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CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

BRIAN MURPHY
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SUSAN GLAZER
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To: Planning Board
From: CDD Staff
Date: May 18, 2011
Re: 5.28.2 Zoning Petition

Included in this memo is some supplemental information and analysis responding to the Planning Board's requests at the May 10, 2011 public hearing on this petition. The following items are included:

1. ***Comparison of "GFA-Per-Unit" to Actual Unit Sizes***
   We have used examples of completed 5.28.2 projects to show the actual unit sizes that result from the application of the formula to determine the allowed number of units.

2. ***Allowances for Non-Residential Space in 5.28.2 Projects***
   We have provided some analysis illustrating the effects of allowing non-residential uses in 5.28.2 projects, with some examples of the types of non-residential uses that might be allowed.

3. ***Alternatives for Calculating Allowed Units***
   In response to possible concerns regarding the different treatment of different residential zoning districts, a simplified alternative is suggested and analyzed.

These items can be discussed in more detail at the May 24 meeting.

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Comparison of "GFA-Per-Unit" to Actual Unit Sizes

Example: 173 Pearl Street (Residence C)
(Blessed Sacrament Church and School buildings → Dana Park Place Residences)

Special Permit Granted on January 3, 2006 (PB #211)

- ⇨ Permitted GFA *(under 5.28.2)*: 87,822 GSF
- ⇨ Allowable Units *(base + inclusionary)* 20 units
- ⇨ Allowable Units *(under 5.28.2)*: 97 units *(@ 900 GSF/unit)*
- ⇨ **Permitted Units *(approved by PB)*: 43 units**
- ⇨ **Permitted GFA-Per-Unit: 2,042 GSF/unit**

Actual Project (per submittal to Cambridge Housing Division)

Unit Type	Unit Count	Unit Size Range (SF)	Avg. Unit Size (SF)	NET Floor Area (SF)
1-bedroom	4	714 – 765	740	2,959
2-bedroom	29	1,079 – 1,873	1,402	40,646
3-bedroom	10	1,401 – 2,116	1,570	15,703
TOTAL	43	714 – 2,116	1,379	59,308

Example: 72 Hamilton Street (SD-10)

Special Permit Granted on February 20, 2007 (PB #226)

- ⇨ Permitted GFA: 15,343 GSF *(total allowed by variance)*
- ⇨ Allowable Units *(base)*: 6 units
- ⇨ Allowable Units *(under 5.28.2)*: 12 units
- ⇨ **Permitted Units (approved by PB): 11 units**
- ⇨ **Permitted GFA-Per-Unit: 1,395 GSF/unit**

Actual Project (per submittal to Cambridge Housing Division)

Unit Type	Unit Count	Unit Size Range (SF)	Avg. Unit Size (SF)	NET Floor Area (SF)
1-bedroom	1	807	807	807
2-bedroom	10	1,152 – 1,404	1,275	12,750
TOTAL	11	807 – 1,404	1,232	13,557

Allowances for Non-Residential Space in 5.28.2 Projects

Proposed: Non-residential uses are allowed (as a way of reducing residential unit count) if:

- The use is **religious, educational, day care, local/other government, private non-commercial museum/library/gallery, non-medical office**
  - ⇨ *"Home offices" (incl. live-in artist studios) are allowed as accessory residential uses*
  - ⇨ *Common rooms (workout facilities, play rooms, &c.) are also accessory residential uses*
- The use is on the **ground floor** or **basement** of the building
- The use is approved by the Planning Board as **compatible** with residential uses in the area
- The maximum area of non-residential use is the lesser of **10,000 square feet** or **15% of building**

Project	5.28.2 Permitted GFA (SF)	15% of Permitted GFA (SF)	Non-Residential Allowed (SF)
169 Western Avenue (C-1)	5,850	878	878
126 Charles Street (C-1)	7,593	1,139	1,139
201 Brookline Street (SD-9)	9,093	1,364	1,364
77 Hurley Street (C-1)	9,784	1,468	1,468
72 Hamilton Street (SD-10)	11,098	1,665	1,665
95 Harvey Street (SD-2)	13,739	2,061	2,061
424 Windsor Street (C-1)	24,710	3,707	3,707
45 Blackstone Street (C-1)	41,783	6,267	6,267
60 Aberdeen Avenue (C-1)	58,426	8,764	8,764
120 Rindge Avenue (B)	76,375	11,456	10,000
173 Pearl Street (C)	87,822	13,173	10,000
40 Norris Street (B)	48,244**	7,237	7,237
*** Norris Street figures are based on Special Permit Application – **not permitted.***			

Examples of Non-Residential Use Sizes

Establishment	*Approximate* size (SF)
"Out of the Blue" Art Gallery	650
Tory Row Real Estate Office	1,000
Islamic Society of Boston (Prospect St)	3,000
Day care in MIT Stata Center	5,000
Cambridge Center for Adult Education	6,000
Day care at Kennedy Biscuit Lofts	8,000 – 9,000
Harvard Square Post Office	15,000

Zoning Alternatives

- Could set a higher maximum (square footage or percentage, or both)
- Could allow non-residential uses anywhere on the ground floor or basement (with PB approval)

Alternatives for Calculating Allowed Units

Current — Allowed Units = Allowed GFA / 900 SF

Proposed — Allowed Units = Allowed GFA / *(square footage based on table below)*

Base District	for first 10 units	for additional units (50% increase)
A-1, A-2	2,250 SF	3,375 SF
B	1,250 SF	1,875 SF
C, C-1, SD-9, SD-10, SD-14	1,150 SF	1,725 SF
All other districts	900 SF	1,350 SF

Alternative — Consolidation into two categories – "higher density" and "lower density" districts

Base District	for first 10 units	for additional units (50% increase)
A-1, A-2, B, C, C-1, SD-9, SD-10, SD-14	1,200 SF	1,800 SF
All other districts	900 SF	1,350 SF

Illustration (Includes all approved 5.28.2 special permits in residential zoning districts.)

