



CITY OF CAMBRIDGE • EXECUTIVE DEPARTMENT

Robert W. Healy, City Manager

Richard C. Rossi, Deputy City Manager

March 6, 2013

To the Honorable, the City Council,
Members of the Ordinance Committee:

I am transmitting the Planning Board recommendation on the MIT-Kendall Square Zoning Petition to Ordinance Committee for discussion at the March 7, 2013 meeting.

This document will also be transmitted to the City Council for the March 18, 2013 meeting.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert W. Healy".

Robert W. Healy
City Manager

RWH/mec
Attachment



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

Date:	March 5, 2013
Subject:	MIT-Kendall Square Zoning Petition
Recommendation:	The Planning Board recommends ADOPTION of the proposed zoning, with modifications.

To the Honorable, the City Council,

Based on information presented by the petitioner and testimony heard at public hearings on January 15 and February 19, 2013, the Planning Board recommends that the City Council adopt the rezoning petition proposed by the Massachusetts Institute of Technology, subject to modifications as proposed herein. The proposed zoning would establish a new Planned Unit Development (PUD) district allowing for increased mixed-use development within Kendall Square over time while imposing certain requirements intending to mitigate the impacts of future development and improve Kendall Square as a whole.

Background of MIT Proposal and K2C2 Planning Study

This proposal was first made to the City in April, 2011. At the time, the proposal raised many questions and concerns about the City's planning for future development in Kendall Square. Considerations included the role of Kendall Square as an economic generator for Cambridge and the region, its importance as a worldwide center of innovation in both commercial and non-commercial activities, the transformation of the area from largely a single-use office district into a mixed-use environment with retail and residential components, the appropriate height and scale of new development, potential traffic and transportation impacts, the need for housing serving a range of different incomes, and the public benefits that may be generated from future private investment in the area.

To investigate these issues in Kendall Square and a similar set of issues in Central Square, the Kendall Square Central Square (K2C2) Planning Study was initiated in 2011 and completed in 2012. The process involved Community Development Department staff working with Goody Clancy (the City's planning consultant), community advisory committees and the general public. The process resulted in planning recommendations for Kendall Square and Central Square that were discussed with the Planning Board in late 2012. The East Cambridge Planning Team, which participated on the K2 Committee and also hired CBT Architects as their consultant, provided its own perspective to the Board. Board members had their own views and reactions. All parties shared the same broad principles and vision for the area: Increased commercial growth to support economic development with a substantial component of housing (including affordable and

middle-income housing), sustainable building design, limited automobile use, space for start-ups and other innovative small businesses, a more active public realm at the ground level, and investments in open space, transit and workforce development.

While the K2 recommendations provide a set of overarching goals, they also divide the Kendall Square area into different sectors and apply specific zoning strategies to each sector based on its land ownership patterns, existing development, and other unique characteristics. MIT is prepared to move forward with a development proposal for its sector, while other property owners have not yet formulated their plans. The Board feels that it is most efficient and effective to focus on the MIT sector first. It will help to advance the implementation of this important piece of the Kendall Square planning effort, and insights gained from this rezoning will inform future zoning changes for the other sectors in a second phase.

The Board has met several times with MIT representatives to ensure that zoning for the MIT sector would be an expression of jointly agreed goals before they submitted the revised zoning language. For the last several months, CDD staff, MIT, and the Board have fine-tuned the proposal, integrating it with the Kendall Square Design Guidelines, which the Board will apply to evaluate future design proposals, and the recommendations of the K2 study. Public comment was heard throughout the process. As a result of this process, it is the Board's view that the MIT proposal, as it has evolved, is in clear accordance with the K2 recommendations. It has earned significant support from the East Cambridge Planning Team and other interested parties. The Board strongly recommends that the Council take favorable action on this petition.

Overview of Proposal

Zone Change: The structure of the proposed change is to retain the existing base zoning in the district and to create a new Planned Unit Development (PUD) Overlay District. The purpose of the PUD District is to allow the site to be redeveloped in a comprehensive, master-planned way that provides greater development capacity and flexibility in exchange for public review and public benefits (such as Incentive Zoning payments to the Affordable Housing Trust). The K2 recommendations identify this area as an appropriate location for a PUD District.

New Development: Under current zoning, the district has the capacity for about 800,000 square feet of new academic buildings. The proposed zoning would retain approximately 800,000 square feet for academic expansion while also allowing a maximum of 980,000 square feet of additional commercial development and requiring an additional 240,000 square feet of new residential development. Smaller-scale ground-floor retail uses would be exempt from these floor area limitations. In terms of the overall increase in density and the desired mix of uses, these figures are consistent with the amounts included in the K2 recommendations for this area.

Building Height and Massing: Under current zoning, the maximum height is 120 feet in most of the district. The proposed zoning would allow the Planning Board, through review and approval of a PUD, to approve heights of up to 150, 200 or 250 feet, depending on the Subdistrict, with taller heights allowed closer to Main Street and the MBTA station and lower heights allowed near the Charles River (see attached map). The Board would apply the *Kendall Square Design*

Guidelines, developed as part of the K2C2 Planning Study, along with any other applicable guidelines to evaluate the appropriate location and configuration of building height and massing. Heights for residential uses may exceed 250 feet to a maximum of 300 feet, in which case a component of middle-income housing would be required (see below).

Open Space: Under base zoning, the only open space required would be private open space to serve residential uses. The proposed zoning regulations would require 15% publicly beneficial open space throughout the district, with the design to be reviewed and approved by the Planning Board as part of a PUD proposal. The K2 recommendations emphasize the importance of not just the quantity of open space but the interconnections among various open spaces and other uses throughout the district. These issues would be carefully considered during the design review process when specific development plans are being evaluated.

Parking and Loading: The proposed zoning adopts the recommended approach in the K2C2 study of setting maximum parking ratios for new development and allowing a waiver of minimum parking ratios to allow for shared parking arrangements. The goal is to mitigate traffic impacts by discouraging the construction of excess parking, thereby encouraging reliance on other modes of transportation. The Planning Board may also approve waivers in loading requirements to allow for shared loading facilities. Bicycle parking would be required according to the requirements of Article 6.000 (including the proposed citywide changes, if adopted).

Middle Income Housing: In addition to the affordable housing units required under Inclusionary Zoning, new residential development exceeding 250 feet in height would be required to provide middle income housing units available to households earning between 80% and 120% of the areawide median income. The amount of such housing would be equivalent to 25% of the residential floor area occupying space above 250 feet, but the units would be located throughout the building, subject to review and approval by the Planning Board.

Innovation Space: As Kendall Square becomes more attractive to large technology companies, the K2 recommendations emphasize the importance of retaining space for smaller businesses such as tech start-ups as a critical component of the overall innovation economy. In accordance with the K2 recommendations, the proposed zoning defines “Innovation Office Space” as a category of office that provides shared resources to small entities that can rent space on flexible short-term leases. The proposed zoning requires Innovation Space in an amount equal to at least 5% of new office space (office uses, according to zoning, include commercial laboratories). This would result in up to 49,000 square feet of Innovation Space in the District.

