

BUSINESS NOTES

Bank offers free home-buying class

Cambridgeport Bank will present a home-buying seminar on Thursday, Sept. 18, 6-7:30 pm, in its Central Square branch, located at 689 Mass. Ave. Admission is free and open to the public.

The seminar will cover such issues as selecting a property and location that is best for the buyer, the legal aspects of purchasing a home, home repair and appraisal, and matching a mortgage to a buyer's needs. First-time buyer programs will be discussed, along with many of Cambridgeport's mortgage programs. Space is limited. For more information and/or reservations, call Michelle Collins at 332-9900, ext. 6816.

Concorde Group moving out of city

The Concorde Group, a high-tech firm, is re-locating its headquarters from 229 Binney St. in East Cambridge to Cedar Hill Business Park in Marlborough, where it has leased 28,100 square feet of office and research and development space, according to realtors Cushman and Wakefield.

Founded in 1991, the Concorde Group specializes in the software, hardware and support services essential to developing and implementing technology strategy for growing Unix environments. With 11 offices nationwide, the company has 50 employees and annual revenues of \$20 million.

Selbert Perkins snags new clients

Selbert Perkins Design Collaborative has added three new clients — Berkeley College of Music, UMass Medical Center and Keene Advertising — as well as continuing relationships with DFS Advisors and Fidelity Investments.

For Berkeley College of Music, SPD will be designing a comprehensive sign identity program that will upgrade, enhance and unify the college's existing sign structure.

UMass Medical is working with SPD to design its surgical report

cards. The process, involving chroma press technology, allows each of the report cards to be customized — during the printing process — pulling detailed information from each surgeon's performance record and printing it directly on the document.

SPD is collaborating with Keene Advertising to enhance its company image and build brand equity by creating a corporate capabilities brochure, innovative web site and multimedia presentation materials that, together, will communicate a consistent, unified corporate personality.

SPD is also continuing its relationships with Fidelity Investments, designing the General Motors 1997 401(k) enrollment kit and presentation materials, and DFS Advisors on its corporate brochure, bio sheets and agreement kit.

Neva gets Connected

Neva Group Inc. of Cambridge has been appointed the public relations agency for the Framingham-based Connected Corporation, a provider of on-line data backup and real-time recovery solutions.

Connected is the leader in delivering automated, on-line data backup and real-time recovery solutions, which provide best industry practices while reducing the total cost of support for desktop and mobile PCs. A privately-held company, Connected was founded in 1995.

Connected is a global public relations and marketing consultancy specializing in emerging high technology and medical technology companies. It has offices in Cambridge and London.

MCET wins

\$1 million federal grant

The Massachusetts Corporation for Educational Telecommunications has been selected by the U.S. Department of Education as a recipient of the Star Schools grant for reading and literacy.

Beginning this year with initial funding of over \$1 million, the Star Schools grant will increase annually for five years, with total funding valued at \$9.5 million. This award will mark the fourth consecutive time MCET has been recognized for its award-winning educational programs.

Through its Star Schools grant, MCET will partner with UMass Boston, Roxbury Community College, Fitchburg State College and the Educational Development Center to implement "Transitions Through Telecommunications."

Headquartered in Cambridge, MCET was established by the state Legislature in 1952 to provide telecommunication services to students, teachers, administrators and schools in Massachusetts and across the nation. MCET is a quasi-public agency that provides a steady anchor for the education community in an ever-changing world of ideas, technology and learning.

Physician Care joins Lahey group

Physician Care Inc., a 12-physician medical practice with offices in Lexington, Arlington, Cambridge and Waltham, has affiliated with Lahey Hitchcock by joining the clinic's Affiliated Medical Practices.

Lahey Hitchcock's AMP is a community group medical association formed in response to requests from non-Lahey Hitchcock physicians for hospital admitting privileges and access to the clinic's managed care programs. Ninety-five non-Lahey Hitchcock physicians are members of this group.

O'Neill takes new Polaroid post

Polaroid Corporation has named William J. O'Neill, Jr. as executive vice president and president of corporate business development, a new position focusing on alliances and partnerships, effective Sept. 1.

Previously, O'Neill was executive vice president and chief financial officer. In his new role, he will have responsibility for strategic alliances, partnerships and new business opportunities, in addition to overseeing all of the company's non-photographic businesses.

"Bill's charge is to create new businesses by tapping resources within the company, forming alliances and partnerships with others, licensing technology and making acquisitions," said Gary T. DiCamillo, chairman and chief executive officer.

O'Neill, 55, joined Polaroid in 1969. In addition to serving as chief financial officer, he has held a variety of operating positions, including group vice president, consumer photography, and group vice president, worldwide marketing and sales.

DiCamillo says a search has begun for a new chief financial officer. During this period, O'Neill will continue to have that responsibility. In his new role, he will retain responsibility for investor relations and corporate communications.

Restaurant benefit to aid homeless

The Friends of the Cambridge Public Library and Solutions at Work, a homeless advocacy program, will be the beneficiaries of a grand opening celebration for Fire and Ice, an "improvisational grill" in Harvard Square.

The benefit will be held on Tuesday, Sept. 22, from 5-8:30 pm at Fire and Ice, located at 50 Church St. in the Atrium Building.

Tickets are \$35 for an individual, \$25 for each additional guest, and \$100 for a benefactor. Benefactors are invited to attend the pre-event cocktail reception from 5-6 pm, featuring celebrity grills.

For tickets, call Fruit Communications at 864-9920 or send checks payable to "Solutions at Work/Fire and Ice Benefit," to 186 Hampshire St., Cambridge, 02139. Include your name and telephone number for confirmation.

Human Resources Council to meet

The Human Resources Council will meet at the Royal Sonesta Hotel Wednesday, Sept. 17, at 5:30 pm, with the program "From Human Resources to Chief Operating Officer... How Did it Happen, What Does it Mean?" by James C. Curvey, chief operating officer of Fidelity Investments.

The cost is \$45 for members of the council and \$45 for non-members. The council, a nonprofit organization serving the Boston business community, is comprised of approximately 200 corporate human resource professionals and those that serve the personal community in a third-party capacity.

Hojo's owner Sage given lifetime achievement award

Prominent Boston-area hotel and restaurant owner Robert Sage, president of Sage Hotels, recently was honored with a Lifetime Management Achievement Award by Howard Johnson Hotels and Inns.

Sage also received achievement awards from the Greater Boston Convention and Visitors Bureau, which Sage founded in 1978, and American Express, with which he has had a longtime affiliation. The ceremonies took place at Sage's flagship Howard Johnson Hotel on Memorial Drive.

The Howard Johnson award was conferred by Stephen Phillips, president of New Jersey-based corporation, Phillips Sage, who owns three Howard Johnson hotels in Boston and Cambridge, "exemplifies the very best traditions and principles of the Howard Johnson Company."

"His values and business ethics are very well respected in the industry and his professional management techniques have been used as a standard," Phillips said. "Bob Sage's hotels encompass some of the most-valued properties in our franchise, and I look forward to continuing to work with him."

The GBCVB award was presented by Sage's successor as pres-

"His values and business ethics are very well respected in the industry and his professional management techniques have been used as a standard"

Stephen Phillips

ident of the organization, Patrick Moscaritolo. Michael Mascolo, American Express director of establishment services, Boston district, presented that organization's recognition of Sage's services.

Sage also accepted proclamations from Cambridge Mayor Sheila Doyle Russell and state Rep. Timothy Toomey, who is also a city councilor.

Moscaritolo, who served as master of ceremonies, hailed Sage as an innovator whose efforts have led to the vitality enjoyed today by the area's tourism and hospitality industry. He noted that it was Sage who built the first new hotel in Boston in more than 30 years when he opened the Fenway Motor Hotel in 1959.

Mayor Russell's two-page proclamation recognized Sage's contributions over the years in helping Cambridge to maintain a vital and attractive business climate.



Bob Sage

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CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

July 30, 1997

To the Honorable, the City Council:

Subject: Three amendments to the Zoning Ordinance proposed by the Planning Board

The Planning Board is hereby submitting to the City Council for its consideration, a set of three recommended amendments to the Zoning Ordinance. They are:

- I. A change in the way hotels and motels are regulated in residence "C" districts.** Hotels and motels would continue to be prohibited in Residence C and C-1 districts; they would continue to be allowed as of right in Residence C-3A districts (Kendall Square and the East Cambridge riverfront) and in Residence C-2, 2A, 2B and 3 districts located within the Central Square, Harvard Square and Massachusetts Avenue Overlay Districts. In all other locations, a special permit would be required and demonstration made that the proposed hotel location is not within a low density residential neighborhood; a set of review criteria is established. Problems with the current regulations were identified by the City Council during discussions around the rezoning along Harvard Street recently adopted.
- II. Deletion of the provision of the Ordinance that permits additional gross floor area as of right on lots abutting wide public streets or open space.** The Planning Board has long felt that this provision allows excessive development on lots that can make use of the provision.
- III. Creation of a Mid Massachusetts Avenue Overlay District created for that portion of the Avenue between the Central Square Overlay District and the Harvard Square Overlay District.** While having a number of the provisions similar to those in effect in Harvard and Central Squares are incorporated into this new overlay district, the new district's most significant provisions reduce height and FAR allowed in the Business B, Business B-1, Business B-2 and the Office 3 base zoning districts affected. Parallel FAR and height changes are made to the base Business B-1 and 2 districts as they occur only in this location.

Respectfully submitted for the Planning Board

A handwritten signature in black ink, appearing to read "Paul Dietrich".

Paul Dietrich, Chairman

I. Amendment Affecting Hotels and Motels in Residential Districts

A. In Section 4.30 - Table of Use Regulations, line i 2 , Hotel and motel, delete the current notation "Yes 7" in column four and substitute therefor the following

	Res
	C, C-1,
	2, 2A,
	2B, 3
	3A
i. Transient accommodations	
	7
2. Hotel or motel	SP

B. Amend the text of the Zoning Ordinance by deleting the existing Footnote 7, Section 4.40 - Footnotes to the Table of Use Regulations, in its entirety and substituting therefor the following:

7. Subject to the following provisions:

- (a) Hotels and motels shall be prohibited in Residence C or Residence C-1 districts;
- (b) Hotels and motels shall be permitted as of right in Residence C-3A districts and in Residence C-2, 2A, 2B, and 3 districts where at least fifty (50) percent of the area of the lot upon which the hotel or motel is located, and the point of entry from a street for all vehicular access to the hotel or motel, is located within the Harvard Square Overlay District, the Central Square Overlay District or the Massachusetts Avenue Overlay District.
- (c) Hotels or motels shall be permitted by special permit from the Board of Zoning Appeal (BZA) in Residence 2, 2A, 2B, and 3 districts, where paragraph (b) above does not apply. In granting such special permit the BZA shall find that the proposed location and its surrounding neighborhood is predominantly institutional or commercial in use, and specifically not a low density residential area. The Board shall further find that the physical development of the site for hotel use will be similar to, and compatible with, the existing (or potential) site development pattern on surrounding sites for other uses permitted in the applicable zoning district or districts; and that the operation of the hotel or motel, with regard to delivery of goods, the kind and volume of vehicular trips to and from the site, and the numbers of people visiting the site on foot, among other factors, is compatible with the use of adjacent properties for uses permitted in the applicable zoning district or districts. In making these findings the Board shall consider the following, among other considerations:
 - 1. The scale of buildings in the immediate neighborhood;

2. The extent of non residential development in the neighborhood, including the size of buildings, the specific uses, the kind and number of vehicular trips generated by those uses;
3. The density of residential uses on adjacent lots and within the immediate neighborhood;
4. The details of the operation of the proposed hotel or motel use including the kinds and number of vehicle trips to the site, including service trips;
5. The extent of access to arterial streets that customarily accommodate or provide direct service to non residential uses;
6. The nature of site development on adjacent sites including setbacks from property lines, location and quantity of vehicular parking, the presence of accessory activities such as loading facilities, waste storage facilities, mechanical service equipment, landscaped green spaces, etc.

II. Amendment to eliminate a provision of the Zoning Ordinance that grants additional floor area to lots adjacent to wide public streets and open spaces.

