

ATTACHMENT A

cambridgema.gov

# CITY COUNCIL

## Policy Order Resolution

O-12  
AMENDED ORDER  
IN CITY COUNCIL

March 17, 2008

COUNCILLOR KELLEY  
COUNCILLOR MAHER  
COUNCILLOR REEVES  
COUNCILLOR SEIDEL  
COUNCILLOR TOOMEY

- WHEREAS: Massachusetts Avenue between Harvard Square and Arlington is one of the City's distinctive street and square-scapes; and
- WHEREAS: Many pressures are impinging on the character, scale, and uses of this urban zone; and
- WHEREAS: No comprehensive study of the development of this area has been carried out for more than 15 years; and
- WHEREAS: Recent development proposals have or will require significant variances from the appropriate zoning regulations, resulting in effective Spot Zoning that is detrimental to long term planning for appropriate us; now be it therefore
- ORDERED: That the City Manager be and hereby is requested to convene a special study review task force as soon as feasible to study the threats and opportunities facing North Massachusetts Avenue and to recommend actions and processes to protect its integrity and character into the future; and be it further
- ORDERED: That the City Manager be and hereby is requested to ensure that this special study review task force represent the diverse nature of current, future and potential users of North Massachusetts Avenue and that this review include zoning, transportation, commercial, residential and other relevant issues.

In City Council March 17, 2008  
Adopted as amended by the affirmative vote of eight members.  
Attest:- D. Margaret Drury, City Clerk

A true copy;

ATTEST:-  
D. Margaret Drury, City Clerk

*View Original Order*

**To:** Robert W. Healy, City Manager  
**From:** Beth Rubenstein, Assistant City Manager for Community Development  
**Date:** July 10, 2008  
**Re:** Council Order #O-12 dated March 17, 2008, regarding task force to study the threats and opportunities facing North Massachusetts Avenue

Massachusetts Avenue between Harvard Square and the Arlington line has been the focus of a number of planning efforts. Over the past seven years, a number of planning issues have received attention, and a number of significant zoning changes have been considered. These include:

**Citywide Rezoning**

In 2001 the City Council adopted citywide rezoning which reduced the commercial FAR throughout Cambridge, including the Business C zone at Porter Square. The goals of the rezoning included reducing the growth of traffic throughout the city over time, and providing an incentive for more housing in the city. In the Business C district in Porter Square, FAR was changed from 2.0 for all uses to 2.0 for housing uses and 1.25 for commercial uses.

**Harvard Square to Porter Square**

Prompted by interest from residents, a series of public meetings was held to discuss Lower Mass Ave (Everett Street to Porter Square) in 2004-2005. This series included four meetings in the neighborhood and six meetings at the Cambridge Planning Board. Major concerns were preservation of neighborhood-serving retail, holding off further institutional growth in the retail corridor, maintaining a safe feeling for pedestrians at night, and potential future development along that section of Mass Ave. As a result of these meetings, the Planning Board submitted two zoning petitions to the City Council, one in April of 2005 and one in July of 2005.

In April of 2005 the Planning Board submitted a rezoning petition proposing to change the threshold for a Large Project Review consultation in the Massachusetts Avenue Overlay District from 6,000 square feet of development to 2,000 square feet of development. This made the threshold consistent with that in the Harvard Square and Central Square Overlay Districts. The City Council adopted the petition on September 12, 2005.

In July of 2005 the Planning Board submitted a petition to modify the zoning of the Massachusetts Avenue Overlay District. The first part proposed to allow non-conforming

retail space in the C-2A portion of the District to remain an as-of-right use if their current sites were redeveloped in the future. Changes were also proposed to the urban design standards for ground-floor uses. Finally, limited amounts of ground floor retail in new development would be allowed at the higher FAR allowed for housing in business-zoned districts, in order to remove a potential disincentive from including ground-floor retail in residential or dormitory development. The City Council did not adopt this petition, partly because neighbors were not comfortable with the potential for increased FAR on existing retail sites.

#### **Business Districts Petition**

Prompted by resident concerns about redevelopment along Massachusetts Avenue at Rindge Avenue and the impact on adjacent residential districts, in March 2007 the City Council adopted a rezoning petition changing the threshold for Special Permit Project Review in the Business A, Business A-1, and Business A-2 Districts from 50,000 square feet to 20,000 square feet of new development. The petition also increased the side yard setback requirement for parcels in Business A-2 Districts that abut parcels in residential districts, and lowered the allowed height of buildings in the Business A-2 District to 35 feet within 50 feet of a residential zoning district line where the maximum height in that residential zoning district is 35 feet or less. This set of changes, which included the BA-2 district, affected the stretch of Mass. Ave. from the Common to the Arlington line.