Sustainability: The proposed zoning adopts the sustainability requirements for new development that are recommended in the K2C2 Study, which are stricter than the standards currently applicable in the district or citywide. New buildings would be required to meet LEED criteria at the Gold level and to submit a statement of energy design intent. In this case, some flexibility is allowed in future academic research facilities where the LEED standards may be impractical because of the specialized nature of the facility. New development would also be required to monitor and report on building energy use, utilize stormwater mitigation strategies, employ cool roofs, and report on the feasibility of using the district steam system. The proposed

zoning also allows the Planning Board to grant zoning relief to accommodate co-generation or other efficient energy systems.

Active Ground Floors: The proposed zoning follows the K2 recommendation of requiring active uses, which include retail and other publicly accessible uses, along 75% of new building frontages along Main Street, Broadway, Third Street and the Broad Canal, which were identified as priority active streets in the K2C2 study.

Community Investments: The K2 recommendations note that Kendall Square as a whole would benefit from certain public investments that are shared among multiple developers and landowners. These include the coordinated programming and operation of publicly accessible open spaces, enhancements to transit service, and the provision of workforce development programs for Cambridge residents. The proposed zoning requires payments to a Kendall Square Fund that would collect and distribute funds to serve these purposes.

Overview of Recommended Modifications

Between the Planning Board hearing on January 15 and the continuation on February 19, the Board directed the petitioners to work with CDD staff to resolve a set of outstanding issues identified in the initial proposed text. The text changes included on subsequent pages address a range of issues, including closer alignment between the proposed zoning regulations and the K2 recommendations, technical issues raised by CDD staff, and concerns of abutting property owners.

The following list summarizes the changes that have been made in this version:

- 13.83.2(a) – The exemption of retail space from GFA requirements is revised to specify that it would apply only to ground floor or basement spaces occupied by small establishments.
- 13.83.2(c) – A paragraph is added excluding future residential or dormitory development south of Main Street from FAR and GFA limitations. The Planning Board suggests this change as an incentive to accommodate the future provision of student or other housing in addition to the proposed minimum 240,000 square feet of residential use.
- 13.83.2(d) – A paragraph is added exempting half of the provided Innovation Space from GFA and FAR limitations, consistent with the K2 recommendations.
- 13.83.3(b) – A paragraph is added requiring that a Conceptual Development Plan for the entire district must be presented as part of any Development Proposal, including potential building sites that are not seeking Planning Board approval at that time. It will be important for the Board to be able to review a proposed development within the context of the overall potential development in the district.
- 13.83.3(d) – The requirements for floor plate size are removed because comparable language exists in the *Kendall Square Design Guidelines*. It is the Board's view that the configuration

and massing of buildings should be evaluated qualitatively as part of design review and that there should be opportunities to allow variations from specific standards where it results in a superior design overall.

- 13.85.2 – A new paragraph is added to provide specific protection to the historic building at 139 Main Street (owned by the American Red Cross of Eastern Massachusetts) by requiring a twenty-foot setback for new buildings.
- 13.86.1.2 – The criteria for evaluating building heights above 250 feet are removed because comparable criteria are included in the *Kendall Square Design Guidelines* for buildings that are 200 feet tall or taller.
- 13.87 – A requirement is added to include a Conceptual Open Space Plan for the entire district, similar to the requirement for a Conceptual Development Plan described above.
- 13.88 – Relatively minor changes are made to the parking and loading provisions to make clear what variations the Planning Board is allowed to approve and to provide appropriate criteria for the Planning Board to grant such variations.
- 13.89.3 – The specific requirements for Innovation Space are revised to be consistent with the K2 zoning recommendations.
- 13.89.4 – The specific requirements for sustainability are revised to be more consistent with the K2 zoning recommendations, as described further above. Some flexibility is provided for future academic buildings which, because of their specialized nature, may not practically meet the LEED Gold standard. Further discussion between the petitioner and City staff may help to clarify what additional measures could be applied to improve energy use for future academic buildings where the LEED Gold standard might not apply.
- 13.810.4 – A new paragraph is added to affirmatively state that the Planning Board will consider all relevant City planning studies and guidelines when reviewing development plans for the area. These would include the *Kendall Square Design Guidelines* created through the K2C2 study process.

It is the Board's view that these changes result in a proposal that is in accordance with Cambridge's basic planning principles as well as the specific planning goals and recommendations developed through the K2C2 study.

Respectfully submitted for the Planning Board,



Hugh Russell, Chair.

13.80 PUD-5 DISTRICT

13.81 Purpose. The PUD-5 District is intended to provide for Kendall Square's continued prominence as a world-renowned center of innovation and a vibrant neighborhood through the creation of a mixed-use district of high quality general and technical office and laboratory uses with significant retail activity proximate to the MBTA station. The PUD-5 District helps organize placement of commercial and institutional buildings and establishes an additional mixed-use development containing a significant residential component to support the burgeoning residential corridor along Third Street and the strong links to existing neighborhoods and the riverfront. The PUD-5 District allows for continued support of the academic mission at MIT and encourages connective links, physical and otherwise, between the Institute and adjacent neighborhoods.

The PUD-5 District responds to the Kendall Square planning process and is intended to be a smart-growth, transit-oriented district and therefore allows for replacing surface parking lots with larger scale development in Kendall Square and the major public transit services located there. The PUD-5 District encourages low parking ratios, shared parking strategies, the use of public transportation and improved pedestrian and bicycle environments. The PUD-5 District furthers the City's goals for sustainable development through buildings and sites that are planned, designed and constructed in a sustainable way so as to minimize adverse environmental impacts as they are initially constructed and as they are occupied and operated over the course of their useful lives.

The PUD-5 District promotes the creation of a strong retail corridor along Main Street and the enhancement of Broad Canal Way. Combined, this new public crossroads will have broad appeal as a desirable destination during and beyond the traditional workday by providing a critical mass of diverse restaurants, shops, entertainment and programming. The ground floor space will engage pedestrians and provide a variety of indoor and outdoor gathering spaces, including retail that can address the needs and reflect the creativity of the local community.

13.81.1 *Establishment and Scope of Subdistricts within the PUD-5 District.*

The PUD-5 District shall be divided into a series of Subdistricts as described below for the purpose of defining requirements that may not apply to the District as a whole. All provisions of the PUD-5 shall apply equally to each Subdistrict, except as provided for elsewhere in Section 13.80.

13.81.2 *Description of the Subdistricts within the PUD-5 District.*

13.81.2.1 The Third Street Transition Subdistrict is the area bounded by the northern sideline of Lot # 31 on Assessor's Map 14 running to the centerline of Third Street, then the centerline of Third Street running southerly to the centerline of Broadway, then the centerline of

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Broadway and Main Street running from Third Street to a point in the centerline of Main Street that is consistent with the point of intersection that the eastern sideline of the above-referenced Parcel would have with the centerline of Main Street if such sideline continued in a straight line to the centerline of Main Street, then the eastern sideline of the above-reference Parcel northerly from the centerline of Main Street to the northern sideline of the above-referenced Parcel.

