

Lesley Porter Overlay District

20.200 Lesley Porter Overlay District

20.201 Establishment and Scope

There is hereby established the Lesley Porter Overlay District which shall be governed by the regulations and procedures specified in this Section. The District encompasses property constituting Lesley University's Porter Square campus and has a Business-C District base zoning designation.

20.202 Purpose

It is the purpose of this Section to augment existing zoning regulations to respond to issues associated with institutional uses and unique planning opportunities immediately adjacent to Porter Square's MBTA station. These regulations are intended to allow for the establishment of an emerging art district associated with the University, to enhance the vitality of Massachusetts Avenue by encouraging ground floor uses that will serve the needs of abutting neighborhood residents and enhance the established streetscape, to create a more harmonious and consistent character for the development along Massachusetts Avenue and where such development faces or abuts low density residential districts, and to encourage the retention and appropriate reuse of buildings of historic value.

20.203 Applicability

The Lesley Porter Overlay District shall be an Overlay District on the Zoning Map of the City of Cambridge established in Section 3.20.

20.203.1 The buildings and land uses within this district shall be controlled by the pertinent regulations of the applicable base Business C zoning district and the Massachusetts Avenue Overlay District, Section 20.100 except as modified by the requirements of this Section 20.200. Where regulations differ among the several applicable zoning districts, the provisions of this Section 20.200 shall apply.

20.203.2 Floor Area Ratio Limitations

1. Institutional Uses

Notwithstanding the FAR limits set forth in Article 5.000 or elsewhere in this Ordinance, the maximum FAR permitted in the Lesley Porter Overlay District shall be 2.5 for those lots located easterly of Massachusetts Avenue and 2.0 for those lots located westerly of Massachusetts Avenue for all]

educational institutional uses set forth in Article 4.33.b, after the granting of a Special Permit from the Planning Board, subject to the following conditions and limitations:

- a. Notwithstanding the definition of Lot in Article 2.000, a development project in this Lesley Porter Overlay District may consist of non-contiguous lots and lots separated by streets, which lots are held in common ownership. In calculating the gross floor area (GFA) permitted for a development consisting of institutional uses, the area of noncontiguous lots held in common ownership within the Overlay District may be combined. For those lots located easterly of Massachusetts Avenue, the resulting permitted Gross Floor Area may be located on or transferred to any one of the constituent lots located easterly of Massachusetts Avenue without limit as to the FAR on any individual lot.

~~However, for those lots located westerly of Massachusetts Avenue, the authorized Gross Floor Area constructed on the lots shall not exceed an FAR of 2.0 for all uses.~~

- b. Any Special Permit issued by the Planning Board that includes development rights involving any of the lots located westerly of Massachusetts Avenue shall result in a prohibition on dormitory uses on said lots.

2. Retail Uses

~~The area of A building abutting Massachusetts Avenue that is occupied by retail uses set forth in Section 4.35 that are located on the ground (first) floor and basement of that building, which is otherwise at least 50% occupied by institutional uses, shall be exempt from the requirements of FAR and shall not be counted as Gross Floor Area. In no event, however, shall this retail FAR exemption exceed more than 25,000 square feet of gross floor area in any single building.~~

20.203.3 Height

- 1. Height shall be that permitted in the base Business C Zoning District and shall be measured from ~~actual~~ grade.

However, the height of any historic structure (including any building determined to be a Preferably Preserved Significant Building by the Cambridge Historical Commission under the provisions of Ordinance No. 965, designated as a landmark pursuant to Chapter 2.78 of the Cambridge Municipal Code or the subject of a Preservation Easement granted to the Cambridge Historical Commission) shall be exempted from the provisions

of Article 5.33.2 and 5.43.

- 2. For lots located westerly of Massachusetts Avenue, the maximum height shall be limited to 45 feet and shall be measured from ~~actual~~ grade.

20.203.4 Setbacks

Setbacks shall be the same as required in the base zoning district (Business C) provided, however, that historic structures shall not be subject to the yard requirements of Article 5.41 and 5.42, including if all or a portion of such structures is relocated on the same lot in the Overlay District.

20.203.5 Parking and Loading

Parking and loading requirements for any institutional use contained in the Overlay District may be waived by the granting of a Special Permit from the Planning Board.

Any new gross floor area authorized by Special Permit in the Lesley Porter Overlay District that results in the elimination of existing parking spaces on the lots located westerly of Massachusetts Avenue or in the surface parking lot along Roseland Street shall not be permitted unless replacement parking is provided.