#### **Agassiz Working Group / Lesley Working Group**

From 2002 to 2006, a City Manager-appointed Agassiz Working Group met to discuss future Harvard University development, first in the North Yard and subsequently the Mass. Ave. edge of the Law School, both of which are currently under construction. Discussions during these meetings included detailed traffic analysis, buildout assessment and discussion of design guidelines. The Lesley Working Group has been meeting since December 2006 to discuss Lesley's development plans in Porter Square as it prepares for the addition of the Art Institute of Boston to its campus at the site of the North Prospect Street Church at Mass Ave and Roseland Street. Each working group has been composed of university representatives, neighborhood representatives and City staff.

#### **Neighborhood Study Updates**

The Neighborhood Study process works with neighborhood residents to discuss local neighborhood issues and make recommendations as to how to address them. Studies are updated every 3-4 years. Staff works with neighbors to review the previous

recommendations, assess what actions have been taken to address them, and develop a list what new issues need attention. Over the past few years, updates to the Neighborhood Nine, Agassiz and North Cambridge Neighborhood Studies have contained recommendations for Massachusetts Avenue, including improved landscaping and streetscape improvements, street trees, improved design of building facades, height and setback requirements, bus schedules, and the long term health of the retail environment.

#### **Recent Developments**

Recently, a number of projects have sought (or expect to seek) relief from current zoning. These projects include the Kaya Hotel in Porter Square and Lesley University's two proposed developments: relocation of the Art Institute of Boston to 1797-1805 Mass. Ave. (the North Prospect Church site) and a dormitory at the National Car Rental Site on Mass. Ave. After unsuccessfully seeking a zoning variance, the proponents of the Kaya Hotel have recently submitted a zoning petition to the City Council which would allow their proposed project to move forward. This rezoning petition has been heard at the Ordinance Committee on June 10<sup>th</sup>, and at the Planning Board on June 17<sup>th</sup>. Lesley University has indicated an interest in rezoning the sites they are expecting to develop for the relocation of the Art Institute of Boston to Porter Square. These discussions have taken place in the Lesley University Working Group and will continue to occur in neighborhood meetings, at the Planning Board and the City Council.

#### **Prospects for Planning Study**

Given the recent changes to zoning along this corridor, the fine tuning often needed to maintain the correspondence between community needs and the zoning ordinance has substantially occurred over the past seven years. The recent development proposals, however, indicate some differences between the development plans of some property owners and what is allowed under the existing zoning. For the portion of Massachusetts Avenue between Harvard Square and Porter Square, the current work of the Lesley Working Group is addressing issues surrounding the development contemplated by the university in an open and collaborative process. The Kaya rezoning proposal will be under discussion at the Planning Board and City Council during the next month, and will be able to be assessed during this process.

From Porter Square to the Arlington Line there is a different set of issues and interested parties, and on the whole this area has its own unique characteristics, neighborhood groups and planning issues. Study of this area would require the formation of a focused public discussion on the key issues of development, and allow participation by affected

residents and property owners. Given that such a study of this area would be a major undertaking, we recommend that this work be included in budget planning for FY 2010, with work to commence sooner (Spring 2009), if time allows.

COMMITTEE REPORTS #1  
PLANNING FOR MASS AVE.

Statement to City Council Jan 12, 2009 re: Mass. Ave between Harvard and Porter Squares- Ron Axelrod 26 SHEPARD ST.

I have been lived in Neighborhood Nine for over forty years and seen very little change in Mass Ave. between Porter and Harvard Squares. I am speaking tonight following up on the Dec. 16<sup>th</sup> meeting that Councilman Seidel Chaired and the July 10, '08 Memorandum to Robert Healy from Beth Rubinstein recommending a planning study of Mass. Ave. from Harvard to the Arlington starting in 2010.

While I and others would welcome this study, 2010 is a long way off considering what is currently happening. Mass. Ave between Harvard and Porter Squares is under increased development thanks to new buildings by Harvard Law School and Lesley University. There are a number of stores vacant and no private development in sight. At the other ends of our shopping district, Harvard and Porter Squares recently completed urban design and traffic improvements that have made these shopping areas more desirable and provided merchants with needed public improvements for their businesses.

During the 40 years I have lived here, I have not seen any major improvement to the streetscape nor the traffic intersections between Harvard and Porter Squares. Harvard Law School is in the process of completing intersection improvements at Mass Ave and Everett/Chauchy Streets. Lesley University has two developments on Mass. Ave. One, a dormitory currently under construction at Wendell / Mass Ave and another, an Arts School Building soon at Roseland / Mass Ave that will change current pedestrian and traffic movements.