13.81.2.2 The Main Street Subdistrict is the area bounded by the point in the centerline of Main Street that is consistent with the point of intersection that the eastern sideline of Lot #15 on Assessor's Map 46 would have with said centerline if said eastern sideline were continued in a straight line to said centerline, then southerly by the eastern boundary of said Parcel to a line 150 feet north of and parallel to the property lines of lots abutting the northern sideline of Memorial Drive, then westerly by said to the centerline of Wadsworth Street, then the centerline of Wadsworth Street running north from Memorial Drive, then the centerline of Amherst Street running west from Wadsworth Street, then the centerline of Hayward Street running north from Amherst Street to its intersection with a line 400 feet to the south of and parallel to the Main Street front property lines of lots abutting Main Street and located between Ames and Hayward Streets, then centerline of Ames Street from the parallel line to Main Street, then the centerline of Main Street, but excluding Lot #14 on Assessor's Map 48 (and the portion of Main Street immediately abutting the northern sideline of Lot #14 on Assessor's Map 48).

13.81.2.3 The Transitional Height Subdistrict is the area bounded by the centerline of Ames Street running northerly from the intersection with Amherst Street to a line 400 feet to the south and parallel to the Main Street front lot lines of properties abutting Main Street and located between Ames and Hayward Streets, then the centerline of Hayward Street running south toward Amherst Street and then the centerline of Amherst Street running west to Ames Street.

13.81.2.4 The Memorial Drive Height Subdistrict is the area bounded by the centerline of Ames Street running northerly from the northern sideline of Memorial Drive, then the centerline of Amherst Street running east toward Wadsworth Street, then the centerline of Wadsworth Street running south to its intersection with a line 150 feet north of and parallel to the lot lines of the parcels abutting the northerly boundary of Memorial Drive, then easterly along said line to the easterly boundary of Lot #15 on Assessor's Map 46, then southerly along said easterly boundary to the northern edge of the DCR right of way along

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Memorial Drive, then westerly by the northern sideline of Memorial Drive.

13.82 *Uses Allowed in the PUD-5 District.* The uses listed in this Section 13.82, alone or in combination with each other, shall be allowed upon permission of the Planning Board.

13.82.1 Residential Uses. All uses listed in Section 4.31(d-g) and (i)(2).

13.82.2 Transportation, Communication and Utility Uses. All uses listed in Sections 4.32, except for railroad freight terminal, railroad yard and shops (4.32c), truck or bus terminal yard or building for storage or servicing of trucks, trailers or buses, or parking lot for trucks (4.32d), and helipad or airport (4.32h).

13.82.3 Institutional Uses. All uses listed in Section 4.33.

13.82.4 Office and Laboratory Uses. All uses listed in Section 4.34.

13.82.5 Retail Business and Consumer Service Establishments. All uses listed in Section 4.35.

13.82.6 Open Air or Drive in Retail & Service. All uses listed in Sections 4.36a. (Sales place for flowers, garden supplies agricultural produce conducted partly or wholly outdoors, commercial greenhouse or garden) and 4.36e. (Open air theatre or other open air place of entertainment), but not including drive in theatres.

13.82.7 Light Industry, Wholesale Business and Storage. All uses listed in Sections 4.37(a), (b), (c) and (f).

13.82.8 Other Uses. Any use not listed in subsections 13.82.1 - 13.82.7 shall be allowed only upon written determination by the Planning Board that such use is consistent with the objectives of the PUD-5 District and is consistent with the predominant uses in the PUD-5 District.

13.83 *Floor Area Ratio; Gross Floor Area.*

13.83.1 Maximum Floor Area Ratio. The maximum total Floor Area Ratio (FAR) of the PUD-5 District shall be 3.9 for all permitted uses. The FAR of any given Development Parcel may exceed the limitation set forth above as long as the overall FAR in the PUD-5 District for such uses does not at any time exceed the limitation set forth above.

13.83.2 Floor Area Ratio and Gross Floor Area Exemptions. Notwithstanding anything appearing in this Section 13.83 or otherwise contained in the Zoning Ordinance to the contrary, the following shall not be counted as Gross Floor

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Area for the purposes of calculating the allowable FAR for the PUD-5 District or the Gross Floor Area limitations set forth further below:

- a. The Gross Floor Area of any first floor or areas situated no more than one (1) floor below grade of a building devoted to the retail uses identified in Sections 13.82.5 and 13.82.6, constructed or, if located in an existing building, substantially renovated, after the adoption of Section ~~13.80~~ 13.80, provided, however, that in the event that the average size of individual retail uses located in the PUD-5 District exceed 5,000 square of Gross Floor Area, the portion of any individual retail use exceeding 5,000 square feet (or 10,000 square feet for a grocery, market or pharmacy retail use) shall be counted as Gross Floor Area for the purposes of calculating allowable FAR. The floor area of any grocery, market or pharmacy uses shall not be included in calculating the average size of individual retail uses for the purposes of this Section 13.82.3.a.
- b. The area of any public transportation facility directly providing public transportation services that is owned or controlled by a public transportation agency.
- c. The Gross Floor Area of any residential and institutional dormitory uses constructed in any of the Main Street, Transitional Height and Memorial Drive Height Subdistricts after January 1, 2013, but only to the extent that such Gross Floor Area, when taken together with the aggregate Gross Floor Area of all other residential and institutional dormitory uses then-situated within said Subdistricts, exceeds the total amount of Gross Floor Area devoted to such uses within said Subdistricts as of January 1, 2013.
- d. Fifty percent (50%) of the Gross Floor Area devoted to Innovation Office Space (as defined in Section 13.89.3), up to an amount equal to ten percent (10%) of the total office space remaining in the PUD-5 District.

13.83.3 Gross Floor Area Limitations.

- a. Definition of New Gross Floor Area. For purposes of this Section 13.80, "New Gross Floor Area" shall mean an amount of square feet of Gross Floor Area in excess of the amount of Gross Floor Area in existence in the PUD-5 District as of January 1, ~~2012~~ 2013. For example, if an existing building in the PUD-5 District containing 50,000 square feet of Gross Floor Area is demolished and a building containing 55,000 square feet of Gross Floor Area is constructed in its place, 5,000 square feet of Gross Floor Area would be considered New Gross Floor Area.

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b. ~~Plan Requirement~~Requirements.

i. Existing Uses. As part of the first application for a PUD special permit under the provisions of this Section 13.80, such existing Gross Floor Area for the entire PUD-5 District shall be identified as to quantity, type of use and location and such enumeration shall thereafter serve as the basis from which to administer this Section 13.83.3.

ii. Conceptual Development Plan. A Development Proposal shall include, in addition to the required site plans for development within that particular Development Parcel, a conceptual plan depicting the range of potential building sites elsewhere in the PUD-5 District and indicating the potential size and use (or alternate uses) of future development on those sites. The purpose of this plan is to place the Development Proposal in context with existing and potential future development and to illustrate how the remaining allowed development within the District may be distributed in the future. The conceptual development plan shall be expected to evolve over time. With each subsequent Development Proposal within the PUD-5 District, a revised conceptual plan shall be submitted. Revisions to a conceptual plan shall not require amending any previously approved PUD Special Permit, but shall not be effective to waive or modify any of the specific conditions contained in a previously approved PUD Special Permit. The Conceptual Development Plan may also incorporate the Conceptual Open Space Plan required in Section 13.87.2.

c. Commercial Limitation. No more than an aggregate of 980,000 square feet of New Gross Floor Area of the types of uses listed in Sections 13.82.4-13.82.7 shall be permitted in the PUD-5 District.