A. Amend the text of the Zoning Ordinance by deleting Section 5.22.3 in its entirety.

III. Amendment to create a new Mid Massachusetts Avenue Overlay District in the Cambridge Zoning Ordinance

A. Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Section 11.500 to read as follows

11.500 *Mid Massachusetts Avenue Overlay District*

11.501 *Establishment and Scope.* There is hereby established the *Mid Massachusetts Avenue Overlay District* which shall be governed by the regulations and procedures specified in this Section 11.500. It is the intent of this section that these regulations will apply to an area between the Central Square Overlay District and the Harvard Square Overlay District along Massachusetts Avenue and designated for residential, office or retail use on the Zoning Map.

11.502 *General Purpose.* It is the purpose of this Section 11.500 to augment existing zoning regulations to respond to the unique problems and pressures for change particular to Massachusetts Avenue abutting the Mid Cambridge and Riverside neighborhoods. The regulations in this Section 11.500 provide for more careful public scrutiny of development proposals that may negatively impact the residential neighborhoods that lie immediately adjacent to the narrow corridor of commercial activity along Massachusetts Avenue. These regulations are intended to channel new development activity in ways that will reduce and mitigate its negative impact on residential properties in adjacent residentially zoned areas; contribute to a more cohesive visual environment; enhance the quality of the pedestrian experience along Massachusetts Avenue; provide incentives for the residential uses; preserve historic structures and other buildings that express the history of this area of the City and its diversity of building scales and ages; and to provide sufficient regulatory flexibility so as to advance the general purposes of this Section 11.500.

11.503 *General Provisions.*

11.503.1 *Applicability.*

The Mid Massachusetts Avenue Overlay District shall be an overlay district on the zoning map established in Section 3.20. The buildings and land uses within said district shall be controlled by the pertinent regulations within the base zoning districts, except as modified by the requirements of this Section 11.500, which shall apply in addition to regulations imposed by the base zoning map designations. Where base zoning regulations differ from requirements of this Section 11.500, the stricter provisions shall apply.

11.503.2 *Area of Special Planning Concern.*

The Mid Massachusetts Avenue Overlay District shall be considered an area of special planning concern

Development proposals listed in Subsection 11.42 of the Zoning Ordinance shall be subject to the review procedures specified in Section 11.40 - Development Consultation Procedure.

11.503.3 *National Register and Contributing Buildings.*

For the purposes of this Section 11.500 the following definitions shall apply:

- a. National Register Building shall be a building individually listed or determined eligible for the National Register of Historic Places as determined by the Secretary of The Department of the Interior.
- b. A contributing building shall be
 - (1) Identified as a contributing building in a listed or eligible National Register District as determined by the Secretary of the Department of the Interior; or
 - (2) Any building fifty (50) years old or older subject to review by the Cambridge Historical Commission under the provisions of City of Cambridge Ordinance #965.

However, a building shall no longer be considered a contributing building as defined in this Subsection 11.503.2 (b) for the purpose of this Section 11.500 if, upon application for a demolition permit, the Cambridge Historical Commission shall determine the building not to be a preferably preserved significant building as defined in the City of Cambridge Demolition Ordinance #965.

11.504 *Detailed Provisions.*

11.504.1 *Building Height Limitations*

The maximum height of buildings in the Massachusetts Avenue at Mid Cambridge Overlay District shall be governed by the requirements of this Section 11.504.1; at locations where the base zoning district establishes a more restrictive height limit, the more restrictive provisions shall apply.

- a. As of Right Height Limitations.

The maximum as of right height of any building shall be fifty-five (55) feet.

- b. Special Permit for Additional Height.

The maximum allowable height in the Massachusetts Avenue at Mid Cambridge Overlay District may be increased up to eighty (80) feet upon

issuance of a Special Permit from the Planning Board provided that those portions in excess of fifty-five (55) feet are set back from the street line at least ten (10) feet and that those portions are also set back from one or more forty-five degree (45°) bulk control planes beginning fifty-five (55) feet above any streetline in the district and rising over one or more lots at a forty-five degree (45°) angle.

c. The bulk control plane restrictions of paragraph b above, or similar provisions that may apply in any base district regulations for portions of buildings abutting Massachusetts Avenue, may be waived by the Planning Board upon issuance of a Special Permit.

11.504.2 *Floor Area Ratio Limitations.*

The maximum floor area ratio applicable to any lot in the Massachusetts Avenue at Mid Cambridge Overlay District shall be governed by the requirements of this Section 11.504.2; however, at locations where the base zoning district establishes a more restrictive FAR limit the more restrictive limit shall apply.

The maximum FAR shall be 2.0 for all non residential uses and for hotels and motels; 2.25 for residential uses excluding hotels and motels.

11.504.3 *Waiver of Setback Requirements.*

Upon issuance of a special permit from the Planning Board the yard requirements of a base zoning district may be waived except where such yard abuts that portion of any lot, but not a public way, outside the Central Square, Harvard Square or Mid Massachusetts Avenue Overlay District.

11.304.4 *Use Limitations and Restrictions.*

In addition to the use regulations applicable in each base zoning district the following use restrictions and limitations shall apply in the Mid Massachusetts Avenue Overlay District:

a. Ground Floor Restrictions.

The ground (first) floor of that portion of a building facing or abutting Massachusetts Avenue and which is on a lot which shares a common lot line with Massachusetts Avenue shall consist of gross floor area devoted to any one or combination of uses permitted in the applicable base zoning district and shall in addition meet the following conditions:

- (1) At least eighty (80) percent of the floor elevation of the ground (first) floor shall be at the mean grade of the lot at the Massachusetts Avenue streetline except that residential uses may be located no higher than four and a half (4 1/2) feet above the mean grade of the lot abutting the Avenue at the property line.

- (2) The use shall have a minimum depth of thirty (30) feet.
- (3) Where other than residential uses are established, the ground (first) floor facade shall consist of a minimum of forty (40) percent clear glass; for residential uses that minimum area shall be twenty (20) percent.

11.504.5 *Wavier of Parking and Loading Requirements.*

Uses in the Massachusetts Avenue at Mid Cambridge Overlay District which meet the following requirements shall be exempted from the loading requirements as specified in Section 6.36 - Schedule of Parking and Loading Requirements.

- a. The use is contained within a structure or portion of a structure in existence on or before June 1, 1940 or if constructed later is identified as a National Register or contributing building; or
- b. The use is contained in a new structure or new addition to a structure identified in (a) above, after the issuance of a special permit from the Planning Board provided:
 - (1) The subject lot is sufficiently small in size as to contribute to a development pattern of diverse, small scale, new structures and the retention of existing structures (for lots exceeding 10,000 square feet a specific finding shall be made that this objective has been met);
 - (2) The exemption from the loading requirements will result in a building design that is more appropriate to its location, will enhance the pedestrian environment along the public sidewalk, reduce the impact of the development on abutting residential neighborhoods through a reduction in the scale of the building and a reduction in the noise and fumes associated with the operation of a loading facility, or in other ways better serve the objectives of this Section 11.500;
 - (3) By the nature of the uses or the scale of the building proposed, the lack of accessory loading facilities will not unreasonably burden the abutting residential streets.

11.505 *Standards for Issuance of Special Permits.*

In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the Planning Board shall consider the following in making its determination:

- a. The proposed development does one or more of the following:
encourages responsible and orderly development that minimizes its impact

on adjacent residential neighborhoods; strengthens and enhances the pedestrian environment and provides retail and service uses that serve the needs of the adjacent neighborhoods; creates a more coherent and visually consistent architectural expression along the Avenue; reduces the functional and visual impact of the automobile on the public street and as viewed from the residential neighborhood behind Massachusetts Avenue; increases the supply of housing along the Avenue and advances the general objective of increasing the supply of affordable housing units; and

b. The Board must find that no National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and that no National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

B. Amend the FAR and height provisions of the Business B-1 and Business B-2 zoning districts.

1. Amend Table 5-3 - Business Districts, columns (1) and (6) in lines Bus. B-1 and Bus. B-2, to read as follows.

District	(1)	(6)
	(b)	(c)
Bus B-1	2.0	80
		(f)
Bus. B-2	2.0	80

2. In Section 5.33 - Business Districts, Subsection 2 - Footnotes, delete footnote (b) in its entirety and substitute therefor the following.

(b) The maximum floor area ratio for residential uses listed in Subsections 4.31 a, b, d, e, and g shall be 2.25

C. Amend the Zoning Map of the City of Cambridge by creating the Mid Massachusetts Avenue Overlay District as described below.

The boundary of the Mid Massachusetts Overlay District shall be coterminous with boundaries of the Business B district, the Business B-1 district, the Business B-2 district and the Office 3 District abutting Massachusetts Avenue between the eastern boundary of the Harvard Square Overlay District and the western boundary of the Central Square Overlay District as shown on the accompanying map.

Western boundary of the Central Square Overlay District

1.0 The western boundary of the Central Square Overlay District is a line, said line beginning at the intersection of the centerline of Pleasant Street and Green Street,

1.1 Thence proceeding in a northeasterly direction along the centerline of Pleasant Street to its intersection with the centerline of Massachusetts Avenue

1.2 Thence turning and proceeding in a northwesterly direction along the centerline of Massachusetts Avenue to its intersection with the southwestern extension of the centerline of Inman Street,

1.3 Thence turning and proceeding in a northeasterly direction along the southwestern extension of the centerline of Inman Street, and the centerline of Inman Street to its intersection with the northwestern extension of the centerline of Bishop Allen Drive.

Eastern boundary of the Harvard Square Overlay District

2.0 The eastern boundary of the Harvard Square Overlay District is a line, said line being the southeasterly sideline of lot #2 on Assessor's Plat #121 and its northeasterly extension across Massachusetts Avenue to its intersection with a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue.

Affected properties

1.01 Premises shown on Assessor's Plat #121

Affecting all or parts of lots #102, 103, 94, 95, 6, 114, 113

Even numbers 972-1038 Massachusetts Avenue, odd numbers 583-629 Green Street

1.02 Premises shown on Assessor's Plat #120

Affecting all or parts of lots #101, 81, 72, 100, 40, 76, 77, 43, 44, 45, 46, 73, 74, 48, 49, 64, 68, 54

Even numbers 922-964 Massachusetts Avenue, odd numbers 49-65 Hancock Street, odd numbers 543-551 Green Street.

1.03 Premises shown on Assessor's Plat #119

Affecting all or parts of lots #21, 91, 90, 101, 4, 5, 82, 83, 7, 12, 8, 9, 92, 93, 22, 33, 23, 32, 31, 94

Even numbers 760-910 Massachusetts Avenue, odd numbers 397-485 Green Street, odd numbers 5-7 Pleasant Street, even numbers 2-20 Sellers Street, odd numbers 13-17 Sellers Street, even numbers 52-66 Hancock Street.

1.04 Premises shown on Assessor's Plat #118

Affecting all or parts of lots #33, 7, 9, 29, 30, 31, 32, 1, 2, 3

Odd numbers 5-5A Bigelow Street, odd numbers 795-847 Massachusetts Avenue, even numbers 2-4 Clinton Street.

1.05 Premises shown on Assessor's Plat #117

Affecting all or parts of lots #56, 57, 29, 55, 30, 31, 54, 64, 65, 58, 59, 26, 27, 69, 105, 104, 1, 28, 24, 23

Odd numbers 859-907 Massachusetts Avenue, odd numbers 3-5 Clinton Street, even numbers 12-14 Lee Street, odd numbers 5-11 Lee Street, even numbers 74-92 Hancock Street.

