

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD
CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

CASE NO: PB #27
PREMISES: 617 Concord Avenue
ZONING DISTRICT: Office 2/Parkway Overlay District
PETITIONER: Fantasia Land Corporation and Fantasia Trust
APPLICATION DATE: August 9, 1982
DATE OF HEARING: September 7, 1982
PETITION: Special Permit for Development in the Parkway
Overlay District

DATE OF PLANNING BOARD DECISION: November 16, 1982

DATE OF FILING THE DECISION: November 19, 1982


Decision (summary):

see attached

Appeals, if any, shall be made pursuant to Section 17 of Massachusetts General Laws Chapter 40A, and shall be filed within twenty (20) days after the date of filing of the above referenced decision with the City Clerk.

Copies of the complete decision and final plans, if applicable, are on file with the office of Community Development and the City Clerk.

November 19, 1982
Date



Authorized Representative
to the Planning Board

NOTICE OF DECISION (Summary)

In reference to the petition of Fantasia Land Corporation and Fantasia Trust for a special permit for the construction of a six story office building with a two-level parking garage and 12,900 square feet of restaurant space at 617 Concord Avenue, the petition has been GRANTED by the Planning Board on November 16, 1982 with the following conditions:

1. The location, size and design of the building, and other development features shall remain generally as indicated in the application and plans as submitted except as modified below.
2. Continuous landscaped edge shall be provided between the easterly property line and the proposed service drive to provide an effective screen to the adjacent lot. The screening shall consist of densely planted shrubs or trees which are at least two (2) feet high at the time of planting.
3. The Board waives those zoning violations detailed in finding number 1, which would customarily require a variance.
4. Any future signs shall be reviewed and approved by the Community Development Department before the issuance of any building permit for such signs.
5. A revised site plan reflecting the conditions of this decision shall be submitted to the Community Development Department prior to filing the decision in the office of the City Clerk. Failure to submit such revised plan within 30 days shall render the granting of this Special Permit null and void.

A copy of the complete decision has been filed with the Office of the City Clerk on November 19, 1982. Appeals, if any, shall be made pursuant to Section 17, Chapter 40A, Massachusetts General Laws and shall be filed within twenty days after the date of filing of this notice in the Office of the City Clerk.

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE

02139
RECEIVED
CITY OF CAMBRIDGE
PLANNING BOARD
AUG 11 1982

CASE NO.: PB #27
PREMISES: 617 Concord Avenue
ZONING DISTRICT: Office 2; Parkway Overlay District
PETITIONER: Fantasia Land Corporation & Fantasia Trust
APPLICATION DATE: August 9, 1982
PUBLIC HEARING DATE: September 7, 1982
PETITION: Special Permit for Development in the Parkway Overlay District
EXTENSION OF DECISION DEADLINE: Letter of extension: November 10, 1982
Extended to: November 19, 1982
DATE OF PLANNING BOARD DECISION: November 16, 1982

The Petition

The applicant proposes to construct a six story, 132,000 square foot office building at the corner of Concord Avenue and Fawcett Street with a two-level parking garage and 12,900 square feet of restaurant space.

Documents

The following documents were submitted in support of the petition:

1. Special Permit application submitted on August 5, 1982 and certified complete on August 9, 1982.
2. Site Plan and Elevations, numbered A-1 to A-6 by ADD, Inc. Architects dated August 2, 1982.

Public Hearing

Fresh Pond Square - Parkway Overlay Special Permit - PB #27

The applicant, Joseph Fantasia, explained the general concept of the proposed development which includes the construction of a new six-story office building along Concord Avenue, elimination of approximately one-half of the existing restaurant space and the construction of a two-level parking garage. Mr. Fantasia stated that one of the prerequisites of the office development is that the restaurant remain open during all phases of development.

Michael Hass of ADD Inc., explained the details of the project design and presented plans and illustrations to the Board. They are requesting three variances within the parkway overlay district, one is to allow the major entrance location along Fawcett Street rather than at the required location along Concord Avenue, the second and third are for relief from the sideyard setback along the service drive edge of the office building and loading bay. Mr. Hass explained that they would be going to the Board of Zoning Appeals for violations in the setback of the garage as well as the sideyard setback of the office building and loading bay. Mr. Hass indicated that the location of the major entrance on Fawcett Street did not contradict the intent of the overlay district. As the building is on a corner lot the presence of a major entrance is carried over from Concord Avenue into the court yard area. In order to create this major entrance effect, the building is set back from Fawcett Street further than required which in turn creates the setback violation to the rear of the building. The building and garage would be of brick material with three bands of varying color brick along the office building.