Notwithstanding anything in this Ordinance to the contrary, a building shall not be considered to be a “commercial building” if institutional uses occupy in excess of seventy-five percent (75%) of the Gross Floor Area of the building, excluding the Gross Floor Area of any first floor retail contained therein. for the purposes of Sections 13.88 and 13.89.4.

~~d. Floor Plate Limitations. For the purposes of this Section, a “Floor Plate” shall be considered to be the cross-sectional area of a building, taken across a level horizontal plane at a specified height above the mean grade of the ground adjoining said building, measured to the interior planes of the exterior walls of the building. Spaces that are exempt from Gross Floor Area shall not be considered to be part of the Floor Plate. In addition, the Gross Floor~~

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~~Area of Pedestrian Bridges approved by the Planning Board pursuant to Section 13.85.2, connecting Floor Plates shall not be considered to be part of the Floor Plate.~~

~~i. Within a new commercial building, the following restrictions shall apply to Floor Plates containing the types of uses listed in Sections 13.82.4-13.82.7:~~

~~a. There shall be no limitation on the size of a Floor Plate from the ground level to a height of 85 feet.~~

~~b. Between 85 feet and 125 feet in height, a Floor Plate shall not exceed 42,000 square feet of Gross Floor Area; and~~

~~c. Between 125 feet and 250 feet in height, a Floor Plate shall not exceed 30,600 square feet.~~

~~ii. Within a new institutional structure:~~

~~a. There shall be no limitation on the size of a Floor Plate from the ground level to a height of 125 feet; and~~

~~b. Between 125 feet and 250 feet in height, a Floor Plate shall not exceed 30,600 square feet.~~

~~iii. Within any new building, any Floor Plate above 250 feet in height shall not exceed 10,400 square feet and shall be limited to residential and institutional dormitory uses, excluding hotel and motel uses.~~

13.84 *Parcel and Lot Requirements*

13.84.1 *Parcel and Lot Size.* The minimum size for a Development Parcel for a PUD in the PUD-5 District shall be 25,000 square feet. There shall be no minimum lot size for lots within a Development Parcel in the PUD-5 District.

13.84.2 *Lot Width.* There shall be no minimum width for a Development Parcel and no minimum width for lots located within a Development Parcel.

13.84.3 *Minimum Lot Area Per Dwelling Unit.* There shall be no required minimum Lot Area per dwelling unit in the PUD-5.

13.85 *Setbacks.* Except as provided below, there shall be no minimum required front, rear and side yard requirements for a Development Parcel or for lots located within a Development Parcel.

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13.85.1 New commercial buildings along Main Street, Third Street and Broadway containing uses set forth in Sections 13.82.4 -13.82.7 above in the PUD-5 District must be set back sixteen (16) feet from the Street Line of Main Street, Third Street and Broadway at and above a point eighty-five (85) feet above mean grade. Up to one-third of the façade length on such a street, on a cumulative basis, may be exempt from this requirement.

~~**13.85.2** The Planning Board may approve the construction of Pedestrian Bridges, which shall mean open or enclosed above-grade pedestrian passageways connecting buildings located within the PUD-5 District to each other, provided that such pedestrian bridge provides a minimum clearance height of fourteen (14) feet above any pedestrian or vehicular rights of way over which the same passes. Pedestrian Bridges shall not be exempt from Gross Floor Area where they would otherwise meet the definition contained in Article 2.000 of this Zoning Ordinance.~~

13.85.2 New buildings constructed in the Third Street Transition Sub-District must be set back from the portion the easterly boundary of the Sub-District situated within 120 feet of the northerly Street Line of Main Street (the "Limited Setback Boundary") (a) a distance of at least twenty (20) feet, running parallel from the Limited Setback Boundary, and (b) thirty-six (36) feet for any portions of the building that exceed a height of eighty-five (85) feet above mean grade, running parallel from the Limited Setback Boundary.

13.86 *Height.*

13.86.1 In the Third Street Transition and the Main Street Subdistricts, the maximum height of any building shall be 250 feet, except as permitted by Sections 13.86.1.1 and 13.86.1.2. Section 13.86.1.1.

13.86.1.1 The Planning Board may approve Final Development Plans that result in no more than one new building exceeding 250 feet up to 300 feet in height in the Third Street Transition Subdistrict and one additional building up to 300 feet in height in the Main Street Subdistrict; provided that:

(a) the use of any occupiable space situated above 250 feet in height shall be limited to residential and/or institutional dormitory uses, and

(b) within a residential building, Middle Income Units (as defined below) shall ~~be~~ occupy an aggregate Gross Floor Area equal to at least twenty-five percent (25%) of the total residential Gross Floor Area (excluding any Gross Floor Area occupied by institutional dormitory uses) in the portions of the building that exceed 250 feet in height. Such Middle Income Units shall be evenly distributed

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~~throughout the portion of the residential building situated below 250 feet in height in a manner approved by the Planning Board, in consultation with City staff, in the Final Development Plan for a Development Parcel, in order to ensure that the Middle Income Units are of an appropriate location, size, configuration and quality for households intended to occupy such units. The residential units situated above 250 feet shall not be subject to the provisions of Sections 11.203.2 or 11.204(b).~~

For the purposes of this Section 13.86.1.1, Middle Income Units shall be defined as residential dwelling units for which:

- (i) the occupancy is restricted to households whose total income exceeds 80% but does not exceed 120% of the median income of households in the Boston Standard Metropolitan Statistical Area adjusted for family size, or such other equivalent income standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund; and
- (ii) the rent (including utilities) does not exceed thirty percent (30%) of the income of the renting household or, in the instance of home ownership units, the monthly mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty percent (30%) of the income of the purchasing household, or such other equivalent standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund.

~~13.86.1.2 In evaluating a proposed building that has a height in excess of two hundred fifty (250) feet, the Planning Board shall give consideration to evidence presented on the following:~~

- ~~(a) that the building has been designed in such a way as to minimize the casting of shadows and the alteration of air currents in, on and around adjacent buildings or outdoor open spaces, plazas or sidewalks meant to serve as active gathering spaces;~~
- ~~(b) that increased height would mitigate detrimental environmental impacts such as excessive ground coverage, diminution of open space, and monotonous development, or would facilitate the preservation of historic structures;~~
- ~~(c) that increased height would not adversely affect, and would result in increased sensitivity to, the visual and physical characteristic of the particular location through more harmonious relationships to the~~

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~~terrain and to the proposed and existing buildings in the vicinity that have functional or visual relationships to the proposed building; and~~

~~(d) that the orientation and location of the proposed structure would not otherwise diminish the health and safety of the area around the Development Parcel.~~

13.86.2 In the Transitional Height Subdistrict, the maximum height of any building shall be 200 feet. Notwithstanding the above, if at least 50% of the area of the ground floor footprint of a building is located within the Main Street Subdistrict, a portion of the building at the higher height may extend into the Transition Height Subdistrict, but by no more than 50 feet.