1.06 Premises shown on Assessor's Plat #116

Affecting all or parts of lots #54, 92, 103, 98, 96, 99, 74, 59, 60, 101, 100, 94, 95, 68, 10, 11, 12, 13

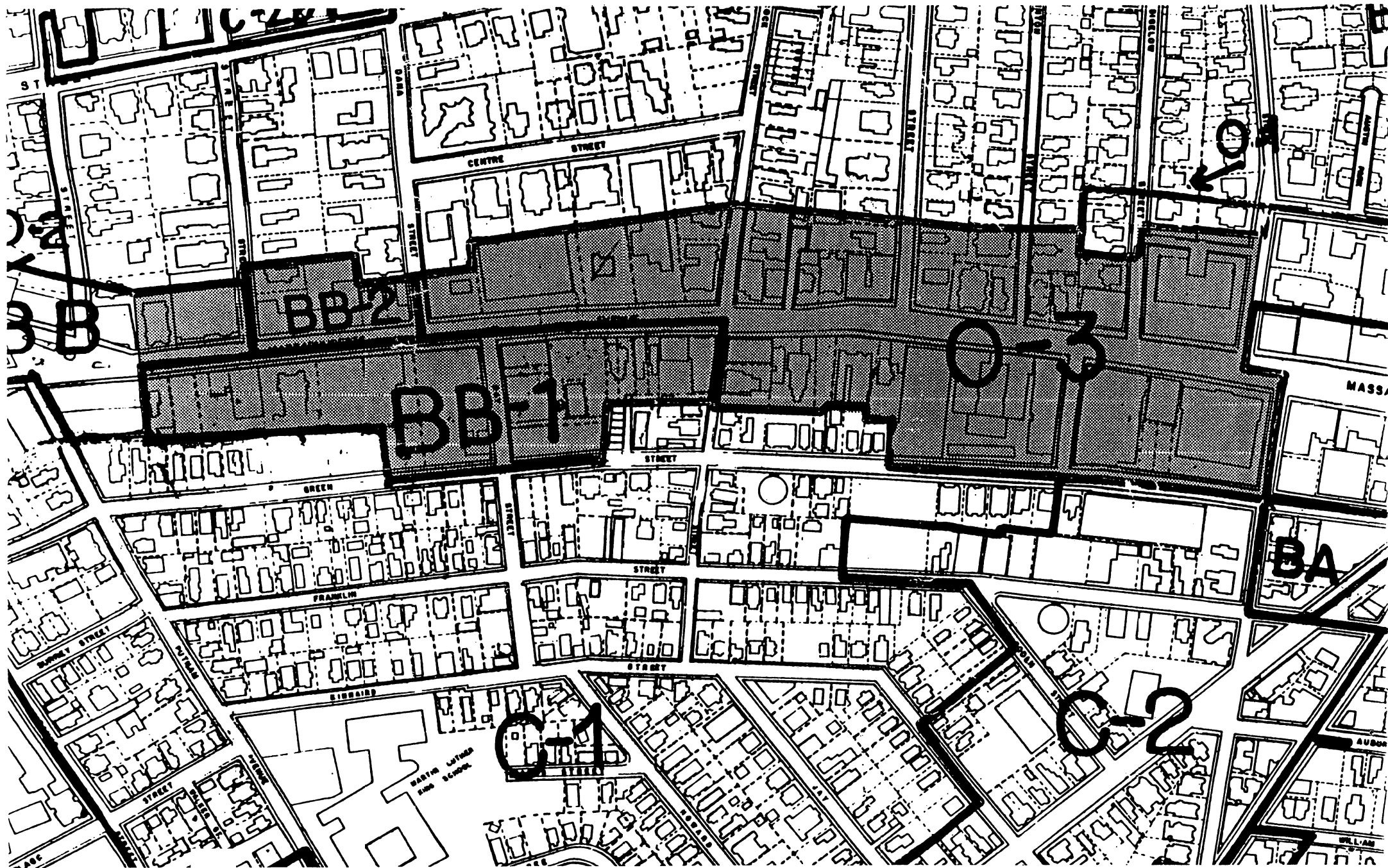
Odd numbers 923-1009 Massachusetts Avenue, odd numbers 75-85 Hancock Street, 2 Dana Street, 6 Ellery Street.

1.07 Premises shown on Assessor's Plat #134

Affecting all or parts of lots #35, 34, 33, 32, 30, 31, 29

Odd numbers 1023-1039 Massachusetts Avenue, 5 Ellery Street.

Proposed Mid Massachusetts Avenue Overlay District - Cambridge Planning Board 7/30/97





CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300
FAX 349-4307



38.

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

August 4, 1997

To The Honorable, The City Council:

I am hereby transmitting for your consideration, three amendments to the Zoning Ordinance proposed by the Planning Board.

Very truly yours,

Robert W. Healy
City Manager

RHW/mec

Consent Agenda #38

Relative to a recommendation from the
Planning Board on three amendments
to the Zoning Ordinance.

In City Council August 4, 1997

Referred to the
Ordinance Committee
and Planning Board
copy

slat 8-7-97

mc

City of Cambridge

- 2 -

Tuesday, October 7, 1997

4:30 P.M.

The Ordinance Committee will hold a public hearing on a petition of the Planing Board to amend the Zoning Ordinances by deleting Section 5.22.3 in its entirety. (Sullivan Chamber)

5:00 P.M.

The Ordinance Committee will conduct a public hearing on a petition of the Planning Board to amend the Zoning Ordinances in Section 4.30 - Table of Use Regulations, line i.2. Hotel or motel, by deleting the current notation. (Sullivan Chamber)

5:30 P.M.

The Ordinance Committee will conduct a public hearing on a petition of the Planning Board to amend the Zoning Ordinances by creating a new Section 11.500 Mid Massachusetts Avenue Overlay District. (Sullivan Chamber)

6:00 P.M.

The Ordinance Committee will conduct a public hearing on a petition of the Planning Board to amend the Zoning Map by striking the existing designation Business C-1 and substituting in place the designation Business A-2 in the area bounded by Massachusetts Avenue, Washburn Avenue, Gold Star Road and Gold Star Place. (Sullivan Chamber)

I. Amendment Affecting Hotels and Motels in Residential Districts

A. In Section 4.30 - Table of Use Regulations, line i 2 , Hotel and motel, delete the current notation "Yes 7" in column four and substitute therefor the following

	Res
	C, C-1,
	2, 2A,
	2B, 3
	3A
i. Transient accommodations	
	7
2. Hotel or motel	SP

B. Amend the text of the Zoning Ordinance by deleting the existing Footnote 7, Section 4.40 - Footnotes to the Table of Use Regulations, in its entirety and substituting therefor the following:

7. Subject to the following provisions:

- (a) Hotels and motels shall be prohibited in Residence C or Residence C-1 districts;
- (b) Hotels and motels shall be permitted as of right in Residence C-3A districts and in Residence C-2, 2A, 2B, and 3 districts where at least fifty (50) percent of the area of the lot upon which the hotel or motel is located, and the point of entry from a street for all vehicular access to the hotel or motel, is located within the Harvard Square Overlay District, the Central Square Overlay District or the Massachusetts Avenue Overlay District.
- (c) Hotels or motels shall be permitted by special permit from the Board of Zoning Appeal (BZA) in Residence 2, 2A, 2B, and 3 districts, where paragraph (b) above does not apply. In granting such special permit the BZA shall find that the proposed location and its surrounding neighborhood is predominantly institutional or commercial in use, and specifically not a low density residential area. The Board shall further find that the physical development of the site for hotel use will be similar to, and compatible with, the existing (or potential) site development pattern on surrounding sites for other uses permitted in the applicable zoning district or districts; and that the operation of the hotel or motel, with regard to delivery of goods, the kind and volume of vehicular trips to and from the site, and the numbers of people visiting the site on foot, among other factors, is compatible with the use of adjacent properties for uses permitted in the applicable zoning district or districts. In making these findings the Board shall consider the following, among other considerations:
 1. The scale of buildings in the immediate neighborhood;

2. The extent of non residential development in the neighborhood, including the size of buildings, the specific uses, the kind and number of vehicular trips generated by those uses;
3. The density of residential uses on adjacent lots and within the immediate neighborhood;
4. The details of the operation of the proposed hotel or motel use including the kinds and number of vehicle trips to the site, including service trips;
5. The extent of access to arterial streets that customarily accommodate or provide direct service to non residential uses;
6. The nature of site development on adjacent sites including setbacks from property lines, location and quantity of vehicular parking, the presence of accessory activities such as loading facilities, waste storage facilities, mechanical service equipment, landscaped green spaces, etc.

I. Amendment Affecting Hotels and Motels in Residential Districts

A. In Section 4.30 - Table of Use Regulations, line i 2 , Hotel and motel, delete the current notation "Yes 7" in column four and substitute therefor the following

	Res
	C, C-1,
	2, 2A,
	2B, 3
	3A
i. Transient accommodations	
	7
2. Hotel or motel	SP

B. Amend the text of the Zoning Ordinance by deleting the existing Footnote 7, Section 4.40 - Footnotes to the Table of Use Regulations, in its entirety and substituting therefor the following:

7. Subject to the following provisions:

- (a) Hotels and motels shall be prohibited in Residence C or Residence C-1 districts;
- (b) Hotels and motels shall be permitted as of right in Residence C-3A districts and in Residence C-2, 2A, 2B, and 3 districts where at least fifty (50) percent of the area of the lot upon which the hotel or motel is located, and the point of entry from a street for all vehicular access to the hotel or motel, is located within the Harvard Square Overlay District, the Central Square Overlay District or the Massachusetts Avenue Overlay District.
- (c) Hotels or motels shall be permitted by special permit from the Board of Zoning Appeal (BZA) in Residence 2, 2A, 2B, and 3 districts, where paragraph (b) above does not apply. In granting such special permit the BZA shall find that the proposed location and its surrounding neighborhood is predominantly institutional or commercial in use, and specifically not a low density residential area. The Board shall further find that the physical development of the site for hotel use will be similar to, and compatible with, the existing (or potential) site development pattern on surrounding sites for other uses permitted in the applicable zoning district or districts; and that the operation of the hotel or motel, with regard to delivery of goods, the kind and volume of vehicular trips to and from the site, and the numbers of people visiting the site on foot, among other factors, is compatible with the use of adjacent properties for uses permitted in the applicable zoning district or districts. In making these findings the Board shall consider the following, among other considerations:
 1. The scale of buildings in the immediate neighborhood;

- ✓
2. The extent of non residential development in the neighborhood, including the size of buildings, the specific uses, the kind and number of vehicular trips generated by those uses;
 3. The density of residential uses on adjacent lots and within the immediate neighborhood;
 4. The details of the operation of the proposed hotel or motel use including the kinds and number of vehicle trips to the site, including service trips;
 5. The extent of access to arterial streets that customarily accommodate or provide direct service to non residential uses;
 6. The nature of site development on adjacent sites including setbacks from property lines, location and quantity of vehicular parking, the presence of accessory activities such as loading facilities, waste storage facilities, mechanical service equipment, landscaped green spaces, etc.

(b) The maximum floor area ratio for residential uses listed in Subsections 4.31 a, b, d, e, and g shall be 2.25

C. Amend the Zoning Map of the City of Cambridge by creating the Mid Massachusetts Avenue Overlay District as described below.

The boundary of the Mid Massachusetts Overlay District shall be coterminous with boundaries of the Business B district, the Business B-1 district, the Business B-2 district and the Office 3 District abutting Massachusetts Avenue between the eastern boundary of the Harvard Square Overlay District and the western boundary of the Central Square Overlay District as shown on the accompanying map.

Western boundary of the Central Square Overlay District

- 1.0 The western boundary of the Central Square Overlay District is a line, said line beginning at the intersection of the centerline of Pleasant Street and Green Street,
- 1.1 Thence proceeding in a northeasterly direction along the centerline of Pleasant Street to its intersection with the centerline of Massachusetts Avenue
- 1.2 Thence turning and proceeding in a northwesterly direction along the centerline of Massachusetts Avenue to its intersection with the southwestern extension of the centerline of Inman Street,
- 1.3 Thence turning and proceeding in a northeasterly direction along the southwestern extension of the centerline of Inman Street, and the centerline of Inman Street to its intersection with the northwestern extension of the centerline of Bishop Allen Drive.

Eastern boundary of the Harvard Square Overlay District

2.0 The eastern boundary of the Harvard Square Overlay District is a line, said line being the southeasterly sideline of lot #2 on Assessor's Plat #121 and its northeasterly extension across Massachusetts Avenue to its intersection with a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue.