Above ground parking structures shall not be permitted in the Overlay District, with the possible exception of the area bordered by Roseland Street, the MBTA railroad right of way, and a line parallel to and 250 feet easterly of the easterly street line of Massachusetts Avenue, but only after a determination by the Planning Board that the parking structure will be architecturally and visually well integrated within the overall development. In order to make such a determination the Planning Board must find the following:

- 1. The parking structure shall contain a principal use other than parking.
- 2. Portions of the structure containing parking that can be viewed from a public way shall be architecturally treated so as to not appear to be a parking facility.
- 3. The portion of the structure where parking is located does not have an adverse effect on the architectural character of the proposed building.
- 4. Portions of the parking structure are located below grade where feasible.

20.203.6 Open Space Requirements

The following Open Space requirements shall apply to those lots or portions of

lots located easterly of Massachusetts Avenue:

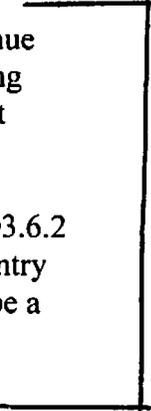
1. For lots in the Business C District located south of Roseland Street there shall be a minimum ratio of Usable Open Space to Lot Area of ten (10) percent. For purposes of calculating Usable Open Space under this provision the following requirements shall apply:
 - a. Usable Open Space shall be located along the Massachusetts Avenue frontage and have a depth of at least twenty (20) feet and shall have a minimum area of 3,000 contiguous square feet;
 - b. Area that is covered by a portion of a building but is open on three (3) sides with a height of at least twelve (12) feet may be included;
 - c. Area that is ten (10) feet or more in any direction may be included.
2. For that portion of the lot bordered by Roseland Street, the MBTA railroad right of way, and a line parallel to and 250 feet easterly of the easterly street line of Massachusetts Avenue there shall be a minimum ratio of Usable Open Space of twenty (20) percent and contain a minimum of 5,000 contiguous square feet of Usable Open Space.

20.203.7 Special Permit Criteria

In granting a Special Permit under this Section 20.200, in addition to the other criteria specified in Section 10.40, the Planning Board shall take into consideration the following and make appropriate findings related thereto:

1. Contribute to the vitality of Porter Square by concentrating academic activities that will provide publicly accessible uses including arts libraries, galleries and a wide range of activities and classes and that will have positive spillover effects on the retail environment of the Square.
2. Contribute to Porter Square's vitality, identity and sense of place by removing existing on-grade parking lots and constructing new structures that spatially define and enrich Massachusetts Avenue and incorporate active ground floor uses and buffering them from the activity and noise along Massachusetts Avenue.
3. Minimize adverse impacts on abutting low-density housing by appropriately designing and programming new structures' location on the lot, massing, scale, use and operations.
4. Preserve, reuse and highlight historic structures as integral, publicly accessible parts of the overlay district.

- 5. Provide retail activity that serves local residents' and Lesley community needs, strengthens the corridor's existing retail base and provides a more dynamic, mixed-use image.
- 6. Minimize vehicular traffic and demand for on street parking in the residential neighborhood by concentrating activity near the T station, maximizing a mix of uses that reinforce each other, and enhance the pedestrian environment.
- 7. The Usable Open Space along the easterly side of Massachusetts Avenue south of Roseland Street described in Section 203.6.1 should be inviting and provide places for rest and gathering with an appropriate public art focus.
- 8. The Usable Open Space along Roseland Street described in Section 203.6.2 should reflect an "urban campus" character, which would include an entry forecourt along the axis of neighboring Frost Street. There shall also be a well-defined walkway through this area that provides pedestrian connections from Roseland Street to Massachusetts Avenue.



AIB & North Prospect Church **“Option B” (Behind the Sears Bldg.) Plan** **Presented by the Neighborhood & Abutters**

Cambridge City Council – Ordinance Committee
 Tuesday April 14, 2009

Brian Kopperl, 17 Arlington Street:

Five Reasons Why the City Council Should Enact the Cambridge Historical Commission’s Recommendation that North Prospect Church Remain “Where it is, As it is”

1. The Church is the Iconic Structure and Defining Landmark of the Neighborhood. The North Prospect Church is *the* defining and most beautiful landmark of the Porter Square neighborhood. The Greek orthodox revival architecture is unique and its spire is visible to all who travel by foot, car or bus from Harvard Square and all who approach from Avon Hill. While its condition has deteriorated over the years due to decisions by the former Church and now Lesley University to defer maintenance, the Church’s current condition does not somehow form the basis for destroying the integrity of the Church, chopping off its back side and moving it in such a way that only 5,000 square feet of open space remains. Rather the Church should be restored to its former glory; its 1960s fill-in spire should be replaced; and its open spaces should be reinvigorated for the public’s benefit, not crammed for institutional purposes.