13.86.3 In the Memorial Drive Height Subdistrict, the maximum height of any building shall be 150 feet.

13.87 Open Space.

13.87.1 Minimum Open Space. The minimum overall percentage of Publicly Beneficial Open Space of the total area of the PUD-5 District shall be fifteen percent (15%). The percentage of Publicly Beneficial Open Space provided in any given Final Development Plan for a Development Parcel may be less than 15% as long as the overall ratio in the PUD-5 District is not less than 15%. In the event that a Development Parcel provides less than 15% open space, the Final Development Plan for the Development Parcel shall identify the Publicly Beneficial Open Space in the PUD-5 District that shall equal or exceed 15% of the total area of the PUD-5 District.

13.87.2 Conceptual Open Space Plan. A Development Proposal shall include a conceptual plan depicting the size, layout and configuration of Publicly Beneficial Open Space within the PUD-5 District upon completion of the proposed building(s) in the Development Parcel. This conceptual plan shall indicate the Publicly Beneficial Open Space that exists in the PUD-5 District as of the time of the submission of the Development Proposal, that will be constructed as part of the Development Proposal, and that are planned for elsewhere in the PUD-5 District. The conceptual open space plan shall be expected to evolve over time as some portions of Publicly Beneficial Open Space may be relocated or reconfigured as part of future Development Proposals. With each subsequent Development Proposal within the PUD-5 District, a revised conceptual open space plan shall be submitted. Revisions to a conceptual open space plan shall not require amending any previously approved PUD Special Permit, but shall not be effective to waive or modify any of the specific conditions contained in a previously approved PUD Special Permit. The Conceptual Open Space Plan may be presented jointly with the Conceptual Development Plan required in Section 13.83(b)(ii).

NOTE: Additions and deletions to the petition as filed are denoted by double underline and ~~strikeout~~, respectively.

13.88 *Parking and Loading Requirements.* Development in the PUD-5 district shall conform to the off street Parking and Loading Requirements set forth in Article 6.000, except as modified by this Section 13.88.

13.88.1 With regard to uses contained within new commercial buildings, provided that the requirements of Section 6.23 of the Ordinance are met, the parking requirements of this Section 13.88 may be satisfied (a) anywhere in the PUD-5 District or, if located outside of the PUD-5 District, within 2,000 feet of the use being served, notwithstanding anything to the contrary contained in Article 6.000 and (b) in total or in part by a lease agreement between the developer and the City, other public entity or private owner or consortium for use of parking spaces in the public or pooled private parking facilities within said area.

13.88.2 All parking provided within an approved PUD shall be considered collectively accessory to all approved uses within the PUD, including any uses outside of the Development Parcel that may be approved by the Planning Board. Notwithstanding anything to the contrary in Article 6.000, this Ordinance shall not restrict the management and assignment of parking spaces in a way that will most efficiently utilize the existing and proposed parking spaces to serve all approved uses. As an exception to this rule, all parking spaces (whether existing or proposed) to be included within an institutional parking pool shall be distinctly identified, and shall not be used for any other uses except in ways that are explicitly approved by the Planning Board in issuing a PUD Special Permit Decision.

13.88.3 *Minimum Parking.* In approving a Final Development Plan for a Development Parcel, the Planning Board may waive any minimum parking requirements applicable in the zoning district, with the exception that parking for residential uses shall not be less than 0.5 parking spaces per dwelling unit. The Planning Board may approve arrangements for shared parking of such residential parking spaces with commercial spaces. The Planning Board shall specify a minimum parking requirement for a PUD based on review and analysis of Transportation Impact Studies and other relevant information on parking demand provided in application documents, including the Shared Parking Study as required further below, and with the guidance of City agencies.

13.88.4 *Maximum Parking.* Maximum allowed parking for a PUD shall be limited by applying the rates set forth below to each use within the PUD and taking the summation of the result for all uses. Exceeding the maximum allowed parking shall require a waiver of maximum parking is requested under the general provisions of Article 6.000.

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- a. Maximum of 0.9 spaces per 1,000 square feet of Gross Floor Area for office uses, excluding technical office (Section 4.34(a-e)).
- b. Maximum of 0.8 spaces per 1,000 square feet of Gross Floor Area for laboratory use and technical office uses (Section 4.34(f)).
- c. Maximum of 0.75 spaces per residential dwelling unit (Section 4.31(d-g)).
- d. Maximum of 0.5 spaces per 1,000 square feet of retail (Sections 4.35 and 4.36).
- e. Maximum of 1 space per 4 sleeping rooms for hotel use (Section 4.31(i)(2)).

13.88.5 *Shared Parking Study.* A Development Proposal for development in the PUD-5 District shall include an analysis of anticipated parking demand for all uses in the development throughout the course of a typical day and week. This analysis may identify opportunities for reducing the total amount of parking required to serve all uses through the sharing of parking spaces by multiple uses. Based on this analysis, the Planning Board may approve a reduced minimum or maximum parking requirement upon finding that the approved amount of parking will be sufficient to serve all permitted uses.

13.88.6 *Design, Dimensional, and Other Requirements of Provided Parking and Loading Facilities*

a. Except as provided herein, all parking for new non-residential and non-institutional uses shall be underground structured parking. Notwithstanding this underground parking requirement, parking for all uses in the Third Street Transition Subdistrict may be in above-ground structured parking provided such structured parking is consistent with the existing structured parking in the Subdistrict.

b. ~~A Development Parcel may contain on-grade parking equal in number to 5% of the parking otherwise required for the uses in the Final Development Plan for that Development Parcel.~~ ~~c.~~ ~~In its approval of a Final Development Plan, the Planning Board, in consultation with City staff (including the Traffic Parking and Transportation Department), may approve (i) the location, layout and design of parking spaces that deviate from the requirements of Article 6.000.~~ ~~d.~~ ~~In its approval of a Final Development Plan, the Planning Board, in consultation with City staff, may approve 6.000; (ii) the location, width and layout of curb cuts serving the Development Parcel that deviate from the requirements of Section 6.43-6.43; and (iii) a small number of on-grade parking and loading spaces to be used~~

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for, among other things, handicap parking, short-term loading, use by food trucks and other short-term or special purposes.