Affected properties

1.01 Premises shown on Assessor's Plat #121

Affecting all or parts of lots #102, 103, 94, 95, 6, 114, 113

Even numbers 972-1038 Massachusetts Avenue, odd numbers 583-629 Green Street

1.02 Premises shown on Assessor's Plat #120

Affecting all or parts of lots #101, 81, 72, 100, 40, 76, 77, 43, 44, 45, 46, 73, 74, 48, 49, 64, 68, 54

on adjacent residential neighborhoods; strengthens and enhances the pedestrian environment and provides retail and service uses that serve the needs of the adjacent neighborhoods; creates a more coherent and visually consistent architectural expression along the Avenue; reduces the functional and visual impact of the automobile on the public street and as viewed from the residential neighborhood behind Massachusetts Avenue; increases the supply of housing along the Avenue and advances the general objective of increasing the supply of affordable housing units; and

b. The Board must find that no National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and that no National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

B. Amend the FAR and height provisions of the Business B-1 and Business B-2 zoning districts.

1. Amend Table 5-3 - Business Districts, columns (1) and (6) in lines Bus. B-1 and Bus. B-2, to read as follows.

District	(1)	(6)
	(b)	(c)
Bus B-1	2.0	80
		(f)
Bus. B-2	2.0	80

2. In Section 5.33 - Business Districts, Subsection 2 - Footnotes, delete footnote (b) in its entirety and substitute therefor the following.

(2) The use shall have a minimum depth of thirty (30) feet.

(3) Where other than residential uses are established, the ground (first) floor facade shall consist of a minimum of forty (40) percent clear glass; for residential uses that minimum area shall be twenty (20) percent.

11.504.5 *Waiver of Parking and Loading Requirements.*

Uses in the Massachusetts Avenue at Mid Cambridge Overlay District which meet the following requirements shall be exempted from the loading requirements as specified in Section 6.36 - Schedule of Parking and Loading Requirements.

a. The use is contained within a structure or portion of a structure in existence on or before June 1, 1940 or if constructed later is identified as a National Register or contributing building; or

b. The use is contained in a new structure or new addition to a structure identified in (a) above, after the issuance of a special permit from the Planning Board provided:

(1) The subject lot is sufficiently small in size as to contribute to a development pattern of diverse, small scale, new structures and the retention of existing structures (for lots exceeding 10,000 square feet a specific finding shall be made that this objective has been met);

(2) The exemption from the loading requirements will result in a building design that is more appropriate to its location, will enhance the pedestrian environment along the public sidewalk, reduce the impact of the development on abutting residential neighborhoods through a reduction in the scale of the building and a reduction in the noise and fumes associated with the operation of a loading facility, or in other ways better serve the objectives of this Section 11.500;

(3) By the nature of the uses or the scale of the building proposed, the lack of accessory loading facilities will not unreasonably burden the abutting residential streets.

11.505 *Standards for Issuance of Special Permits.*

In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the Planning Board shall consider the following in making its determination:

a. The proposed development does one or more of the following:
encourages responsible and orderly development that minimizes its impact

issuance of a Special Permit from the Planning Board provided that those portions in excess of fifty-five (55) feet are set back from the street line at least ten (10) feet and that those portions are also set back from one or more forty-five degree (45°) bulk control planes beginning fifty-five (55) feet above any streetline in the district and rising over one or more lots at a forty-five degree (45°) angle.

c. The bulk control plane restrictions of paragraph b above, or similar provisions that may apply in any base district regulations for portions of buildings abutting Massachusetts Avenue, may be waived by the Planning Board upon issuance of a Special Permit.

11.504.2 *Floor Area Ratio Limitations.*

The maximum floor area ratio applicable to any lot in the Massachusetts Avenue at Mid Cambridge Overlay District shall be governed by the requirements of this Section 11.504.2; however, at locations where the base zoning district establishes a more restrictive FAR limit the more restrictive limit shall apply.

The maximum FAR shall be 2.0 for all non residential uses and for hotels and motels; 2.25 for residential uses excluding hotels and motels.

11.504.3 *Waiver of Setback Requirements.*

Upon issuance of a special permit from the Planning Board the yard requirements of a base zoning district may be waived except where such yard abuts that portion of any lot, but not a public way, outside the Central Square, Harvard Square or Mid Massachusetts Avenue Overlay District.

11.304.4 *Use Limitations and Restrictions.*

In addition to the use regulations applicable in each base zoning district the following use restrictions and limitations shall apply in the Mid Massachusetts Avenue Overlay District:

a. Ground Floor Restrictions.

The ground (first) floor of that portion of a building facing or abutting Massachusetts Avenue and which is on a lot which shares a common lot line with Massachusetts Avenue shall consist of gross floor area devoted to any one or combination of uses permitted in the applicable base zoning district and shall in addition meet the following conditions:

- (1) At least eighty (80) percent of the floor elevation of the ground (first) floor shall be at the mean grade of the lot at the Massachusetts Avenue streetline except that residential uses may be located no higher than four and a half (4 1/2) feet above the mean grade of the lot abutting the Avenue at the property line.

The Mid Massachusetts Avenue Overlay District shall be considered an area of special planning concern

Development proposals listed in Subsection 11.42 of the Zoning Ordinance shall be subject to the review procedures specified in Section 11.40 - Development Consultation Procedure.

11.503.3 *National Register and Contributing Buildings.*

For the purposes of this Section 11.500 the following definitions shall apply:

- a. National Register Building shall be a building individually listed or determined eligible for the National Register of Historic Places as determined by the Secretary of The Department of the Interior.
- b. A contributing building shall be
 - (1) Identified as a contributing building in a listed or eligible National Register District as determined by the Secretary of the Department of the Interior; or
 - (2) Any building fifty (50) years old or older subject to review by the Cambridge Historical Commission under the provisions of City of Cambridge Ordinance #965.

However, a building shall no longer be considered a contributing building as defined in this Subsection 11.503.2 (b) for the purpose of this Section 11.500 if, upon application for a demolition permit, the Cambridge Historical Commission shall determine the building not to be a preferably preserved significant building as defined in the City of Cambridge Demolition Ordinance #965.

11.504 *Detailed Provisions.*

11.504.1 *Building Height Limitations*

The maximum height of buildings in the Massachusetts Avenue at Mid Cambridge Overlay District shall be governed by the requirements of this Section 11.504.1; at locations where the base zoning district establishes a more restrictive height limit, the more restrictive provisions shall apply.

- a. As of Right Height Limitations.

The maximum as of right height of any building shall be fifty-five (55) feet.

- b. Special Permit for Additional Height.

The maximum allowable height in the Massachusetts Avenue at Mid Cambridge Overlay District may be increased up to eighty (80) feet upon

III. Amendment to create a new Mid Massachusetts Avenue Overlay District in the Cambridge Zoning Ordinance

A. Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Section 11.500 to read as follows

11.500 *Mid Massachusetts Avenue Overlay District*

11.501 *Establishment and Scope.* There is hereby established the *Mid Massachusetts Avenue Overlay District* which shall be governed by the regulations and procedures specified in this Section 11.500. It is the intent of this section that these regulations will apply to an area between the Central Square Overlay District and the Harvard Square Overlay District along Massachusetts Avenue and designated for residential, office or retail use on the Zoning Map.

11.502 *General Purpose.* It is the purpose of this Section 11.500 to augment existing zoning regulations to respond to the unique problems and pressures for change particular to Massachusetts Avenue abutting the Mid Cambridge and Riverside neighborhoods. The regulations in this Section 11.500 provide for more careful public scrutiny of development proposals that may negatively impact the residential neighborhoods that lie immediately adjacent to the narrow corridor of commercial activity along Massachusetts Avenue. These regulations are intended to channel new development activity in ways that will reduce and mitigate its negative impact on residential properties in adjacent residentially zoned areas; contribute to a more cohesive visual environment; enhance the quality of the pedestrian experience along Massachusetts Avenue; provide incentives for the residential uses; preserve historic structures and other buildings that express the history of this area of the City and its diversity of building scales and ages; and to provide sufficient regulatory flexibility so as to advance the general purposes of this Section 11.500.

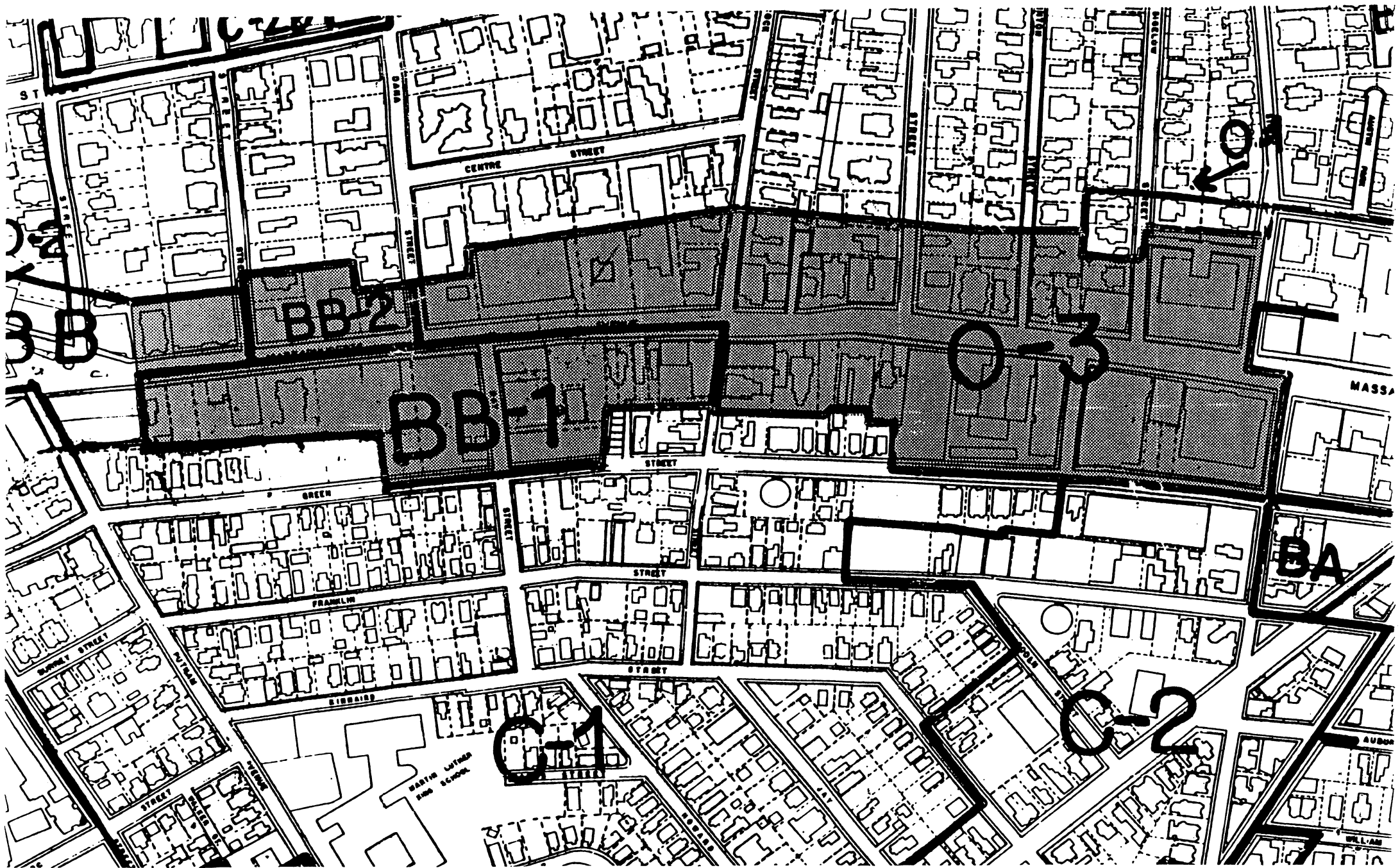
11.503 *General Provisions.*

11.503.1 *Applicability.*

The Mid Massachusetts Avenue Overlay District shall be an overlay district on the zoning map established in Section 3.20. The buildings and land uses within said district shall be controlled by the pertinent regulations within the base zoning districts, except as modified by the requirements of this Section 11.500, which shall apply in addition to regulations imposed by the base zoning map designations. Where base zoning regulations differ from requirements of this Section 11.500, the stricter provisions shall apply.