No one spoke in opposition nor in favor of the proposed development.

Following the public hearing the Board discussed the proposal and concluded that the major entrance on Fawcett Street and the sideyard setback violations did not derogate from the intent of the overlay district. The effect of an active ground floor along the Avenue is maintained and the setback violations are minor. The Board did suggest that plantings be required along the service drive to screen it from the abutting property.

Findings

After review of the documents submitted and discussion with the staff, the Planning Board makes the following findings:

1. In accordance with the requirements of Section 10.43, Special Permit Criteria, the Board finds that:
 - a. The requirements of the zoning ordinance will be met with the exception of the following minor violations:
 - (1) Section 11.643 - Requires that the principal building entrance shall face Concord Avenue. The proposed principal building entrance is on Fawcett Street.
 - (2) Section 5.32 - The required side yard setback from the office building to the easterly lot line is 50'. The proposed setback is 30'.
 - (3) Section 6.92 - Loading Bays shall not infringe on any required yard setback. The proposed loading bay area is within the required side yard setback.

The applicant is seeking relief of three violations from the Planning Board within the scope of the Parkway Overlay Special Permit. Additional violations are scheduled to be heard before the Board of Zoning Appeal later this fall.

- b. Anticipated traffic generation and patterns of access and egress will not create additional congestion, hazard or substantial change in the area.

The proposed layout and design of the site is such that vehicular traffic will be directed from Concord Avenue to the Fawcett Street parking garage, thus eliminating potential congestion problems on heavily trafficked Concord Avenue. The separation of the service vehicle access from the main vehicular entrance will also help alleviate potential traffic problems in the area.

- c. The proposed office and restaurant uses are permitted in the district and will not adversely affect existing or permitted uses on adjacent properties.
 - d. No nuisance or hazard will be created,
 - e. The use will not impair the integrity of the district or otherwise derogate from the intent and purpose of the zoning ordinance.
2. In accordance with Section 10.45, the Planning Board finds that the proposed violations mentioned in paragraph 1.a.(1)(2) and (3) above, are minor and will not nullify nor derogate from the intent of the Parkway Overlay District.

In addition to the requested variance to the Planning Board, the applicant is seeking relief from the required setbacks for the parking garage and side yard setbacks from the loading bay and easterly side of the office building from the Board of Zoning Appeal. Though the garage is not within the limits of the Planning Board's authority, the Planning Board strongly suggests that additional tree plantings be placed along the Fawcett Street edge of the parking garage.

3. In accordance with Section 11.60 Parkway Overlay District, the Board finds that:
- a. The proposed development is consistent with the overall intent and purpose of the Parkway Overlay District.
 - b. The proposed development is in conformance with the dimensional standards of the Parkway Overlay District with the exception of those violations previously mentioned.

- c. The fact that the location of the principal building entrance is not on Concord Avenue, as required does not nullify the intent of the Parkway Overlay District. The effect of a major entranceway from Concord Avenue is created due to the location of the building on a corner lot, the additional building setback from Fawcett Street and the architectural design of the building.
 - d. The Board finds that the easterly sideyard setback violations are reasonable and minor violations since the abutting parcel is within a Business C district which has no required setbacks.
4. The abutting lot, adjacent to the proposed service drive will not be adequately screened. A landscaped buffer along the easterly boundary line would provide adequate screening of this area.


Decision

Based upon the above findings, the Planning Board grants the requested special permit with the following conditions:

1. The location, size and design of the building, and other development features shall remain generally as indicated in the application and plans as submitted except as modified below.
2. A continuous landscaped edge shall be provided between the easterly property line and the proposed service drive to provide an effective screen to the adjacent lot. The screening shall consist of densely planted shrubs or trees which are at least (2) two feet high at the time of planting.
3. The Board waives those zoning violations detailed in finding number 1, which would customarily require a variance.
4. Any future signs shall be reviewed and approved by the Community Development Department before the issuance of any building permit for such signs.
5. A revised site plan reflecting the conditions of this decision shall be submitted to the Community Development Department prior to filing the decision in the office of the City Clerk. Failure to submit such revised plan within 90 days shall render the granting of this Special Permit null and void.

This conditional approval of the special permit application has been made by a unanimous vote of six (6) members of the Planning Board on November 16, 1982.

For the Planning Board


Arthur C. Parris
Chairman