

14 April 2008

Members of the Cambridge City Council
City Hall, 2nd Floor
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Proposed Modifications to the Cambridge Zoning Ordinance

Honorable Members of the City Council:

We the undersigned residents and property owners in Porter Square, respectfully submit for your consideration, the attached proposed modifications to the City of Cambridge Zoning Ordinance. The intent and purpose of these modifications are as follows:

1. Adjust the boundaries of the Mass Avenue Overlay District, so that the District includes all contiguous portions of lots that are currently within the overlay district, but have contiguous areas that lie outside of the Overlay District.
2. For lots within the Mass Avenue Overlay District, that are in a BC zoning district and also have an integral, contiguous portion of the lot in an adjacent residential district, we are proposing to provide the planning board with the authority to issue special permits that would:
 - a) Allow an alternate method for achieving the objectives of the Transitional Zone Requirements of Section 5.4, by accepting landscaped open space, on the residential portion of the lot, to serve as the buffer between commercial development and the adjacent residential lots.
 - b) Allow the required commercial parking of the BC District to extend into the Residential District, provided that the parking will be underground and the at-grade portion of the lot within the Residential District will be substantially dedicated as landscaped Open Space.
 - c) Allow an increase in allowable FAR for a Hotel use to 1.60, and allow this FAR calculation to use the entire area of the lot, provided that all of the resulting floor area will be confined to the BC portion of the lot, that all required parking will be located in an underground parking garage, and that the surface area within the Res B portion of the lot will be substantially dedicated as landscaped Open Space.

We thank you for your consideration on these matters.

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1. Proposed Modifications to the Boundary of the Massachusetts Avenue Overlay District

The boundary lines of the Massachusetts Avenue Overlay District shall be modified to fully incorporate all contiguous portions of lots within the Business C Zoning District that are in the Overlay District, but have contiguous areas that lie outside of the Overlay District. This shall apply only to lots held in single ownership as of June 1, 2008.

2. Proposed Modifications to the Massachusetts Avenue Overlay District (Section 20.100)

Modify 20.103.1 as follows:

20.103.1 The buildings and land uses within said district shall be controlled by the pertinent regulations within the base zoning district, except as modified by the requirements of this Section 20.100 which shall apply in addition to regulations imposed by the base zoning map designations. Where the base zoning regulations differ from the requirements of this Section 20.100 the stricter provisions shall apply, except where a waiver from those requirements is granted by special permit from the Planning Board under any of the provisions of this Section 20.100.

Add section 20.104.3 and 20.106.1 as follows:

20.104.3 - Additional Dimensional Standards for Lots Located in a both Business A or Business C zoning District and an abutting Residence C-1 or Residence B Zoning District

1. *The provisions of this Section 20.104.3 shall apply to lots held in single ownership as of June 1, 2008 that are located entirely within the Overlay District and shall be granted after the issuance of a special permit from the Planning Board*
2. *Modification of the Transitional Requirements of Section 5.40*
 - a) *The Planning Board may waive the Front and Side Yard and Height requirements of Section 5.40 provided the Board finds that the intended buffering is reasonably provided through other means. The Board shall specifically find the following:*
 1. *The lot contains a contiguous area that is within the adjoining residential district.*
 2. *The portion of the lot in the residential district is substantially dedicated to Open Space as defined in Article 2.000*
 3. *The portion of the lot dedicated to open space provides a transition buffer between any structure constructed in the commercially zoned portion of the lot and adjacent residential uses in the residential district.*
3. *Modification of the FAR limitations for a Hotel or Motel Use, Sections 5.30 and 5.33, for a lot located in both a Business C and a Residence B Zoning Districts.*
 - a) *The Planning Board may allow a FAR of 1.60, calculated on the area of the entire lot, in both the BC and Residence B districts, subject to the following conditions and limitations:*
 1. *All of the resulting floor area will be located on the Business C portion of the lot.*
 2. *All parking required by this ordinance will be located in an underground parking facility.*
 3. *The at-grade portion of the lot within the Residence B District is substantially dedicated to Open Space as defined in Article 2.000.*

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20.106. 1 Accessory Parking and Vehicular Access for Hotel Use

Notwithstanding the provisions of Table 4.30 and Section 6.22, for a lot located in both a Business C and a Residence B zoning district, the Planning Board may grant a Special Permit to allow accessory parking within the Residence B District , including vehicular access to the parking facility and loading facility, with the following limitations and conditions:

1. *The portion of the lot in the Res B district is contiguous to the portion of the lot in the B-C District.*
2. *The parking is located in a below-grade parking structure*
3. *The at-grade portion of the lot within the Res B district is substantially dedicated to Open Space, as defined in this ordinance.*