11.503.2 *Area of Special Planning Concern.*

Proposed Mid Massachusetts Avenue Overlay District - Cambridge Planning Board 7/30/97



Even numbers 922-964 Massachusetts Avenue, odd numbers 49-65 Hancock Street, odd numbers 543-551 Green Street.

1.03 Premises shown on Assessor's Plat #119

Affecting all or parts of lots #21, 91, 90, 101, 4, 5, 82, 83, 7, 12, 8, 9, 92, 93, 22, 33, 23, 32, 31, 94

Even numbers 760-910 Massachusetts Avenue, odd numbers 397-485 Green Street, odd numbers 5-7 Pleasant Street, even numbers 2-20 Sellers Street, odd numbers 13-17 Sellers Street, even numbers 52-66 Hancock Street.

1.04 Premises shown on Assessor's Plat #118

Affecting all or parts of lots #33, 7, 9, 29, 30, 31, 32, 1, 2, 3

Odd numbers 5-5A Bigelow Street, odd numbers 795-847 Massachusetts Avenue, even numbers 2-4 Clinton Street.

1.05 Premises shown on Assessor's Plat #117

Affecting all or parts of lots #56, 57, 29, 55, 30, 31, 54, 64, 65, 58, 59, 26, 27, 69, 105, 104, 1, 28, 24, 23

Odd numbers 859-907 Massachusetts Avenue, odd numbers 3-5 Clinton Street, even numbers 12-14 Lee Street, odd numbers 5-11 Lee Street, even numbers 74-92 Hancock Street.

1.06 Premises shown on Assessor's Plat #116

Affecting all or parts of lots #54, 92, 103, 98, 96, 99, 74, 59, 60, 101, 100, 94, 95, 68, 10, 11, 12, 13

Odd numbers 923-1009 Massachusetts Avenue, odd numbers 75-85 Hancock Street, 2 Dana Street, 6 Ellery Street.

1.07 Premises shown on Assessor's Plat #134

Affecting all or parts of lots #35, 34, 33, 32, 30, 31, 29

Odd numbers 1023-1039 Massachusetts Avenue, 5 Ellery Street.

3

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RECEIVED BY
OFFICE OF CITY CLERK

PETITION

97 OCT 22 PM 2:29

We, the undersigned, do respectfully oppose the provisions laid out and submitted to the City of Cambridge on September 23, 1997 regarding a Cambridge Massachusetts amendment to the text of the Zoning Ordinance, Section 4.30-Table of Use Regulations, line 12, Hotel and Motel, by deleting the current notation "YES 7" in column four and substituting "SP 7". Also, amend the text by deleting the existing Footnote 7, Section 4.30 in its entirety and substitute therefor the following new footnote 7.....a), b), c) ...i), ii), iii), iv), v) as any of the above pertains to HARVARD STREET, CAMBRIDGE, MASSACHUSETTS. This petition shall be filed in the office of the City Clerk, City Hall, Cambridge, Massachusetts and the City of Cambridge PLANNING BOARD and the CITY ~~COUNCIL~~ ^{COUNCIL} for the City of Cambridge, Massachusetts and the OFFICE OF THE MAYOR for the City of Cambridge.

Dean Grodzins

Beth I. Lesley

Mary G. Berg

Wang Lou Pasolun

Walter F. Perera



Eugene G. Hill

244 Harvard St, #5

321 Harvard St, #209

335 Harvard St. #1

321 Harvard #208

321 HARVARD ST. #405

321 HARVARD ST. #407

321 Harvard St # 402

Consent Communication #3

Communication was received from Dean Grodzins, et al., transmitting their opposition to the amendment of the Zoning Ordinance Section 4.30 - Table of Use Regulations, line #2 Hotel and Motel by deleting the current notation.

In City Council October 27, 1997

Referred to
the Petition

231 KENNEDY ST. #303
PO BOX 181 BOSTON MA 02111

City of Cambridge

The Ordinance Committee held a public hearing on October 7, 1997, beginning at 5:15 p.m. in the Sullivan Chamber for the purpose of considering a proposed amendment to the Zoning Ordinance to change the way hotels and motels are regulated in residence "C" districts.

Present at the hearing were Councillor Francis H. Duehay, Chair of the Committee, Vice Mayor Kathleen L. Born, Councillor Henrietta Davis, Councillor Michael A. Sullivan and City Clerk D. Margaret Drury. Also present were Lester Barber, Director of Land Use and Zoning, Community Development Department, and Nancy Glowa, First Assistant City Solicitor.

Councillor Duehay convened the hearing and explained the purpose and the procedures. He noted that the amendment is a proposal of the Planning Board. He then invited Mr. Barber to make a presentation. Mr. Barber noted that this petition would continue to prohibit hotels in Residence C and C-1 districts and would require special permits for hotels in all other Residence C districts, with certain exceptions; such as Residence C-3A and parts of the three overlay districts, where hotels would continue to be allowed as of right.

Mr. Barber stated that this proposal arose during the consideration of the Harvard Street rezoning, when a hotel was permitted in a rather high density Residence C district. He added that the proposed ordinance also provides a set of criteria for deciding on the issuance of special permits. The criteria would prohibit hotels in inappropriate residential districts.

Councillor Sullivan asked what this proposal would do to bed and breakfasts. Mr. Barber stated that bed and breakfast establishments are a special category under the ordinance and are not affected by this petition.

Councillor Sullivan asked what is the difference between a hotel and a bed and breakfast. Mr. Barber stated that a bed and breakfast is owner-occupied, and the rental rooms within are short-term rentals, which are usually rented by tourists.

Ms. Glowa stated that she worked with Community Development Department and the License Commission to promulgate definitions that could be used consistently by all city agencies.

Councillor Sullivan asked under what authority the definitions are being developed. Ms. Glowa stated that the use categories and distinctions already exist in the zoning ordinance and have been developed under Massachusetts law.

Councillor Duehay asked whether it would be wise to spell out these definitions in the zoning ordinance. Ms. Glowa stated that this is not generally how the types of uses are treated in the ordinance. She added that these categories come from established practice and Massachusetts law and have been promulgated by the City in a regulation which is being used by Inspectional Services, the License Commission and the Community Development Department.

Vice Mayor Born stated that this matter of the distinction between bed and breakfast establishments, lodging houses and hotels is a matter of interest to her. It has come up in the context of the hotel business and questions related to hotel taxes.

Mr. Barber noted a related section in the ordinance regarding rental of rooms. If the rental is of less than three rooms, it is allowed as an accessory use. If there are more than three rental rooms, it is defined as a lodging house. The short-term/long-term and tourist use aspect; distinguish bed and breakfasts from lodging houses.

Vice Mayor Born asked whether this ordinance would allow someone to buy one of the large brick apartment buildings and convert it to a hotel. Mr. Barber stated that in Residence C and C-1, this would be prohibited; in other Residence C districts, it would only be allowed with a special permit, except in the densely populated overlay districts.

Vice Mayor Born asked whether this would make any existing hotels nonconforming. Mr. Barber said that if they did not already exist, both the Hyatt and the Sheraton Commander would require special permits which they do not have, so they would be nonconforming. The Charles Hotel is built as-of-right. Vice Mayor Born stated that these hotels are important to Cambridge and she would not like to make their existence and business more difficult.

Councillor Davis asked about the Cambridge House for Massachusetts Avenue, Irving House and the Friendly Inn. Mr. Barber stated that the last two are located in Residence B districts, which are not affected by this proposal.

Councillor Duehay stated that this proposal provides protection in areas that do not now have protection, although the Council may want to add greater protection at some later time.

Councillor Sullivan moved to refer the petition to the full City Council.

Councillor Duehay then invited testimony in favor of the petition.

Paula Lovejoy, 9 Clinton Street, spoke in support of the petition. She stated that residential neighborhoods need to be protected from hotels. The hotel on Clinton Street has already caused problems with traffic for residents.

James Williamson, 17 Perry Street, spoke in support of the proposed ordinance. He stated that he would like to make sure that the Clinton Street hotel is not repeated. He is also concerned about rumors of a ten-story hotel proposed for Massachusetts Avenue.

Councillor Davis asked whether the special permit criteria would prevent hotels in residential areas or just make it more difficult to site them in residential areas. Mr. Barber stated that the intent is to prohibit hotels in inappropriate residential areas.

Councillor Davis asked whether the proposed amendment would prohibit the Hyatt from being built now. Mr. Barber stated that he believes that it would.

Councillor Sullivan stated that his understanding is that the harm this proposal was supposed to address was that of a hotel suddenly "popping up" in a residential neighborhood. The Hyatt is surrounded by 200 MIT dorms that are 200 feet high.

Councillor Davis asked where else hotels are permitted. Mr. Barber said that hotels are also permitted in most business and commercial areas.

Councillor Duehay moved that the petition be referred to the full City council without recommendation, and the motion passed without objection on a voice vote.

The hearing was adjourned at 5:55 p.m.

For the Committee,

Francis H. Duehay

Councillor Francis H. Duehay,
Chair



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

July 30, 1997

To the Honorable, the City Council:

Subject: Three amendments to the Zoning Ordinance proposed by the Planning Board

The Planning Board is hereby submitting to the City Council for its consideration, a set a three recommended amendments to the Zoning Ordinance. They are:

- I. A change in the way hotels and motels are regulated in residence "C" districts.** Hotels and motels would continue to be prohibited in Residence C and C-1 districts; they would continue to be allowed as of right in Residence C-3A districts (Kendall Square and the East Cambridge riverfront) and in Residence C-2, 2A, 2B and 3 districts located within the Central Square, Harvard Square and Massachusetts Avenue Overlay Districts. In all other locations, a special permit would be required and demonstration made that the proposed hotel location is not within a low density residential neighborhood; a set of review criteria is established. Problems with the current regulations were identified by the City Council during discussions around the rezoning along Harvard Street recently adopted.
- II. Deletion of the provision of the Ordinance that permits additional gross floor area as of right on lots abutting wide public streets or open space.** The Planning Board has long felt that this provision allows excessive development on lots that can make use of the provision.
- III. Creation of a Mid Massachusetts Avenue Overlay District created for that portion of the Avenue between the Central Square Overlay District and the Harvard Square Overlay District.** While having a number of the provisions similar to those in effect in Harvard and Central Squares are incorporated into this new overlay district, the new district's most significant provisions reduce height and FAR allowed in the Business B, Business B-1, Business B-2 and the Office 3 base zoning districts affected. Parallel FAR and height changes are made to the base Business B-1 and 2 districts as they occur only in this location.

Respectfully submitted for the Planning Board

A handwritten signature in cursive script, appearing to read "Paul Dietrich".

Paul Dietrich, Chairman

I. Amendment Affecting Hotels and Motels in Residential Districts

A. In Section 4.30 - Table of Use Regulations, line i 2 , Hotel and motel, delete the current notation "Yes 7" in column four and substitute therefor the following

	Res
	C, C-1,
	2, 2A,
	2B, 3
	3A
i. Transient accommodations	
	7
2. Hotel or motel	SP

B. Amend the text of the Zoning Ordinance by deleting the existing Footnote 7, Section 4.40 - Footnotes to the Table of Use Regulations, in its entirety and substituting therefor the following:

7. Subject to the following provisions:

- (a) Hotels and motels shall be prohibited in Residence C or Residence C-1 districts;
- (b) Hotels and motels shall be permitted as of right in Residence C-3A districts and in Residence C-2, 2A, 2B, and 3 districts where at least fifty (50) percent of the area of the lot upon which the hotel or motel is located, and the point of entry from a street for all vehicular access to the hotel or motel, is located within the Harvard Square Overlay District, the Central Square Overlay District or the Massachusetts Avenue Overlay District.
- (c) Hotels or motels shall be permitted by special permit from the Board of Zoning Appeal (BZA) in Residence 2, 2A, 2B, and 3 districts, where paragraph (b) above does not apply. In granting such special permit the BZA shall find that the proposed location and its surrounding neighborhood is predominantly institutional or commercial in use, and specifically not a low density residential area. The Board shall further find that the physical development of the site for hotel use will be similar to, and compatible with, the existing (or potential) site development pattern on surrounding sites for other uses permitted in the applicable zoning district or districts; and that the operation of the hotel or motel, with regard to delivery of goods, the kind and volume of vehicular trips to and from the site, and the numbers of people visiting the site on foot, among other factors, is compatible with the use of adjacent properties for uses permitted in the applicable zoning district or districts. In making these findings the Board shall consider the following, among other considerations:
 1. The scale of buildings in the immediate neighborhood;

2. The extent of non residential development in the neighborhood, including the size of buildings, the specific uses, the kind and number of vehicular trips generated by those uses;
3. The density of residential uses on adjacent lots and within the immediate neighborhood;
4. The details of the operation of the proposed hotel or motel use including the kinds and number of vehicle trips to the site, including service trips;
5. The extent of access to arterial streets that customarily accommodate or provide direct service to non residential uses;
6. The nature of site development on adjacent sites including setbacks from property lines, location and quantity of vehicular parking, the presence of accessory activities such as loading facilities, waste storage facilities, mechanical service equipment, landscaped green spaces, etc.

