2

CHR

Chestnut Hill Realty

November 18, 2010

2010 NOV 18 P 1:05
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Via Hand Delivery

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

Re: Workforce Housing By-Law

Dear Ms. Drury:

On behalf of Chauncy Court LLC, Wendell Terrace LLC and John Harvard LLC, enclosed please find a Zoning Petition pursuant to Chapter 40A, Section 5 of the Massachusetts General Laws relating to creation of Workforce Housing. Also enclosed is a check in the amount of $150.00 for the filing fee.

We would respectfully request that this petition be placed on the agenda for the City Council's upcoming meeting on November 22, 2010.

Thank you for your attention and assistance, and please do not hesitate to contact me should you require any additional information.

Sincerely,

Marc Levin
Director of Development
Chestnut Hill Realty Co.

ML
Enclosures

617-323-8800
Executive Offices
Box 67377, Chestnut Hill, MA 02467-0004
FAX 617-323-8801
chestnuthillrealty.com

The undersigned hereby petitions the City Counsel of the City of Cambridge to amend the Cambridge Zoning Ordinance, as most recently amended, as follows:

1. To see if the City Counsel will vote to enact new sections of the Zoning Ordinance to permit the creation of workforce housing by adoption of the following sections:

X.00 *Statement of Purpose.* The purpose of this section ____ is to allow for the creation of reasonably priced studio or 1-bedroom rental apartment units in appropriate unused basement level space of certain existing multifamily residential buildings. Given the increasing expense of unsubsidized rental housing in Cambridge, the shortage of reasonably priced smaller units, and the difficulty this poses for the elderly, local workers and students, it is in the public interest to permit the creation of additional units under circumstances which promote protection of the environment and preserve quality of life of the neighborhood. An additional purpose is to promote the maintenance of older residential buildings.

X.10 *Workforce Housing allowed by Special Permit.* Notwithstanding any other restrictions in this bylaw concerning minimum floor area to lot area, minimum open space, required parking or loading, minimum lot area per dwelling unit, private open space requirements or similar dimensional restrictions that are based on number of dwelling units or use of floor area for residential purposes, the owner of any Qualifying Multifamily Building, as defined herein, may seek a Special Permit from the Zoning Board of Appeal to add additional studio or one bedroom apartment units in the basement of that building.

X.20 *Limitation on number of units.* The number of additional units which may be added under this provision shall be limited to a maximum of the whole number (without regard to fractional remains) resulting from calculating fifteen (15%) per cent of the number of legally existing units in

the building as of the date of this ordinance up to a maximum of ten (10) additional units in any one Qualifying Building. The numerical and other criteria of section 11.200 Incentive Zoning Provisions and Inclusionary Housing Provisions, shall apply to any new units created under this section.

X.30 *Eligibility for Special Permit,* A Qualifying Multifamily Building shall mean a building meeting all of the following requirements:

a. any lot on which the building is located is wholly or partially in any of the nine residential C zoning districts;

b. the building is located within 1,200 feet from Massachusetts Avenue, Cambridge Street or a Red Line station.

c. the building currently contains at least thirty (30) units used for residential use;

d. the building was first built for multifamily use before 1930;

e. the building currently contains at least 1 residential dwelling unit in the basement;

Regardless of the number of street addresses or legal lots, buildings which have a physical connection to each other, shared utilities, common management, or which are taxed as one building by the Assessing Department shall be considered to be one building for purposes of this section.

X.40 *Conditions for grant of Special Permit.* When considering an application for a Special Permit under this section the Zoning Board of Appeal shall require that the Qualifying Building and units proposed comply with the requirements of Section 10.43 of this by law as well as with the following requirements:

a. Each unit constructed under the provisions of this bylaw shall comply with all building, health, safety and accessibility codes applicable to residential dwelling units in the basement of structures except for those which may be waived by the Building Inspector pursuant to established procedures under the Massachusetts Building Code;

b. No unit shall have more than one (1) bedroom;

c. At least one secure bicycle storage space shall be created on the site of the building for each unit created under the provisions of this section;

d. All appliances and fixtures in the units will be "energy star" rated or meet an equivalent standard of energy efficiency and shall contain water saving plumbing fixtures;

e. The building shall provide facilities to enable the residents the opportunity to recycle;

f. There shall be no expansion of the gross floor area or of any exterior dimension of the building *except* the Zoning Board of Appeal may permit such landings, alcoves, roofs, steps, walks or other similar exterior features which are necessary for safe or convenient access or egress from the building.

This zoning petition for amendment of the Cambridge Zoning Ordinance is respectfully submitted by the owner of land to be affected by the change, for consideration and adoption by the Cambridge City Counsel in accordance with the provisions of Massachusetts General Laws Chapter 40A § 5.

CHAUNCY COURT LLC

By: Peter Poras, Treasurer
CM-BC Corp., Manager

WENDELL TERRACE LLC

By: Peter Poras, Treasurer
CM-BC Corp., Manager

JOHN HARVARD LLC

By: Peter Poras, Treasurer
CM-BC Corp., Manager