2. The Church is the Anchor of Arlington Street and the Avon Hill Neighborhood. As all who live on and walk the streets of Avon Hill know, the Church is literally the anchor of the neighborhood. It is the defining landmark structure in view all along Arlington Street and it quietly reminds all pedestrians walking down from Avon Hill, and all who live in view of the Church, that they are not only residing in a modern city, but also living in a neighborhood that has had the same uninterrupted spatial relationship with the Church for generations.

As more and more of the citizens of Avon Hill learn of the Historic Commission’s decision to designate the Church as a historic landmark, the support grows to retain the Church “where it is, as it is.”

3. 142 Years at its Present Location. North Prospect Church was moved in 1866, by oxen over a period of 21 days, to North Avenue (as Mass Ave was then called) from an open green space off Kirkland Street. The

Lesley II
Summary of Modifications to Original Petition

20.201 Does not include in the proposed Lesley Porter Overlay District the property owned by Lesley at 815 Somerville Avenue. As a result, no portion of the railroad right of way owned by the MBTA lies within the proposed Overlay District.

20.203.2 Floor Area Ratio Limitations

1. **Institutional Uses**

FAR of 2.5 limited to lots located easterly of Massachusetts Avenue (AIB and University Hall).

- a. Lots located westerly of Massachusetts Avenue limited to a 2.0 FAR and any excess GFA cannot be transferred to the lots easterly of Massachusetts Avenue.
- b. Dormitory use not permitted on lots located westerly of Massachusetts Avenue after granting of a Special Permit in the Overlay District.

2. **Retail Uses**

No gross floor area exemption for retail on basement level. There is a 25,000 sf maximum, per building, on the retail exemption.

20.203.3 Height

- 2. Building height to be set at median grade, not actual grade.

20.203.5 Parking and Loading

Strong restrictions on above ground parking structures.

20.203.6 Open Space

Usable Open Space requirements created in the Overlay District:

- AIB – 10%
- University Hall – 20% of existing surface parking lot in rear

Minimum area of contiguous open space:

- AIB – 3,000 sf
- University Hall (rear) – 5,000 sf

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2009 APR 14 A 11: 29
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CAMBRIDGE, MASSACHUSETTS

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ATTORNEYS AT LAW

Celebrating 30 Years

Howard P. Speicher

April 13, 2009

VIA E-MAIL and First Class Mail
Margaret Drury, City Clerk
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Lesley Porter Overlay District and re-zoning petition

Dear Ms. Drury:

I have been retained by the trustees of the Oxford Courts Condominium at 3, 5 and 7 Arlington Street to represent the Condominium's interests with respect to the petition by Lesley University to re-zone its campus in Porter Square by extension of a Business-C zoning district and by adoption of a "Lesley Porter Overlay District".

In advance of the City Council zoning ordinance subcommittee hearing scheduled for tomorrow afternoon, April 14th, with respect to the Lesley University petition, we have prepared the following comments on the petition for the benefit of the Council members who will be participating in the subcommittee hearing. Please make these comments available to the members in advance of the hearing. I have already presented these comments to James Rafferty, the attorney for Lesley University on this matter, and the concerns in this letter were presented last week to the Planning Board as well.

The Condominium is generally supportive of the petition, provided that appropriate provisions protecting abutting properties are incorporated into the

- C. Michael Malm
- William F. Griffin, Jr.
- John G. Serino
- Gary S. Matsko
- Judith Ashton
- John T. Lynch
- Carol R. Cohen
- Howard P. Speicher
- Paul L. Feldman
- Gary M. Feldman
- George A. Hewett
- Laurence M. Johnson
- Kenneth J. Mickiewicz
- Thomas S. Fitzpatrick
- J. Gavin Cockfield
- David Rapaport
- Whitton E. Norris, III
- Andrew D. Myers
- Robert J. Galvin
- John D. Chambliss
- George L. Chimento
- Thomas Frisardi
- Marjorie Suisman
- Samuel B. Moskowitz
- Charles H. DeBevoise
- Sam A. Mawn-Mahlau
- Amy L. Fracassini
- David M. Cogliano
- Robert J. Dietrich
- Avi M. Lev
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Margaret Drury, City Clerk
April 13, 2009
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petition. The Condominium appreciates the continuing discussion between Lesley and members of the community, including the Condominium, aimed at making the petition work as well as possible for Lesley and for the Porter Square community.