II. Amendment to eliminate a provision of the Zoning Ordinance that grants additional floor area to lots adjacent to wide public streets and open spaces.

A. Amend the text of the Zoning Ordinance by deleting Section 5.22.3 in its entirety.

III. Amendment to create a new Mid Massachusetts Avenue Overlay District in the Cambridge Zoning Ordinance

A. Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Section 11.500 to read as follows

11.500 *Mid Massachusetts Avenue Overlay District*

11.501 *Establishment and Scope.* There is hereby established the *Mid Massachusetts Avenue Overlay District* which shall be governed by the regulations and procedures specified in this Section 11.500. It is the intent of this section that these regulations will apply to an area between the Central Square Overlay District and the Harvard Square Overlay District along Massachusetts Avenue and designated for residential, office or retail use on the Zoning Map.

11.502 *General Purpose.* It is the purpose of this Section 11.500 to augment existing zoning regulations to respond to the unique problems and pressures for change particular to Massachusetts Avenue abutting the Mid Cambridge and Riverside neighborhoods. The regulations in this Section 11.500 provide for more careful public scrutiny of development proposals that may negatively impact the residential neighborhoods that lie immediately adjacent to the narrow corridor of commercial activity along Massachusetts Avenue. These regulations are intended to channel new development activity in ways that will reduce and mitigate its negative impact on residential properties in adjacent residentially zoned areas; contribute to a more cohesive visual environment; enhance the quality of the pedestrian experience along Massachusetts Avenue; provide incentives for the residential uses; preserve historic structures and other buildings that express the history of this area of the City and its diversity of building scales and ages; and to provide sufficient regulatory flexibility so as to advance the general purposes of this Section 11.500.

11.503 *General Provisions.*

11.503.1 *Applicability.*

The Mid Massachusetts Avenue Overlay District shall be an overlay district on the zoning map established in Section 3.20. The buildings and land uses within said district shall be controlled by the pertinent regulations within the base zoning districts, except as modified by the requirements of this Section 11.500, which shall apply in addition to regulations imposed by the base zoning map designations. Where base zoning regulations differ from requirements of this Section 11.500, the stricter provisions shall apply.

11.503.2 *Area of Special Planning Concern.*

The Mid Massachusetts Avenue Overlay District shall be considered an area of special planning concern

Development proposals listed in Subsection 11.42 of the Zoning Ordinance shall be subject to the review procedures specified in Section 11.40 - Development Consultation Procedure.

11.503.3 *National Register and Contributing Buildings.*

For the purposes of this Section 11.500 the following definitions shall apply:

- a. National Register Building shall be a building individually listed or determined eligible for the National Register of Historic Places as determined by the Secretary of The Department of the Interior.
- b. A contributing building shall be
 - (1) Identified as a contributing building in a listed or eligible National Register District as determined by the Secretary of the Department of the Interior; or
 - (2) Any building fifty (50) years old or older subject to review by the Cambridge Historical Commission under the provisions of City of Cambridge Ordinance #965.

However, a building shall no longer be considered a contributing building as defined in this Subsection 11.503.2 (b) for the purpose of this Section 11.500 if, upon application for a demolition permit, the Cambridge Historical Commission shall determine the building not to be a preferably preserved significant building as defined in the City of Cambridge Demolition Ordinance #965.

11.504 *Detailed Provisions.*

11.504.1 *Building Height Limitations*

The maximum height of buildings in the Massachusetts Avenue at Mid Cambridge Overlay District shall be governed by the requirements of this Section 11.504.1; at locations where the base zoning district establishes a more restrictive height limit, the more restrictive provisions shall apply.

- a. As of Right Height Limitations.

The maximum as of right height of any building shall be fifty-five (55) feet.

- b. Special Permit for Additional Height.

The maximum allowable height in the Massachusetts Avenue at Mid Cambridge Overlay District may be increased up to eighty (80) feet upon

issuance of a Special Permit from the Planning Board provided that those portions in excess of fifty-five (55) feet are set back from the street line at least ten (10) feet and that those portions are also set back from one or more forty-five degree (45°) bulk control planes beginning fifty-five (55) feet above any streetline in the district and rising over one or more lots at a forty-five degree (45°) angle.

c. The bulk control plane restrictions of paragraph b above, or similar provisions that may apply in any base district regulations for portions of buildings abutting Massachusetts Avenue, may be waived by the Planning Board upon issuance of a Special Permit.

11.504.2 *Floor Area Ratio Limitations.*

The maximum floor area ratio applicable to any lot in the Massachusetts Avenue at Mid Cambridge Overlay District shall be governed by the requirements of this Section 11.504.2; however, at locations where the base zoning district establishes a more restrictive FAR limit the more restrictive limit shall apply.

The maximum FAR shall be 2.0 for all non residential uses and for hotels and motels; 2.25 for residential uses excluding hotels and motels.

11.504.3 *Waiver of Setback Requirements.*

Upon issuance of a special permit from the Planning Board the yard requirements of a base zoning district may be waived except where such yard abuts that portion of any lot, but not a public way, outside the Central Square, Harvard Square or Mid Massachusetts Avenue Overlay District.

11.304.4 *Use Limitations and Restrictions.*

In addition to the use regulations applicable in each base zoning district the following use restrictions and limitations shall apply in the Mid Massachusetts Avenue Overlay District:

a. Ground Floor Restrictions.

The ground (first) floor of that portion of a building facing or abutting Massachusetts Avenue and which is on a lot which shares a common lot line with Massachusetts Avenue shall consist of gross floor area devoted to any one or combination of uses permitted in the applicable base zoning district and shall in addition meet the following conditions:

- (1) At least eighty (80) percent of the floor elevation of the ground (first) floor shall be at the mean grade of the lot at the Massachusetts Avenue streetline except that residential uses may be located no higher than four and a half (4 1/2) feet above the mean grade of the lot abutting the Avenue at the property line.

(2) The use shall have a minimum depth of thirty (30) feet.

(3) Where other than residential uses are established, the ground (first) floor facade shall consist of a minimum of forty (40) percent clear glass; for residential uses that minimum area shall be twenty (20) percent.

11.504.5 *Waiver of Parking and Loading Requirements.*

Uses in the Massachusetts Avenue at Mid Cambridge Overlay District which meet the following requirements shall be exempted from the loading requirements as specified in Section 6.36 - Schedule of Parking and Loading Requirements.

a. The use is contained within a structure or portion of a structure in existence on or before June 1, 1940 or if constructed later is identified as a National Register or contributing building; or

b. The use is contained in a new structure or new addition to a structure identified in (a) above, after the issuance of a special permit from the Planning Board provided:

(1) The subject lot is sufficiently small in size as to contribute to a development pattern of diverse, small scale, new structures and the retention of existing structures (for lots exceeding 10,000 square feet a specific finding shall be made that this objective has been met);

(2) The exemption from the loading requirements will result in a building design that is more appropriate to its location, will enhance the pedestrian environment along the public sidewalk, reduce the impact of the development on abutting residential neighborhoods through a reduction in the scale of the building and a reduction in the noise and fumes associated with the operation of a loading facility, or in other ways better serve the objectives of this Section 11.500;

(3) By the nature of the uses or the scale of the building proposed, the lack of accessory loading facilities will not unreasonably burden the abutting residential streets.

11.505 *Standards for Issuance of Special Permits.*

In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the Planning Board shall consider the following in making its determination:

a. The proposed development does one or more of the following:
encourages responsible and orderly development that minimizes its impact

on adjacent residential neighborhoods; strengthens and enhances the pedestrian environment and provides retail and service uses that serve the needs of the adjacent neighborhoods; creates a more coherent and visually consistent architectural expression along the Avenue; reduces the functional and visual impact of the automobile on the public street and as viewed from the residential neighborhood behind Massachusetts Avenue; increases the supply of housing along the Avenue and advances the general objective of increasing the supply of affordable housing units; and

b. The Board must find that no National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and that no National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

B. Amend the FAR and height provisions of the Business B-1 and Business B-2 zoning districts.

1. Amend Table 5-3 - Business Districts, columns (1) and (6) in lines Bus. B-1 and Bus. B-2, to read as follows.

District	(1)	(6)
	(b)	(c)
Bus B-1	2.0	80
		(f)
Bus. B-2	2.0	80

2. In Section 5.33 - Business Districts, Subsection 2 - Footnotes, delete footnote (b) in its entirety and substitute therefor the following.

(b) The maximum floor area ratio for residential uses listed in Subsections 4.31 a, b, d, e, and g shall be 2.25

C. Amend the Zoning Map of the City of Cambridge by creating the Mid Massachusetts Avenue Overlay District as described below.

The boundary of the Mid Massachusetts Overlay District shall be coterminous with boundaries of the Business B district, the Business B-1 district, the Business B-2 district and the Office 3 District abutting Massachusetts Avenue between the eastern boundary of the Harvard Square Overlay District and the western boundary of the Central Square Overlay District as shown on the accompanying map.

Western boundary of the Central Square Overlay District

1.0 The western boundary of the Central Square Overlay District is a line, said line beginning at the intersection of the centerline of Pleasant Street and Green Street,

1.1 Thence proceeding in a northeasterly direction along the centerline of Pleasant Street to its intersection with the centerline of Massachusetts Avenue

1.2 Thence turning and proceeding in a northwesterly direction along the centerline of Massachusetts Avenue to its intersection with the southwestern extension of the centerline of Inman Street,

1.3 Thence turning and proceeding in a northeasterly direction along the southwestern extension of the centerline of Inman Street, and the centerline of Inman Street to its intersection with the northwestern extension of the centerline of Bishop Allen Drive.

Eastern boundary of the Harvard Square Overlay District

2.0 The eastern boundary of the Harvard Square Overlay District is a line, said line being the southeasterly sideline of lot #2 on Assessor's Plat #121 and its northeasterly extension across Massachusetts Avenue to its intersection with a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue.

Affected properties

1.01 Premises shown on Assessor's Plat #121

Affecting all or parts of lots #102, 103, 94, 95, 6, 114, 113

Even numbers 972-1038 Massachusetts Avenue, odd numbers 583-629 Green Street

1.02 Premises shown on Assessor's Plat #120

Affecting all or parts of lots #101, 81, 72, 100, 40, 76, 77, 43, 44, 45, 46, 73, 74, 48, 49, 64, 68, 54

Even numbers 922-964 Massachusetts Avenue, odd numbers 49-65 Hancock Street, odd numbers 543-551 Green Street.

1.03 Premises shown on Assessor's Plat #119

Affecting all or parts of lots #21, 91, 90, 101, 4, 5, 82, 83, 7, 12, 8, 9, 92, 93, 22, 33, 23, 32, 31, 94

Even numbers 760-910 Massachusetts Avenue, odd numbers 397-485 Green Street, odd numbers 5-7 Pleasant Street, even numbers 2-20 Sellers Street, odd numbers 13-17 Sellers Street, even numbers 52-66 Hancock Street.

1.04 Premises shown on Assessor's Plat #118

Affecting all or parts of lots #33, 7, 9, 29, 30, 31, 32, 1, 2, 3

Odd numbers 5-5A Bigelow Street, odd numbers 795-847 Massachusetts Avenue, even numbers 2-4 Clinton Street.