13.88.7 *Temporary On-Grade Open Parking for Commercial Uses*

On an interim basis in anticipation of later construction of underground or other structured parking sufficient to meet all parking requirements of a new commercial use constructed on a Development Parcel, on-grade open parking shall be allowed on within the PUD-5 District to serve such a use subject to the following conditions:

- a. The future underground parking structure will be constructed within the PUD-5 District, but it may be located either on or off of the lot which it will serve;
- b. Construction of the replacement subsurface parking structure is anticipated to commence within four (4) years of the date of certificate of occupancy for the building initially served by on grade parking;
- c. The future subsurface parking structure will contain sufficient spaces for users of the building initially served by on grade open parking so as to meet the parking requirements for such building; and
- d. Binding commitments shall exist to establish, to the reasonable satisfaction of the Planning Board, that requirements (a) through (c) above shall be satisfied. Such commitments shall be made by negotiated lease agreement, deed restriction, covenant, or comparable legal instrument.

13.88.8 *Pre-Existing Parking Spaces*

a. The Planning Board, after consultation with City staff, may approve in a Final Development Plan, underground or structured parking spaces as replacements for pre-existing ~~commercial~~accessory parking spaces that will be displaced by improvements contemplated by such Final Development Plan. ~~Notwithstanding the above, the Planning Board shall not be permitted to deny or otherwise prohibit the inclusion of such displaced commercial spaces in the underground parking structure in the Final Development Plan, if the Developer is required to provide such commercial spaces, provided that~~ such spaces are serving pre-existing commercial uses that are not proposed to be substantially altered. The Planning Board shall approve such replacement spaces upon determining that they were legally permitted under the applicable zoning regulations when the pre-existing use was established and that the traffic generated by the pre-existing use shall not be increased as a result. If such pre-existing spaces have been guaranteed to a third party by virtue of the terms of a duly executed lease, license or other legally binding

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written agreement, that exists as of January 1, 2013, the Planning Board may include conditions to its approval that would take effect upon the expiration of the third party's pre-existing use and occupancy of building, pursuant to the existing agreement (as such agreement may be extended and/or renewed from time to time).

b. Where any pre-existing accessory off-street parking spaces located in a Development Parcel that are serving a pre-existing use located outside the Development Parcel (whether within or outside the PUD-5 District) are proposed to be eliminated or displaced in accordance with the Final Development Plan for that Development Parcel, such pre-existing off-street parking may be relocated to a Parcel other than the Development Parcel by Special Permit granted by the Planning Board to the owner of the off-site use after consultation with City staff, provided, however, that such use is permitted on such other Parcel either as-of-right or by virtue of zoning relief granted for such Parcel by the Planning Board or the Board of Zoning Appeals, as the case may be. In granting such Special Permit, the Planning Board may grant deviations from the requirements of Article 6.000 of this Ordinance for the number, location, layout and design of the relocated parking spaces.

c. Such replacement or relocated accessory parking spaces for pre-existing uses shall not count toward the maximum parking permitted under this Section 13.88.

13.88.9 The Planning Board, in its approval of a Final Development Plan for a Development Parcel, may waive any requirements for the amount, location and design of loading facilities within a Development Parcel, and may permit loading facilities to be shared across various uses and lots within the PUD-5 District.

13.88.10 The quantity, design and location of bicycle parking shall comply with the provisions set forth in Article 6.000 of this Ordinance.

13.89 *Special Requirements, Conditions and Standards Applicable to Certain Development Authorized by the Planning Board in the PUD-5 District.* The Planning Board shall approve a Final Development Plan only after finding that in addition to all other applicable requirements the following requirements have been met. The Planning Board shall, in addition, include conditions in the approval of a Final Development Plan that will ensure ongoing compliance with these requirements.

13.89.1 Rooftop Mechanical Equipment Noise Mitigation. Sound emanating from rooftop mechanical equipment on all new structures in an approved Final Development Plan shall be minimized by the adoption of best available and feasible practices regarding the location and sizing of equipment, the

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selection of equipment and sound attenuation measures. Any noise or vibration emanating from new commercial buildings shall comply with the provisions of the City of Cambridge Noise Ordinance applicable to Commercial Areas (as such term is defined in the Noise Ordinance).

13.89.2 Required Housing.

At least 240,000 square feet of New Gross Floor Area in the aggregate must be devoted to residential uses in the PUD-5 District. Prior to the issuance of a building permit allowing construction of New Gross Floor Area for commercial uses in excess of 600,000 square feet in the aggregate, the Developer must demonstrate that construction of a minimum of 240,000 square feet of New Gross Floor Area of residential use has commenced, a full building permit has been issued for the construction of such residential use and that the construction of such square footage is being continuously and diligently pursued. The required residential Gross Floor Area shall be subject to the provisions of Section 11.200 of the Zoning Ordinance. Except as otherwise set forth herein, a Final Development Plan shall be subject to the requirements of Section 11.203.1 (Requirements for Incentive Zoning Contributions) and 11.203.2 of the Zoning Ordinance (Requirements for Inclusionary Housing).

13.89.3 Innovation Space. A Development Proposal containing at least 200,000 square feet of new Office Uses shall include a plan for Innovation Office Space meeting the requirements of this Section 13.89.3.

13.89.3.1 Required Space. BuildingsFor a Development Proposal containing new Office Uses, Innovation Office Space within the PUD-5 District shall ~~include Innovation Space that occupies~~must occupy Gross Floor Area equal to, or in excess of, the amount of Gross Floor Area that is five percent (5%) of the New Gross Floor Area approved in the Final Development Plans ~~for commercial uses other than residential and Active~~Plan for Office Uses. Existing Gross Floor Area within the PUD-5 District may be used to meet this requirement. Where at least 40,000 square feet of Innovation Office Space is required, Innovation Office Space may be distributed in separate buildings, provided, however, that each separate "unit" of Innovation Office Space, contains at least 20,000 square feet. If less than 40,000 square feet of Innovation Office Space is required to be contained in the PUD-5 District, the Innovation Office Space must be contained in a single building.

Developers of properties within the PUD-5 District may collaborate with other developers in adjacent zoning districts in the Kendall Square area to develop a joint Innovation Office Space Plan. In such a case, the total square footage of joint Innovation Office Space must be large enough to satisfy the

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sum of the requirements, if any, for such participating developers and zoning districts.

13.89.3.2 Characteristics. For the purposes of this Section 13.89.3, Innovation Office Space shall have the following characteristics:

(a) Durations of lease agreements (or other similar occupancy agreements) with individual business entities shall be for periods of approximately one (1) month.

(b) No single business entity may occupy more than 2,000 square feet or 10% of the entire Innovation Office Space required to be provided in the PUD-5 District, whichever is greater.

(c) The average size of separately contracted private suites may not exceed 200 square feet of GFA.

(d) Innovation Office Space shall include shared resources (i.e., co-working areas, conference space, office equipment, supplies and kitchens) available to all tenants and must occupy at least 50% of the Innovation Office Space.

(e) Individual entities occupying Innovation Office Space may include small business incubators, small research laboratories, office space for investors and entrepreneurs, facilities for teaching and for theoretical, basic and applied research, product development and testing and prototype fabrication or production of experimental products;

~~(b) Innovation Space shall be available on short term flexible leases (or other similar agreement) of small Gross Floor Areas; and~~ **13.89.3.3 Variations.** In approving a Final Development Plan or a Minor Amendment to a Final Development Plan, the Planning Board may allow variations in the specific standards and characteristics set forth Sections 13.89.3.1 and 13.89.3.2 above, if the Planning Board finds that the Innovation Office Space, as proposed, will be consistent with the purposes of these standards and characteristics.

