfinch and Camp, Dresser and McKee have been working with the neighborhood to provide opportunities for the neighborhood. This will provide jobs for neighborhood residents.

Councillor Reeves asked Mr. Harding to think about whether he knows of any civic involvement of Camp, Dresser and McKee in the years they have been in Cambridge. He stated that all he knows of is a one time donation of some office furniture to the Morse School of 500 employees, only 30 are Cambridge residents.

Joe Bonfilio, 238 Main Street, Westwood, represents Laborers Unions in Cambridge. He spoke in support of the petition.

Councillor Davis then requested a show of hands in support of this petition. There were 21.

Councillor Davis then requested a show of hands in opposition to this petition. There were 23.

In response to objections that the record does not indicate that many of those raising their hands in opposition are not residents, Councillor Davis explained the record will contain a summary of the testimony that will indicate the address of all of those who spoke.

Councillor Reeves moved that the petition be forwarded to the City Council. The motion passed on a voice vote without objection.

The hearing was adjourned at 7:58 p.m.

For the Committee,

Henrietta Davis by *gJ*

Councillor Henrietta Davis
Chair

City of Cambridge

The Ordinance Committee held a public hearing on May 13, 1998, beginning at 6:10 p.m. in the Sullivan Chamber for the purpose of considering a proposed amendment to the Zoning Ordinance to change the zoning in Area Four.

Present at the hearing were Councillor Henrietta Davis, Chair of the Committee, Mayor Francis H. Duehay, Vice Mayor Anthony D. Galluccio, Councillor Kathleen Leahy Born, Councillor Kenneth E. Reeves, Councillor Sheila T. Russell, Councillor Timothy J. Toomey, Jr., and City Clerk D. Margaret Drury. Also present were Nancy Glowa, First Assistant City Solicitor and Lester Barber, Director of Land Use and Planning for the Community Development Department.

Councillor Davis convened the hearing and explained the purpose. She invited the proponents to make a presentation.

Julia Gregory, 11 Market Street, stated that this is a petition to rezone an area, part of which has not been rezoned since 1924. It proposed a transitional rezoning and tries to make sense out of some "odd" areas so as to preserve residential character but at the same time to allow for economic development.

Barry Zevin, 67 Hampshire Street, presented a model of the proposed rezoning and described the effects. The height limit would be 35 feet with 70 feet allowable by special permit and the FAR would be .75, with 1.25 allowable by special permit.

It would limit development to 60% of what is proposed by the current developers, and would allow the City to gain a little control. Personally, he believes that the FAR could go up to allow somewhat more density by special permit if that is necessary to reach agreement.

Lee Farris, 269 Norfolk Street, stated that the neighborhood has been trying to downzone this neighborhood for several years. There have been three previous zoning petitions. This time the level of neighborhood support is greater than before.

Councillor Davis invited questions from the City Council.

Councillor Russell asked about the proposal's allowance of 70 feet height along Moore Street. Mr. Zevin said that this would only be by special permit.

Councillor Davis then invited public testimony.

Committee Report #3

3775

Communication was received from
D. Margaret Drury, City Clerk,
transmitting a report from Councillor
Henrietta Davis, Chair of the
Ordinance Committee, for a meeting
held on May 13, 1998 for the purpose
of considering a proposed amendment
to the Zoning Ordinance to change
the zoning in Area Four.

In City Council May 18, 1998

*Report Accepted -
Passed to a second
reading.*