1.05 Premises shown on Assessor's Plat #117

Affecting all or parts of lots #56, 57, 29, 55, 30, 31, 54, 64, 65, 58, 59, 26, 27, 69, 105, 104, 1, 28, 24, 23

Odd numbers 859-907 Massachusetts Avenue, odd numbers 3-5 Clinton Street, even numbers 12-14 Lee Street, odd numbers 5-11 Lee Street, even numbers 74-92 Hancock Street.

1.06 Premises shown on Assessor's Plat #116

Affecting all or parts of lots #54, 92, 103, 98, 96, 99, 74, 59, 60, 101, 100, 94, 95, 68, 10, 11, 12, 13

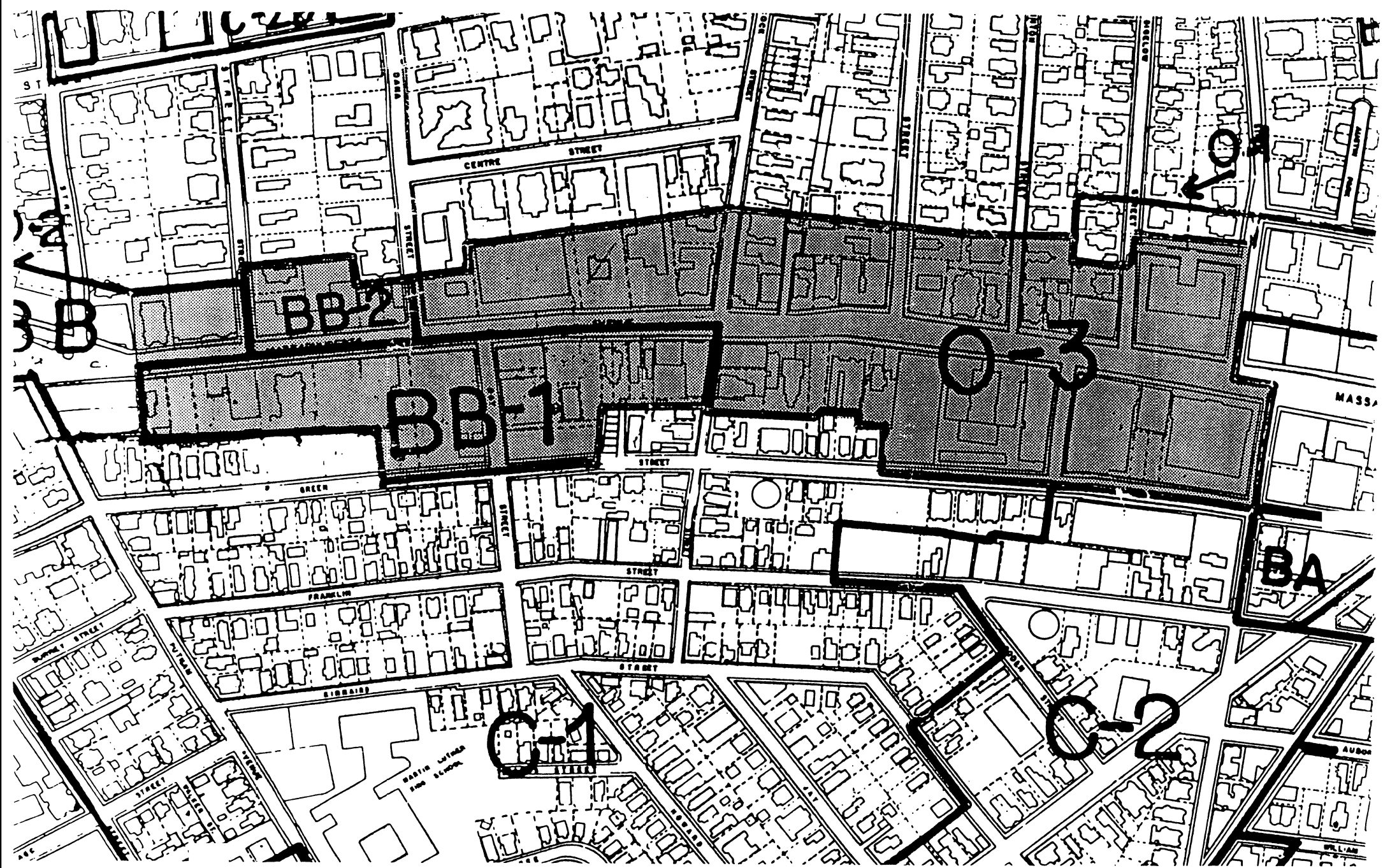
Odd numbers 923-1009 Massachusetts Avenue, odd numbers 75-85 Hancock Street, 2 Dana Street, 6 Ellery Street.

1.07 Premises shown on Assessor's Plat #134

Affecting all or parts of lots #35, 34, 33, 32, 30, 31, 29

Odd numbers 1023-1039 Massachusetts Avenue, 5 Ellery Street.

Proposed Mid Massachusetts Avenue Overlay District - Cambridge Planning Board 7/30/97



used continue to prohibit hotels in Res Card

C-1 districts ~~and~~ ^{and} ~~require~~ ^{used} special permits for

hotels in all other Res C districts, with

certain exceptions, ^{such as} Res C-3A and ^{part of} the

three overlay districts, where hotels used

continue to be allowed as of right.

Mr. Busen stated that the
proposal arose during the consideration of
the ~~Res~~ Harvard Street rezoning, when
a hotel was permitted in a higher
density Residence C district.

The ~~order~~ proposed ordinance
also provides a set of criteria for

deciding on the issuance of special permits, ^{The criteria} ~~used~~ used
include prohibit ~~any~~ hotels in inappropriate
residential districts.

C. Sullivan asked what his proposal would
do to bed and breakfasts. Mr. Barber
stated that ~~bed and breakfast establishments~~ ~~to~~ ~~be~~ ~~so~~ are a
special category under the ordinance and
are not affected by this petition.

C. Sullivan asked what is the difference
between a hotel and a bed and breakfast. Mr.
Barber stated that a bed and breakfast
is owner-occupied, and the rental rooms within are
short-term, ~~rentals~~, usually by tourists.

Ms. Glava stated that ^{she} ~~the~~ wanted to

C-D-D- and the License Commission

to promulgate definitions that could be used
consistently
1 by all agencies.

C. Sullivan asked under what authority
the definitions are being developed. Ms. Glava
stated that ~~it is~~ ^{categories of} the use, ^{categories of} distinctions already
exist in the zoning ordinance and have been
developed under Massachusetts law.

C. Duchay asked whether it would
be wise to spell out these definitions ⁱⁿ ~~under~~
the zoning ordinance. Ms. Glava stated that
this is not gen'ly how the ^{types of} ~~uses~~ ^{uses} are
treated in the ordinance. She added that

1
These categories come from established practice

and Massachusetts law and have been

promulgated ^{by the City} in a regulation which is being

used by Inspectional Services, the License

Commission and the Community Development

Department.

UM Burr stated that this matter of the distinction between bed and breakfast establishments, lodging houses and hotels is a

matter of interest to her. It has come up in the context of the hotel business and the questions related to hotel taxes.

Mr. Barber noted a related section in the ordinance regarding rental of rooms. If the rental is of less than 3 ^{rooms}, it is deemed accessory use as an accessory use. If there are more than 3 ^{rooms}, it is deemed to be a lodging house.

The short-term ^{and} long-term ^{use} aspects distinguish between bed & breakfast from lodging houses.

UM Born asked whether this ordinance

would allow someone to buy one of the large

buildings and ~~study~~ buildings and convert

it to a hotel. ~~Mr. Barber~~ Mr. Barber stated that in Residence

C and C-1, this would be prohibited; in other residences C districts, it would only be allowed with a special permit, except in the densely populated overlay districts, ~~where~~ in

UM B ^{asked} - whether he could make

any existing hotels nonconforming. LB said

that if they did not already exist both the Hyatt + the Sheraton

condominiums would require special permits

which they do not have, so they

would be nonconforming. The Charles

Hotel is ~~permitted~~ built as of right. U.M.

Born stated that these hotels are important to

Cambridge and she would not like to make

their existence and business more difficult.

LTD asked about the ^{Cambridge Hotel for Massachusetts} Irving House

and the Friendly Inn. LB stated that the

last two

are located in ^{Residence} Kes-B districts, which

are not affected by this proposal.

C. Diney stated that this proposal

provides ^{protection} protection in areas that do not now

have protection, although the Council may want to add greater protection at some later time.

MRS ^{moved} m. to refer the ^{petition} petition to

the full City Council

C. Diney then worked ^{testimony} testimony in

favor of the petitioners

Paula Lovejoy, 9 Clinton Street, spoke
in support of the petition. ^{she stated that} Residential neighborhoods
need to be protected from hotels. The
hotel on Clinton Street has already caused
problems with traffic for residents.

James Williamson, 17 Perry Street, spoke
in support of the proposed ordinance. ^{stated that} He ^{he} would
like to make sure that the Clinton Street
hotel is not repeated. He is also concerned
about rumors of a ^{ten-} 10 story hotel proposed for
Massachusetts Avenue.

H.D. asked whether the special
permit criteria would prevent hotels in residential

areas or just make them more difficult L.B.

stated that the intent is to prohibit them
in appropriate residential areas.

HD asked whether it would prohibit
the Hyatt from being built now. L.B. stated
that he believes that it would.

MRS stated that his understanding is that
the main this proposal was supposed to
address was that of a hotel ~~to~~ suddenly
"popping up" in a residential neighborhood.

The Hyatt is surrounded by 200 foot MIT
drms.

HD asked where else hotels are permitted
L.B. said that hotels are also permitted in

must business and commercial areas.

that the petition be referred to the full City Council
FD m, ~~referred~~ w/o recommendation, and
w/ 9 the motion opposed without objection in a
voice vote. The hearing was adjourned at 5:55 pm

F m C

les
Ning

COMMITTEE MINUTES
COVER SHEET

The Ordinance

Committee

held a public meeting/hearing on October 7, 1977, beginning at 5:15 am

pm in the Sullivan Chamber/Ackermann Room for the purpose of considering a proposed amendment to the Zoning Ordinance to change the way hotels and motels are regulated in residence "C" districts

Present at the hearing were Councillor Francis H.

Duehy, Chair of the Committee, Vice Mayor Kathleen L. Born, Councillor

Henrietta Davis, Councillor ~~Francis H. Duehy~~, Councillor Anthony D. Galluccio, Councillor

~~Councillor Kenneth E. Reeves~~, Mayor Sheila T. Russell, Councillor Michael A. Sullivan,

~~Councillor Timothy J. Toomey, Jr.~~, Councillor Katherine Triantafillou, and City Clerk D.

Margaret Drury. Also present were Lester Barber, Director of Land Use and Zoning, Community Development Department and Nancy Glowna First Assistant City Solicitor.

Councillor Duehy convened the hearing and explained the purpose and the procedures. He noted that the amendment is a proposal of the Planning Board.

He then invited ^{Mr.} Lester Barber, Director of Land Use and Zoning, C-1-D, to make a presentation.

Mr. Barber noted that this is to get his

HOTELS AND MOTELS

PETITION OF Planning Board

Petition filed with the City Clerk August 4, 1997

(all hearings to be completed 65 days from In City Council date)

27 days August
30 days September
8 days October
65 days = October 8, 1997

In City Council August 4, 1997

Referred to the Planning Board for report August 4, 1997

Planning Board Hearing October 7, 1997

(CITY COUNCIL must act within 90 days of the ORDINANCE COMMITTEE hearing which would be January 5, 1998.)