With an eye toward continuing the dialogue, we offer for discussion the following proposals, which we believe will improve the Lesley Porter Overlay District petition:

1. **Purpose.** Remove "low density" in third to last line, so that the sentence reads: "... where such development faces or abuts residential districts, ..."
2. **F.A.R.** In Section 20.203.2, *Floor Area Ratio Limitations*, subsection 1.a., insert the word "educational" before "institutional" in the fifth line, so the sentence reads: "In calculating the gross floor area (GFA) permitted for a development consisting of educational institutional uses, ..."

This is necessary to make the language consistent with the use of the same phrase in the previous paragraph and to make clear that the flexible FAR provision is only for the benefit of educational institutional uses.

Dormitory prohibition. Section 20.203.2.1.b should impose a prohibition on dormitory uses west of Massachusetts Avenue if a special permit is issued for lots anywhere in the Overlay District. The provision should read as follows: "Any Special Permit issued by the Planning Board that includes development rights involving any of the lots located in the Lesley Porter Overlay District shall result in a prohibition on dormitory uses on the lots located westerly of Massachusetts Avenue."

Retail uses. In Section 20.203.2.2, insert the word "educational" before "institutional" on the fourth line, so that the sentence reads: "... which is otherwise at least 50% occupied by educational uses, ..."

3. **Height.** In Section 20.203.3.2, pertaining to lots westerly of Massachusetts Avenue, we suggest that the appropriate maximum height need be no more than thirty-five feet, instead of forty-five feet, as presently proposed. The proposed limitation of three stories is consistent with a height of thirty-five, not forty-five, feet.

Additionally, in the same subsection, we propose to add the following sentence pertaining to rooftop equipment and structures: "HVAC equipment, elevator headhouses, chimneys, and other equipment or structures not intended for human occupancy and which are necessary for the operation of the building may be located on the roof, provided that such equipment and structures do not occupy more than fifteen percent of the area of the roof, are no more than ___ feet in height above the roof, are set back at least thirty feet from the edge of the roof, and are appropriately screened to lessen both noise and visual impact." This language, or other acceptable language to the same effect, is necessary to avoid any disputes regarding allowed

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height, and is in lieu of the general language in the ordinance exempting rooftop structures. We believe something of this nature is necessary in these circumstances, especially in light of the close proximity of residential uses.

We are also concerned about the deletion of "actual" from the phrase "actual grade", and about the elimination of language previously included that would have required height for property westerly of Massachusetts Avenue to be measured "from the grade of the Massachusetts Avenue sidewalk, at the midpoint of each property line that runs along Massachusetts Avenue." This language provided an objective point from which to measure height; the present language will inevitably lead to disagreements as to the appropriate locations from which to measure grade. We believe that the above language should be re-inserted. Given the natural slope of the property westerly of Massachusetts Avenue, this is an especially important issue. We do not wish to see heights artificially enhanced by the slope of the property.

4. **Setbacks.** Add the following to Section 20.203.4: "For lots located westerly of Massachusetts Avenue, side yard setbacks shall be no less than twenty feet for those side yards abutting a lot, all or the major portion of which is in a Residence district." Please note that the underlying zoning (Section 5.42) already requires a setback of 10 feet from residential districts. This is insufficient to protect the abutting dense residential use.
5. **Parking and loading.** In Section 20.203.5, insert the word "educational" before "institutional" in the first line, so that the sentence reads: "Parking and loading requirements for any educational institutional use . . ."
6. **Special Permit Criteria.** In addition to the criteria in Section 10.40, and the eight additional criteria listed in Section 20.203.7, we propose the following additional criteria be included as requirements for the approval of a special permit in the Lesley Porter Overlay District:
 9. A Traffic Mitigation Plan, as provided in Section 18.10, which may in addition require changes in traffic signalization and other roadway and/or traffic pattern modifications if determined necessary by any traffic study mandated by the Planning Board during the approval process; and a Construction Mitigation Plan, as provided in Section 18.20, shall be required as a condition of approval. In addition to the items listed in Section 18.20, such construction mitigation plan shall include: (a) a program for rodent control during construction; (b) a program to protect the structural integrity of Oxford Courts at 3, 5 and 7 Arlington Street, including pre-construction surveys to document existing conditions prior to construction, and installation of monitoring devices for the period during construction; (c) programs to monitor noise, dust, dirt, odor, and vibrations; (d) a program for traffic mitigation measures during construction, including provisions for worker parking, and temporary signal changes if necessary; and (e) schedules mandating hours and days during which construction may not occur.