~~(c) Innovation Space shall provide resources (i.e., conference space, office equipment and supplies) that are shared among the various companies and entities occupying the Innovation Space.~~

Commencing on the date that is five (5) years from the approval of the first Final Development Plan for a Development Parcel and periodically thereafter, the Developer may request a review by the Planning Board to

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~~determine the progress of the use of Innovation Space within the PUD-5 District and whether a requirement for a minimum amount of Innovation Space remains appropriate given then prevailing market forces and the mix of uses in and around Kendall Square. Subsequently, the Planning Board, in consultation with City staff, shall have the right to (a) amend existing Special Permits issued for PUD's containing commercial uses other than residential and Active Uses that waives or otherwise reduces the minimum requirements of this Section 13.89.3 applicable to the PUD-5 District and (b) waive or otherwise reduce prospectively the applicability of the minimum requirements of this Section 13.89.3 applicable to the PUD-5 District for future Development Proposals.~~

13.89.4 *Sustainability.*

New buildings constructed within the PUD-5 District shall comply with the provisions of Section 22.20 of the Ordinance. Notwithstanding the above, new commercial laboratory and office buildings containing uses identified in Sections 13.82.4 and 13.82.7 and new residential buildings identified in Section 13.82.1, shall comply with LEED Gold level criteria. In connection with the submission requirements of Section 22.24.2.a., the developer of such buildings shall submit a Statement of Energy Design Intent produced through the EnergyStar Target Finder tool, or comparable method. New institutional buildings shall meet LEED Gold level criteria, unless the technological specifications of a proposed specialized academic research facility are such that the developer can demonstrate the impracticability of achieving the LEED Gold level criteria or the inordinate impact achieving the LEED Gold level would have on such specialized academic research facility. In such a case, the building shall continue to meet the applicable requirement in Section 22.20, and the required submission shall enumerate additional measures that will be taken to reduce energy use or employ renewable energy systems to the greatest extent feasible. New buildings in the PUD-5 District must incorporate an integrated design approach and incorporate the best practices for meeting sustainability in the following five (5) areas:

a. Energy and Emissions; Steam. Each new building must conserve building energy and, to the extent applicable, reduce carbon/GHG emissions. The Developer, with each Development within the PUD-5 District, must evaluate the potential for on-site energy generation or the construction of co-generation facilities within the PUD-5 District that will serve the new building and other buildings located within the PUD-5 District. A Development Proposal for a commercial building shall include a study, prepared by the Developer, considering the feasibility of connecting the building identified in the Development Proposal to the existing district steam system.

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b. Urban Site and Landscaping; Water Management. The Developer, for each new building, must explore opportunities for (i) potable water use reductions, (ii) storm water management using open spaces, (iii) the incorporation of indigenous vegetation and (iv) storm water for irrigation purposes. At a minimum, all new-commercial buildings within the PUD-5 District must meet the Department of Public Works' standards for water quality management and the retention/detention of the difference between the 2-year 24-hour pre-construction runoff hydrograph and the post-construction 25-year 24-hour runoff hydrograph.

c. Healthy Living & Working. Each new building must provide people with access to daylight and enhance the visual and thermal comfort of people living and working within the PUD-5 District.

d. Transportation. The Final Development Plan for the PUD-5 District must encourage multimodal transportation, provide facilities for cyclists and provide an infrastructure to support alternative energy vehicles.

e. Promotion of Sustainability Awareness. New buildings within the PUD-5 must be designed to incorporate features that demonstrate other sustainability strategies.

f. Cool Roofs. All new buildings approved in the District after January 1, 2013, must employ Functional Green Roofs (as such term is defined in Article 22.000 of this Zoning Ordinance), high-albedo "white" roofs or a functionally equivalent roofing system.

g. Monitoring. All new buildings approved in the PUD-5 District after January 1, 2013, shall track and report energy use to the City using EnergyStar, Labs21, LEED-EBOM or a substantially similar mechanism. Such reporting shall occur at the end of the first year of occupancy of the building, then once annually during the first five (5) years of occupancy, and once every five (5) years thereafter. Failure to provide such reports to the City shall not constitute a failure of condition of any PUD-5 Special Permit.

In connection with the approval of a Final Development Plan or in connection with the granting of a Special Permit pursuant to Article 19 of the Ordinance, the Planning Board may grant dimensional and other zoning relief in order to permit the construction of a co-generation facility or other energy systems that allow developments to develop shared solutions to minimize energy usage.

13.810 *Other Provisions.*

NOTE: Additions and deletions to the petition as filed are denoted by double underline and ~~strikeout~~, respectively.

13.810.1 Signs. The ~~sign~~ regulations of Article 7.000 applicable to Business, Office and Industrial Districts shall be applicable to ~~new~~ buildings in the PUD-5 District.

13.810.2 Active Uses and Pedestrian Activity.

Final Development Plans for commercial uses shall enhance the public pedestrian usage of the sidewalks and create a sense of neighborhood continuity by providing an interesting, lively and active presence at street level. Accordingly, portions of the first floors of commercial buildings in locations enumerated below shall generally be planned, designed, constructed and used for Active Uses (defined below). At a minimum, a total of at least seventy-five percent (75%) of the aggregate New Gross Floor Area of the Activation Space situated within a commercial building in the PUD-5 District shall be devoted to Active Uses. For the purposes of this Section 13.810.2, the term "Activation Space" shall mean the portions of the first floors of commercial buildings immediately abutting Main Street, Broadway and the Broad Canal, situated between the Principal Front Wall Plane of such building along said Main Street and Broadway and along the northerly and easterly boundaries of the Third Street Transition Subdistrict along Broad Canal Way and the line that is situated twenty (20) feet from said Principal Front Wall Plane. Notwithstanding the above, the Planning Board, in approving a Final Development Plan for a new building, may, in consultation with City staff, grant a reduction of the required minimum total area of Active Uses within the Activation Space of the new building, where such reduction is necessitated by site conditions or other complications.

Definition of Active Uses. For purposes of this Section 13.810.2, "Active Uses" means:

- (1) Retail business and consumer service establishments listed in Section 4.35;
- (2) Institutional uses that are generally open to the public, such as museums and exhibition spaces;
- (3) Uses listed in Section 13.82.6; and
- (4) Other uses which the Planning Board determines meet the goals of this Section 13.810.2.

The definition of "Active Uses" shall specifically exclude lobbies or other spaces that serve an accessory function to upper-story office or laboratory uses.

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Building and Site Design Requirements for Active Uses and Open Spaces.

- (1) Active Uses shall have one or more entrance(s) from the sidewalk or plaza separate from the principal entrance of the building for non-retail uses.
- (2) Outdoor courtyards, delineated gathering space, or sitting areas are encouraged throughout each Development Parcel in any approved Final Development Plan.