24 days October
30 days November
31 days December
5 days January 5

90 days = Jan. 5, 1998

City Council hearing published Chronicle on Sept. 11, 1997
and Sept. 18, 1997

Hearing before the Ordinance Committee October 7, 1997

Reported to the City Council November 3, 1997

Passed to a second reading on November 3, 1997

published in Chronicle on November 6, 1997

Planning Board report received on _____

Ready for ordination on November 17, 1997

Passed to be ordained on November 24, 1997

published in Chronicle on December 4, 1997

COMPLETION DATE January 5, 1998

(c) Hotels or motels shall be permitted by special permit from the Board of Zoning Appeal (BZA) in Residence 2, 2A, 2B, and 3 districts, where paragraph (b) above does not apply. In granting such special permit the BZA shall find that the proposed location and its surrounding neighborhood is predominantly institutional or commercial in use, and specifically not a low density residential area. The Board shall further find that the physical development of the site for hotel use will be similar to, and compatible with, the existing (or potential) site development pattern on surrounding sites for other uses permitted in the applicable zoning district or districts; and that the operation of the hotel or motel, with regard to delivery of goods, the kind and volume of vehicular trips to and from the site, and the numbers of people visiting the site on foot, among other factors, is compatible with the use of adjacent properties for uses permitted in the applicable zoning district or districts. In making these findings the Board shall consider the following, among other considerations:

1. The scale of buildings in the immediate neighborhood;
2. The extent of non residential development in the neighborhood, including the size of buildings, the specific uses, the kind and number of vehicular trips generated by those uses;
3. The density of residential uses on adjacent lots and within the immediate neighborhood;
4. The details of the operation of the proposed hotel or motel use including the kinds and number of vehicle trips to the site, including service trips;
5. The extent of access to arterial streets that customarily accommodate or provide direct service to non residential uses;
6. The nature of site development on adjacent sites including setbacks from property lines, location and quantity of vehicular parking, the presence of accessory activities such as loading facilities, waste storage facilities, mechanical service equipment, landscaped green spaces, etc.

In City Council November 24, 1997.

Passed to be ordained by a yea and nay vote:-

Yeas 9; Nays 0; Absent 0.

ATTEST:-

D. Margaret Drury, City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred **Ninety-Seven**

AN ORDINANCE

In Amendment to the "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:
That the Zoning Ordinance of the City of Cambridge is hereby amended as follows:

In Section 4.30 - Table of Use Regulations, line i 2, Hotel and motel, delete the current notation "Yes 7" in column four and substitute therefor the following

	Res
	C, C-1,
	2, 2A,
	2B, 3
	3A
i. Transient accommodations	
	7
2. Hotel or motel	SP

Amend the text of the Zoning Ordinance by deleting the existing Footnote 7, Section 4.40 - Footnotes to the Table of Use Regulations, in its entirety and substituting therefor the following:

7. Subject to the following provisions:

- (a) Hotels and motels shall be prohibited in Residence C or Residence C-1 districts;
- (b) Hotels and motels shall be permitted as of right in Residence C-3A districts and in Residence C-2, 2A, 2B, and 3 districts where at least fifty (50) percent of the area of the lot upon which the hotel or motel is located, and the point of entry from a street for all vehicular access to the hotel or motel, is located within the Harvard Square Overlay District, the Central Square Overlay District or the Massachusetts Avenue Overlay District.



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3. The density of residential uses on adjacent lots and within the immediate neighborhood;
4. The details of the operation of the proposed hotel or motel use including the kinds and number of vehicle trips to the site, including service trips;
5. The extent of access to arterial streets that customarily accommodate or provide direct service to non residential uses;
6. The nature of site development on adjacent sites including setbacks from property lines, location and quantity of vehicular parking, the presence of accessory activities such as loading facilities, waste storage facilities, mechanical service equipment, landscaped green spaces, etc.

In City Council November 24, 1997.

Passed to be ordained by a yea and nay vote:-

Yeas 9; Nays 0; Absent 0.

ATTEST:-

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5. The extent of access to arterial streets that customarily accommodate or provide direct service to non residential uses;
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In City Council November 24, 1997.

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In the Year One Thousand, Nine Hundred **Ninety-Seven**

AN ORDINANCE

In Amendment to the "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:
That the Zoning Ordinance of the City of Cambridge is hereby amended as follows:

In Section 4.30 - Table of Use Regulations, line i 2 , Hotel and motel, delete the current notation "Yes 7" in column four and substitute therefor the following

	Res
	C, C-1,
	2, 2A,
	2B, 3
	3A
i. Transient accommodations	
	7
2. Hotel or motel	SP

Amend the text of the Zoning Ordinance by deleting the existing Footnote 7, Section 4.40 - Footnotes to the Table of Use Regulations, in its entirety and substituting therefor the following:

7. Subject to the following provisions:

- (a) Hotels and motels shall be prohibited in Residence C or Residence C-1 districts;
- (b) Hotels and motels shall be permitted as of right in Residence C-3A districts and in Residence C-2, 2A, 2B, and 3 districts where at least fifty (50) percent of the area of the lot upon which the hotel or motel is located, and the point of entry from a street for all vehicular access to the hotel or motel, is located within the Harvard Square Overlay District, the Central Square Overlay District or the Massachusetts Avenue Overlay District.

(c) Hotels or motels shall be permitted by special permit from the Board of Zoning Appeal (BZA) in Residence 2, 2A, 2B, and 3 districts, where paragraph (b) above does not apply. In granting such special permit the BZA shall find that the proposed location and its surrounding neighborhood is predominantly institutional or commercial in use, and specifically not a low density residential area. The Board shall further find that the physical development of the site for hotel use will be similar to, and compatible with, the existing (or potential) site development pattern on surrounding sites for other uses permitted in the applicable zoning district or districts; and that the operation of the hotel or motel, with regard to delivery of goods, the kind and volume of vehicular trips to and from the site, and the numbers of people visiting the site on foot, among other factors, is compatible with the use of adjacent properties for uses permitted in the applicable zoning district or districts. In making these findings the Board shall consider the following, among other considerations:

1. The scale of buildings in the immediate neighborhood;
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3. The density of residential uses on adjacent lots and within the immediate neighborhood;
4. The details of the operation of the proposed hotel or motel use including the kinds and number of vehicle trips to the site, including service trips;
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In City Council November 24, 1997.

Passed to be ordained by a yea and nay vote:-

Yeas 9; Nays 0; Absent 0.

ATTEST:-

D. Margaret Drury, City Clerk



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2. Hotel or motel	SP

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In City Council November 24, 1997.

Passed to be ordained by a yea and nay vote:-

Yeas 9; Nays 0; Absent 0.

ATTEST:-

D. Margaret Drury, City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred **Ninety-Seven**

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City of Cambridge

MASSACHUSETTS

In City Council 11/24/97, 199

Cal # 37 Passing to be ordained

	YEA	NAY	ABSENT	PRESENT
V.M. Kathleen L. Born	✓			
Ms. Henrietta Davis	✓			
Mr. Francis H. Duehay	✓			
Mr. Anthony Galluccio	✓			
Mr. Kenneth E. Reeves	✓			
Mr. Michael A. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.	✓			
Ms. Katherine Triantafillou	✓			
Mayor Sheila T. Russell	✓			

9 0 2

City of Cambridge

The Ordinance Committee held a public hearing on October 7, 1997, beginning at 5:15 p.m. in the Sullivan Chamber for the purpose of considering a proposed amendment to the Zoning Ordinance to change the way hotels and motels are regulated in residence "C" districts.

Present at the hearing were Councillor Francis H. Duehay, Chair of the Committee, Vice Mayor Kathleen L. Born, Councillor Henrietta Davis, Councillor Michael A. Sullivan and City Clerk D. Margaret Drury. Also present were Lester Barber, Director of Land Use and Zoning, Community Development Department, and Nancy Glowa, First Assistant City Solicitor.

Councillor Duehay convened the hearing and explained the purpose and the procedures. He noted that the amendment is a proposal of the Planning Board. He then invited Mr. Barber to make a presentation. Mr. Barber noted that this petition would continue to prohibit hotels in Residence C and C-1 districts and would require special permits for hotels in all other Residence C districts, with certain exceptions; such as Residence C-3A and parts of the three overlay districts, where hotels would continue to be allowed as of right.

Mr. Barber stated that this proposal arose during the consideration of the Harvard Street rezoning, when a hotel was permitted in a rather high density Residence C district. He added that the proposed ordinance also provides a set of criteria for deciding on the issuance of special permits. The criteria would prohibit hotels in inappropriate residential districts.

Councillor Sullivan asked what this proposal would do to bed and breakfasts. Mr. Barber stated that bed and breakfast establishments are a special category under the ordinance and are not affected by this petition.

Councillor Sullivan asked what is the difference between a hotel and a bed and breakfast. Mr. Barber stated that a bed and breakfast is owner-occupied, and the rental rooms within are short-term rentals, which are usually rented by tourists.

Ms. Glowa stated that she worked with Community Development Department and the License Commission to promulgate definitions that could be used consistently by all city agencies.

Councillor Sullivan asked under what authority the definitions are being developed. Ms. Glowa stated that the use categories and distinctions already exist in the zoning ordinance and have been developed under Massachusetts law.

Councillor Duehay asked whether it would be wise to spell out these definitions in the zoning ordinance. Ms. Glowa stated that this is not generally how the types of uses are treated in the ordinance. She added that these categories come from established practice and Massachusetts law and have been promulgated by the City in a regulation which is being used by Inspectional Services, the License Commission and the Community Development Department.

Vice Mayor Born stated that this matter of the distinction between bed and breakfast establishments, lodging houses and hotels is a matter of interest to her. It has come up in the context of the hotel business and questions related to hotel taxes.

Mr. Barber noted a related section in the ordinance regarding rental of rooms. If the rental is of less than three rooms, it is allowed as an accessory use. If there are more than three rental rooms, it is defined as a lodging house. The short-term/long-term and tourist use aspect; distinguish bed and breakfasts from lodging houses.

Vice Mayor Born asked whether this ordinance would allow someone to buy one of the large brick apartment buildings and convert it to a hotel. Mr. Barber stated that in Residence C and C-1, this would be prohibited; in other Residence C districts, it would only be allowed with a special permit, except in the densely populated overlay districts.

Vice Mayor Born asked whether this would make any existing hotels nonconforming. Mr. Barber said that if they did not already exist, both the Hyatt and the Sheraton Commander would require special permits which they do not have, so they would be nonconforming. The Charles Hotel is built as-of-right. Vice Mayor Born stated that these hotels are important to Cambridge and she would not like to make their existence and business more difficult.

Councillor Davis asked about the Cambridge House for Massachusetts Avenue, Irving House and the Friendly Inn. Mr. Barber stated that the last two are located in Residence B districts, which are not affected by this proposal.

Councillor Duehay stated that this proposal provides protection in areas that do not now have protection, although the Council may want to add greater protection at some later time.

Councillor Sullivan moved to refer the petition to the full City Council.

Councillor Duehay then invited testimony in favor of the petition.

Paula Lovejoy, 9 Clinton Street, spoke in support of the petition. She stated that residential neighborhoods need to be protected from hotels. The hotel on Clinton Street has already caused problems with traffic for residents.

James Williamson, 17 Perry Street, spoke in support of the proposed ordinance. He stated that he would like to make sure that the Clinton Street hotel is not repeated. He is also concerned about rumors of a ten-story hotel proposed for Massachusetts Avenue.

Councillor Davis asked whether the special permit criteria would prevent hotels in residential areas or just make it more difficult to site them in residential areas. Mr. Barber stated that the intent is to prohibit hotels in inappropriate residential areas.

Councillor Davis asked whether the proposed amendment would prohibit the Hyatt from being built now. Mr. Barber stated that he believes that it would.

Councillor Sullivan stated that his understanding is that the harm this proposal was supposed to address was that of a hotel suddenly "popping up" in a residential neighborhood. The Hyatt is surrounded by 200 MIT dorms that are 200 feet high.

Councillor Davis asked where else hotels are permitted. Mr. Barber said that hotels are also permitted in most business and commercial areas.

Councillor Duehay moved that the petition be referred to the full City council without recommendation, and the motion passed without objection on a voice vote.

The hearing was adjourned at 5:55 p.m.

For the Committee,

Francis H. Duehay MD

Councillor Francis H. Duehay,
Chair

Committee Report #3

0 Cal 37
-24

A report from Councillor Francis H. Duehay, Chair of the Ordinance Committee, for a meeting held on October 7, 1997 for the purpose of considering a proposed amendment to the Zoning Ordinance to change the way hotels and motels are regulated in residence "C" districts.

In City Council November 3, 1997

Report Accepted
and passed to Second
Reading on motion of
Councillor Duehay.

November 24, 1997

Passed to be Ordained
9-0-0

Ordinance #1195
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