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Margaret Drury, City Clerk
April 13, 2009
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ATTORNEYS AT LAW

10. No special permit shall be approved absent demonstration by the applicant to the reasonable satisfaction of the special permit granting authority that existing sewer, water, drainage and other utility infrastructure is sufficient, or with proposed upgrades to be completed prior to construction will be sufficient, to service the proposed new building and properties adjacent to the Overlay District.

Construction mitigation issues could also be addressed, in addition, or possibly in lieu of the above, in a private agreement with Oxford Courts.

In addition to the above proposals for specific amendments to the Lesley Porter Overlay District petition, we also propose to incorporate into a memorandum of understanding Lesley University's commitment not to build on the lots westerly of Massachusetts Avenue for a period of ten years or until full buildout is achieved on Lesley's property easterly of Massachusetts Avenue.

The trustees of Oxford Courts Condominium look forward to continuing to work cooperatively with the Planning Board and other City agencies and departments and with Lesley University on its petition so that the best possible result is achieved for both Lesley and the surrounding community.

Very truly yours,



Howard P. Speicher

HPS/rb

- cc: James J. Rafferty, Esq.
- Beth Rubenstein, Assistant City Manager
- Susan Brand, Esq.
- Peter Cardellichio

D

14 April 2009
Cambridge City Council Meeting.

Lesley University Overlay Proposal

Harriet H. Ahouse,
4 Newport Road
Unit 2

2009 APR 13 P 2:37

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

I am an active member of the Lesley/ city/ community workshop. I may not be an abutter but, my back view will be clearly be effected by new construction, as I am one lot removed.

I am a strong supporter of the overlay zoning proposal and believe the Art Institute of Boston belongs on the Avenue. I am aware there are issues of traffic, parking and open space that still need to be resolved. I am confident they will be resolved and the final designs by Bruner and Cott will meet most people's needs. I look forward to a new beautiful building on the Avenue.

Why do I support the Overlay Zoning changes ...?

First when I moved to Cambridge from the suburbs I move to an urban area and I was aware my neighborhood would change.. Economically healthy cities do not have vacant lots on major avenues. And I knew the house in my back yard would someday change. So I bought into change...

The change of bringing an Art Institute into my neighborhood is a good change.

But what if Lesley does not get the zoning change? What do we have now? What are a few possible scenarios... ??

Two open parking lots on the westerly side of the Avenue, zoned for 55 feet. Lesley can build two five story buildings and use for dormitories, class rooms or office space. This will add to the cannon look of the Avenue. No one in the working group wants this.. The zoning proposal has reduced these buildings to 45 feet at the sidewalk, no dormitories and retail on the fist floor. This is clearly a win for the abutters and neighborhood in general.

Church and a vacant lot, both zoned for two family housing. The vacant lot will not remain vacant. Adding more housing to the Avenue does not make for good planning decisions when more retail or institutional needs could bring the city more jobs and more revenue. The land is just worth too much to put a two family house! The land would probably be worth more than the housing. Either way there will be development of the land in the near future.

The church is now in need of external repair and looks shabby. Its architectural does not belong on the one floor pedestal. And it has lost its beautiful steeple, which Lesley can be restored. . What will happen to the church? Lesley has already determined it does not need such a large gathering place and it has no congregation to maintain it?.

The rear open parking lot is too much speculation to even consider in this short time. Meanwhile, I am looking forward to some landscaping and open space to hide the parking lot..

The parking lots, the vacant lot and the church.. It could get a lot worse than a modern beautiful Art Institute.

Lastly one of the joys of this part of Cambridge is the variety of architecture. Can you imagine living in Porter Square and saying, "I live by the new AIB " instead of the Old Sears building? Can you imagine walking down the avenue and seeing a small mid 19th century white church as it was designed next to a 21st century modern classic building framed by two 1920's yellow brick art deco buildings.. The only thing more will be when the house in between is purchased and returned to its original elegance.

I will be proud to have the Art Institute of Boston on the Avenue for all to admire and enjoy the benefits it offers the community. I support good change for my neighborhood.

Thank you !