Project	Maximum Allowed Dwelling Units Under:				Actual Permitted Units
	Base Zoning (+Inclusionary)	5.28.2 Current	5.28.2 Proposed	5.28.2 Alternative	
169 Western Avenue (C-1)	3	6	5	4	3
201 Brookline Street (SD-9)	6	10	7	7	6
95 Harvey Street (SD-2)	4	15	11	10	8
126 Charles Street (C-1)	3	8	6	6	8
77 Hurley Street (C-1)	6	10	8	8	9
72 Hamilton Street (SD-10)	6	12	9	9	11
424 Windsor Street (C-1)	10 (+4 = 14)	27	17	17	14
45 Blackstone Street (C-1)	29 (+8 = 37)	46	27	26	33
173 Pearl Street (C)	16 (+4 = 20)	97	54	52	43
60 Aberdeen Avenue (C-1)	43 (+12 = 55)	64	37	35	55
120 Rindge Avenue (B)	25 (+8 = 33)	84	44	45	64
40 Norris Street (B)	7	53	29	30	N/A

** Numbers in (parentheses) are additional units allowed by the Inclusionary bonus*

Dark shading indicates projects where the proposed calculation falls below number of permitted units.
Lighter shading indicates such projects where they fall under the base (+ inclusionary) number.

B1

May 5, 2011

Ordinance Committee, City of Cambridge
Attn: Councilor Sam Seidel, Chairman
795 Massachusetts Avenue
Cambridge, MA 02139

Re: City Council Zoning Petition Relative to Section 5.28.2 of the Zoning Ordinance
Attachment 1 – Review comments to the re-filed 5.28.2 Amendment
Attachment 2 – Ms. Susan Hall's Proposed/Granted FAR to FAR as of Right Comparison

Dear Chairman Seidel and Members of Ordinance Committee,

I would like to thank Mayor Maher for giving us, the concerned neighbors of 40 Norris Street, the opportunity to voice our concerns and suggestions relative to amending Section 5.28.2 of the Zoning Ordinance. I would also like to thank the staff of the Community Development Department (CDD) for listening to us and addressing many of our concerns in the re-filed amendment. The new amendment has come a long way from Mayor Maher's initial "place-holder" amendment in defining requirements that the Planning Board must consider in approving a special permit to convert Nonresidential Structures to Residential Use. I am attaching my review comments (Attachment 1) with recommended changes along with the rational for the changes for your consideration.

There are two major issues I would like to call to your attention. The first issue is the lack of cap on the Gross Floor Area (GFA). Ms. Susan Hall has presented in numerous hearings her analysis of GFA for all past 5.28.2 cases as well as pending cases including the 44 Norris Street project. Her analysis (Attachment 2) clearly showed that the GFA of most of the cases were less than twice what is allowed in the base districts of the cases. I beg the Ordinance Committee to include this cap in the amendment. If this cap is applied to 44 Norris Street in conjunction with the CDD proposed maximum number of units in Section 5.28.22, the maximum number of units will be 17 as follows:

a	Lot Size (Sq. ft) from Cambridge Property Database	25700
b	Allowed Maximum Ratio of Floor Area to Lot Area without Footnote (J) under Table 5-1 of Section 5.31	0.5
c	Max GFA (sq. ft) = a* b	12850
d	2X max (sq. ft) = 2 * c	25700
e	First 10 Units @1250 G.S.F/unit per 5.28.22	12500
f	Remainder = d - e	13200
g	Additional units at 1875 square ft per 5.28.22 = f/1875	7
h	Max Units = 10 + g	17
i	Current living space per Cambridge Property Database (i.e. without developer proposed interflooring)	36,232
j	Non-residential fill in (sq. ft) = i - d	10,532
k	Current Number of residential parking permits/unit for 2010 from S. Clippenger	1.4
l	Projected parking required for max units = h * k	24
m	Current parking allowed at 40 Norris	20
n	Projected on-street demand = l - m	4

I believe this demonstrates that the proposed 2x cap will lead to reasonable development that we are all in favor of.

The second issue is parking. The CDD is to be applauded for including parking analysis requirements (Section 6.35.33) that would take into consideration the current "resident parking permit and motor vehicle registration data for the area and/or other indicators of parking demand." However, Section 5.28.27 of the re-filed amendment still requires only one off-street parking space per dwelling. The required parking analysis would be meaningless unless it is tied to the number of parking spaces to be provided. I, therefore, respectfully request that the number of required parking spaces for a 5.28.2 project to be based on the parking analysis with minimum being one per dwelling. Alternatively, the number of parking spaces could be determined by multiplying the number of bedrooms proposed by the average number of residential parking permits/bedroom in the surrounding area which for Norris Street is 0.6 based on 2010 data.

I thank you for your concerns over the overly dense developments and considering my comments to the re-filed 5.28.2 amendment.

Sincerely yours,

Young C. Kim

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Cambridge, MA 02140