Therefore: I ask that the City Council recommend immediate implementation of the study recommended in the July 10, 2008 Memo from Beth Rubinstein to Robert Healy. Immediately after the study, design should commence of improvements to traffic intersections for safe pedestrian and traffic flow and urban design street improvements for businesses and shoppers with construction targeted for 2010. I know this is <sup>an</sup> ambitious <sup>schedule</sup> but this is a wonderful opportunity to make a positive difference to Mass Ave between Harvard and Porter Squares and I hope you will move quickly to meet the need.

Good evening Madam Mayor and Councilors:

My name is Gordon Moore and I live at 9 Rutland Street.

I have worked on Mass Avenue for over 40 years, For the last eight years, I have worked as a member of a neighborhood working group appointed by the manager, first with Harvard Law School and for the past two years with Lesley University.

Mass Ave between Harvard and Porter squares is an endangered area. In this short stretch, 11 properties are now owned by either Harvard <sup>or</sup> and Lesley, and of these, seven are either under development or with plans to be developed in the next 13 year. This stretch is a fragile ecology, much like a coral reef. This ecology is now threatened by a piecemeal approach to new institutional development.

I would like to offer two specific suggestions to you tonight in response to your raising this issue for public input. The first is to suggest an in-depth and comprehensive review of what we know and can learn of our Avenue and of other approaches from across the country that may have worked in similar circumstances. The second suggestion is for the formation of a kind of working group whose mandate is to treat the avenue as a whole and to oversee the development of a plan to save it.

I would like to summarize why this is so important. This stretch is unique in Cambridge. Most of you know it well. It is generally mixed residential and small businesses, of low scale and a funky character that reflects its history of great Victorian residences or what small business buildings built in the 20s in response to tax breaks available for such development at that time. It is a vital pedestrian zone, used actively by the abutting neighborhoods, a commercial stretch dominated by locally owned businesses that serve the neighborhoods well, and an area of funky charm;

The threatening development has already begun. At one end we have the mammoth new Law School building. At the other, a proposed dense development for Lesley's Art Institute of Boston, a building that will overhang Roseland Avenue by 55 feet or more, an actual step up in height over the old Sears building that will face it on Roseland.

Each of these projects and the new dorm on Wendell have been dealt with piecemeal – proposed and built at different times by the two universities. It has been tough for neighbors to make sense out of these developments. We have struggled in our spare time to deal with salaried developers, lawyers, architects, and community relations people from Universities that can afford the best.

But the important thing is that the task of achieving good development is made more difficult by the absence of an appropriate planning framework. Each of these projects is handled separately, within a zoning framework that is often a blunt tool to deal with the nuances of development that could sustain this area. Important issues that call for unique approaches - safety, character, business uses, pollution, noise, traffic, parking, and character- are often either sub optimized by being subject to city-wide rules that don't fit the local problems, just left out by the process, or dismissed out of hand as not relevant to

the zoning process. I don't think anyone is a bad guy here – everyone is doing their job. It is just that the framework is inadequate and limiting, given the job to be done.

Coming back to the two specific suggestions in some more detail. <sup>begin immediately to</sup> The first proposal is to utilize our excellent Community Development Department to do a deep, wide, and systemic analysis of the problem and to scour the country for places that can serve as examples of solutions. I know that this problem of Main Streets in America has been approached elsewhere with very creative ideas. In this process, we should be thinking of the Avenue as an ecologic zone and look for the systemic problems and solutions.

My second suggestion, which would ideally be coupled with the first, is that a Mass Ave working group be formed, along the lines of the Special Advisory Committee formed as part of the Central Square overlay District legislation. This process, which has been effective in coordinating the development of Central Square, was pointed out to me two years ago by Councilperson Davis.

This structure would serve several needs. We need smart people to be working in an integrative way to follow this process through to an end recommendation and action. Like the Central Square Special Advisory Committee, this group would include multiple points of view, not just neighborhood residents but also skilled businessmen... People who know how to make local businesses thrive – people like Frank Kramer of the Harvard Book Store, with whom I have spoken about how to keep the commercial vitality of the Avenue and who has started a Foundation to address this problem. . The advantage of a nuclear working group that takes a whole-avenue and holistic view of the problem is that they will have the continuity and staying power to keep this process moving. That process should, of course, include plenty of feedback and input from the Council, neighbors, developers, and the universities – but someone needs to be accountable for the final product.

I hope this meeting is seen as the first step of a process to save our Avenue. It won't happen at this meeting. But what you decide to do <sup>should</sup> put in place some of our best thinking to address this problem, not just for our Avenue but for similar urban landscapes in Cambridge and perhaps even further. After all, we are a City with excellent resources – money, smart people, and good administration and management. We should be able to do better.

Jordan Moore