Harriet Ahouse



April 13, 2009

Cambridge City Council Ordinance Committee
City Hall
Cambridge, MA 02139

RE: Petition to Amend the Zoning Ordinance and Create a Lesley Porter Overlay District

Dear Members of the Ordinance Committee:

We are writing to express our strong support for the petition filed by Lesley University to amend the zoning ordinance and to create a Lesley Porter Overlay District. Lesley University has grown over its many years in Cambridge into an important partner in our civic life, a resource for our schools and most recently as a partner in the economic strength of the City in the Massachusetts Avenue/Porter Square area. The proposed amendments will allow for future development to build on those strengths and ensures that residents, visitors and businesses in this area continue to prosper.

Lesley's stewardship of University Hall in the former Sears building has been a stable force in Porter Square, and their plans to add a significant cultural institution to the neighborhood holds promise for the future economic vitality of the community. This area is particularly attractive because of its accessibility by multiple transportation modes and is well served by MBTA subway, commuter rail and bus service and by the Minuteman Bike Trail. Lesley University has taken advantage of these amenities and has demonstrated its commitment by encouraging alternative means of transportation for its students, staff and visitors.

A new piece of Lesley University is the relocation of The Art Institute of Boston (AIB), a nearly century-old institution dedicated to the education of future artists, to Cambridge. The AIB holds the sharing of the arts with the public as a central component of its mission. Lesley's plans for AIB in Porter Square include the addition of street level art galleries, a library, and, most importantly, a year round program of events and exhibits that engage the public.

The relocation of the AIB and other plans Lesley has developed in discussion with the larger community will provide additional life and vitality to this area. Lesley students and faculty, along with visitors discovering Porter Square while attending an exciting program of cultural events, will increase the economic vitality of the area's shops and restaurants. Arts related development has a history of enhancing the quality of life in their surroundings by providing culture, attracting new business, and contributing to an active streetscape enhancing public safety.

Letter to the Cambridge City Council Ordinance Committee
Lesley Porter Overlay District

April 13, 2009, Page 2

Lesley's approach of working with neighborhood groups toward a long-range planning vision for all their properties within their Porter Campus provides this community with a desired predictability about future development. The added density within walking distance of public transportation is both an appropriate smart growth approach, and in keeping with the City of Cambridge's goals toward sustainable design and planning.

We urge you to vote in favor of this amendment to the zoning ordinance and we look forward to welcoming The Art Institute of Boston to Cambridge.

Sincerely,


Kelly Thompson Clark
President & CEO


Terrence F. Smith
Director of Government Affairs

F

My name is John Farrington and I live at 135 Oxford Street, Cambridge. I am co-owner of two properties that abut the eastern side of the church and churchyard lots owned by Lesley University.

I am protesting this Petition on the basis that it represents an illegal zoning action on the properties listed on assessors map Block 153, Lots 1 and 18. These are the church properties currently zoned Residential B. Let me be clear that I am in favor of bringing the Art Institute to the Lesley Porter campus. However, as an abutter, I am against the use of the church site as the location for the AIB, as are all of the abutters to the church property.

Lesley's petition for a proposed zoning change enables the church sites to be used by employing methods of spot zoning of the church properties to create extra new developable square footage and to use much of that footage to build the AIB on that site. This is spot zoning because the proposed zoning changes on the church property are not merely an extension of the existing Business C next door. Rather the Overlay District allows an arbitrary and self-serving change in Lesley's existing Business C properties within the proposed Overlay District. Those changes violate the City's own published standards for Business C. It is this newly defined Business C that is then extended to the Residence B lots next door to our own properties.

The petition radically changes the City's definition of Business C and then proposes that the new definition be extended to the adjacent church lots. They first propose to uplift the FAR to 2.5, which is beyond that allowable under Business C as defined in the City Ordinances, where Business C FAR is limited to 1.0-2.0. This creates a kind of Business C on steroids on their existing Business C properties to the east of Mass Ave. Second, it allows transfer of the additional square footage thus created, to any site on their eastern campus. Third, they propose NO limitation of FAR on lots that they choose to develop. Each of these is a significant change to the zoning currently in place at the Porter Exchange property. This is why this is not an extension of Business C; it is an extension of something quite different from the zoning that currently exists for the Porter Exchange.

It is in no one's interest to be involved in a prolonged legal battle with the City to assert abutters' rights. There are two ways to proceed that could enable the AIB to be built and, at the same time, remove any legal action by abutters. The first approach is to retain the FAR at the legal limit of 2.0 in the entire Overlay District, including the church lots, and to limit the FAR on any building site to that standard. Lesley would obtain a significant, but smaller, amount of new developable square footage and retain the right to transfer this footage to an AIB site. The second option, which would give them the same footage as generated under the proposed petition proposal, would leave the Overlay with the proposed 2.5 FAR but assure that the new, transferable FAR goes mostly elsewhere than the currently residential B-zoned church property; that is, that the FAR is transferred to the Sears parking lot, where it could be used as they wish to house the AIB.

In this latter proposal, the petition would be modified as follows in Section 20.203.2 (1)a.: The last sentence would be amended to **"....the resulting permitted Gross Floor Area may be located on or transferred to any one of the constituent lots located easterly of Massachusetts Avenue without limit as to the FAR on any individual lot with the exception of the lots currently zoned Residence B, whose development will be limited to the dimensional requirements for Residence B."**

I urge you to work with the proposers to modify their proposal in a way that shapes the art institute development more favorably for us, for the City, and for Lesley.

G

City Council Ordinance Committee
April 14, 2009

Although I am only 95 years of age, I do not feel quite up to attending your meeting regarding the Lesley Project. I hope someone will read this letter aloud.

So I just wish to stress the MANY dangers of this completely OVERSIZED project. Just think of the damage to our private street – Frost Terrace. It becomes a closed in ALLEY.

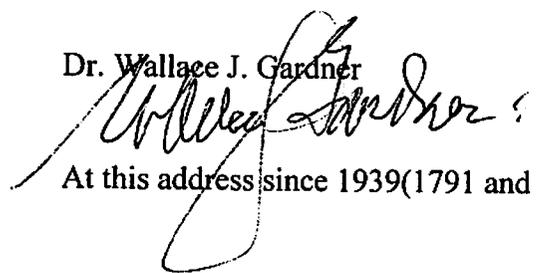
When I bought my property in 1954, I went to City Hall to check it out. I was told then that the area around it was zoned Residence B and that the zoning would never change. I bought my house knowing that only a modest development could be built next to it. What is there about a city that can take a residence B neighborhood and do heavy development, completely disregarding the interests of those who have lived here for years? This is unfair.

Moreover, this project ADDS more than 600 people and no consideration of the Cambridge residents who will be parking for free during the day in my neighborhood. There is no place to put them. How could you OK anything adding that many cars and people without adding parking. That is just impossible and dangerous. Mass Ave is the MAIN exodus for the people of Boston in the case of a nuclear dirty or big bomb. We don't need even more congestion here.

Frankly, this Lesley project NEEDS MORE OPEN space – certainly not forced on a small overused street that is already muchly overcrowded.

Thank you for your consideration

Dr. Wallace J. Gardner



At this address since 1939(1791 and 1800).

I AM A MEMBER OF THE LESLEY WORKING GROUP H
THIS IS A GREAT OPPORTUNITY FOR PORTER SQ, OUR NEIGHBORHOOD
& MASS. AVE

**Support for Lesley Porter Zoning District-
Ordinance Committee Hearing April 14, 2009**

I am speaking in support of Lesley's Overlay Zoning District in Porter Square. . I have been a resident of the Porter Square area for over forty years and an architect and urban designer. I have passed through Porter Square almost daily walking to the Porter Square T to commute to work since 1981.

There are many positive measures this zoning district will do for our neighborhoods:

1. It will balance development across its campus bringing a nationally known art school to Cambridge and Massachusetts Avenue. The school's presence on Mass. Ave. will give it the prominence it deserves to be a part of Porter Square and the community.
The location is well suited for many reasons. Mass. Ave is the central commercial corridor of our city. Additional commercial or educational development along Mass. Ave is helpful to the economic health of the city, and contributes to the health of the street when continuous active storefronts and public uses are located at the street level. The day and night activity brought by a school, with students coming and going at all hours increases the safety of the street, and provides new marketing potential for existing uses along the Avenue.
2. Porter Square is a major transit hub in Cambridge with the only subway and commuter rail station complex in Cambridge and this education oriented zoning district is what should be near this transit hub. Traditional development standards show that reasonable density like this district surrounding the station helps development that is transit oriented also helps surround neighborhoods with good retail services for the neighborhood.
3. Massachusetts Avenue at Porter Square is a wide retail / business street in Cambridge. The AIB on east side and new Lesley buildings on the west side of the Avenue will fill in what have been open and unfriendly spaces for too many years. Including the church property at Roseland and Mass.Ave, the zoning district corrects the only flaw in the continuity of an overall B district that starts at Harvard and goes out to Arlington.
BUSINESS
4. Lesley has been a good neighbor, and this overlay district reflects the positive moves Lesley University has made integrating itself into our neighborhoods without overwhelming them.

Thank you for your consideration and positive support for this new and important district for our neighborhood and city.

Ron Axelrod, Member Lesley Working Group
26 Shepard Street

Porter Square Neighbors Association

P.O. Box 401016 ♦ Porter Square Station ♦ Cambridge, MA 02140 ♦ www.portersquare.org

April 13, 2009

Ordinance Committee
Cambridge City Council
795 Massachusetts Avenue
Cambridge, MA 02139

2009 APR 13 P 7:48
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Dear Sirs:

This is a letter of support for Lesley University's petition to establish a Lesley Porter Overlay District, establishing a framework and constraints for future development by Lesley in Porter Square.

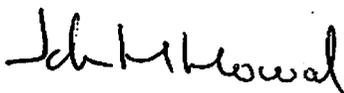
We like the idea of bringing the Art Institute of Boston to Porter Square, feeling that it will further enliven the streetscape, provide desirable evening activities, and respect zoning goals such as ground-floor retail. While all development brings some traffic and parking, Lesley's policy of discouraging student automobile use is a good fit with the availability of public transportation at Porter Square.

In particular, the proposed zoning addresses long-standing neighborhood concerns about development of the two parking lots on the western side of Massachusetts Avenue by including restrictions on the height and use of future buildings. The proposed zoning also creates some public open space in front of the proposed AIB building, requires significant green space in any future development behind University Hall, and restricts future above-ground parking.

That said, we believe it is essential that a traffic impact study be carried out and reviewed carefully as part of the special permit process. In addition, both the AIB special permit review and any future project reviews should include the list of "Lesley University Commitments Associated with the Porter Overlay District," which addresses the traffic and parking issues and construction mitigation, beautification along Massachusetts Avenue, public access, and continuing contact with the neighborhood associations. Project reviews must also address the abutters' legitimate concerns over size of the project, traffic and parking, and construction mitigation, with which we sympathize.

Lesley has consistently engaged with the community and has responded to to neighborhood concerns. We expect that that they will continue to do so and look forward to working with them in the future.

Sincerely,



John H Howard
President, PSNA

J

Hudie B. Siegel
40 Inman Street #5
Cambridge, MA 02139

2009 APR 10 A 10:34

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

April 7, 2009

Margaret Drury
City Clerk
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

RE: Lesley/AIB Proposal

Dear Ms. Drury:

As a resident of Cambridge for over 30 years, I am distressed to hear of the plan to build two large box-like buildings on the site of the North Prospect Church on Mass Ave. Not only does the church itself merit landmark status but the yard behind it is one of a few green spaces in that area. As a member of the academic community I welcome students to Cambridge and have no objection to AIB moving to Cambridge, however the location chosen is inappropriate.

The encroachment of these non-proportionally sized buildings in a residential area will have a negative impact on traffic flow, access to green space and will have a profoundly negative aesthetic impact. How ironic for an art institute to not take into consideration its visual impact on the neighborhood. And while there is talk of moving the church, this would destroy the some of the balance of the church in its environment. In addition, while Lesley proposes to safely move the church it is understood that as an old building, the church may not survive being moved from its foundation.

The church is in the process of being landmarked and its destruction and replacement by large modern buildings would be unacceptable. Cambridge has prided itself on caring for the needs of the community. It is essential to the values of Cambridge that the city remain livable for its citizens. Permission for Lesley/AIB to build on this property should be denied.

I would appreciate if my opinions were shared with the zoning board as I will be unable to attend the community meeting on 4/15.

Sincerely,

Hudie B. Siegel
Hudie B. Siegel

cc: City Council
617-349-4242 facsimile

(b) Instruct Lesley University to build the majority of its new arts campus on its property behind the Sears building

We believe that the Council should not conceive of its choice as being either to "Save the Church" or "Bring the AIB to Porter." That is a false choice. Lesley is too committed to bringing AIB to Porter Square, has sufficient developable space behind the Sears building to site the AIB operations comfortably, and, in doing so, can use the Church and its green space in an un-crowded fashion and with greater harmony between institutional utility and the preservation of historic beauty.

Save the Church "where it is, as it is". Build the AIB around this core principle.