Prior to submitting any application for a special permit in the PUD-5 District, the applicant shall engage the services of a consultant or other party with retail expertise to advise the applicant in connection with retail and other Active Uses to be included in the applicable Development Parcel. The recommendations of that consultant shall be included in the applicable special permit application.

13.810.3 Contribution to Community Fund.

Upon the Planning Board's approval of the first Final Development Plan for a Development Parcel within the PUD-5, the City Manager shall establish a Community Fund, which Fund shall be administered by a committee appointed by the City Manager and approved by the City Council, which committee (the "Community Fund Committee") shall contain no more than seven (7) members, with at least one (1) member from each of the following: East Cambridge Planning Team, the Kendall Square Association, Area IV Neighborhood Coalition, Wellington-Harrington Neighborhood Association and the Massachusetts Institute of Technology. Said members shall be selected by their respective organizations.

Subject to the provisions of this Section 13.810.3, upon the issuance of a Final Certificate of Occupancy for a new commercial building in the PUD-5 District, the Developer shall be required to make a payment to the Community Fund in an amount equal to \$10.00 multiplied by the number of square feet of New Gross Floor Area for the commercial uses identified in Section 13.82.4 and 13.82.7 that are the subject of such Final Certificate of Occupancy (such amount, a "Fund Contribution Payment"). The City shall use the funds contributed by the Developer pursuant to this Section 13.810.3 for

- (a) the establishment and betterment of Publicly Beneficial Open Spaces located in the PUD-5 District and within 500 feet of the boundaries of the District and shall include, without limitation, improvements to Broad Canal, Broad Canal Way, Point Park and

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other Publicly Beneficial Open Space abutting streets within the PUD-5 District;

(b) transportation improvements and services to benefit the Kendall Square Neighborhood and adjacent neighborhoods; and

(c) workforce development and training.

The Developer shall have the right to obtain credits for actual, out-of-pocket costs incurred by the Developer in creating or implementing, or contributing to a third party's creation or implementation of, any of (a), (b) or (c) above (each such cost or contribution, a "Qualified Contribution"). Ninety (90) days prior to commencing any of the above or making any such contribution, the Developer shall notify the Community Fund Committee, in writing, of its intention to credit the Qualified Contribution against future Fund Contribution Payments (the "Credit Notice"). The Credit Notice shall provide a reasonably detailed description of Qualified Contribution and the estimated amount and/or value of the same.

Within thirty (30) days of its receipt of such notice, the Community Fund Committee shall either approve or deny the requested credit in writing to the Developer, provided, however, the Community Fund Committee's approval of such a credit request shall not be unreasonably withheld or conditioned. In the event that the Community Fund Committee fails to provide a written approval or denial of a credit request within said thirty (30) days period, the credit shall be deemed approved. With regard to an approved (or deemed approved) Qualified Contribution, the Developer shall provide a certification to the Community Fund Committee detailing the actual amount of the Qualified Contribution within thirty (30) days of Developer's completion of or contribution to the associated work or conveyance. Provided that the amount of the Qualified Contribution contained in the certification is materially consistent with the estimated amount of the same contained in the Credit Notice, the Developer shall thereafter have the right to apply the actual amount of the Qualified Contribution against any future Fund Contribution Payment(s) that it desires.

The Developer and the Community Fund Committee shall maintain a written record of all approved (and deemed approved) Qualified Contributions and the Developer's application of such credits to Fund Contribution Payments.

13.810.4 Planning and Zoning Studies: Design Guidelines. In its review and approval of a Final Development Plan for a Development Parcel, the Planning Board shall consider all future planning and zoning studies and design guidelines adopted by the Planning Board for a geographic area containing the Development Parcel.

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Kendall Square Initiative

Zoning Presentation
to the Cambridge City Council, Ordinance Committee
March 7, 2013

AGENDA

1. Overview

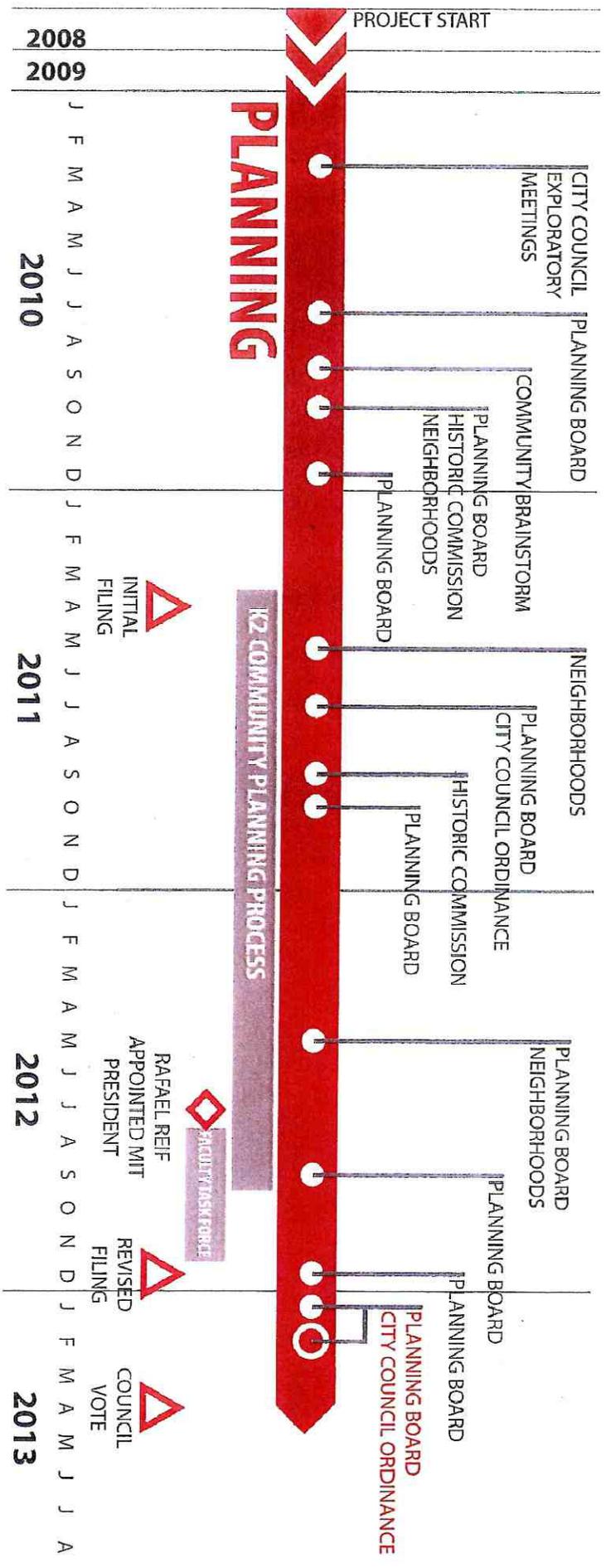
2. Zoning Review

- Housing
- Active Spaces
- Innovation Space
- Retail
- Sustainability
- Community Fund

3. Discussion

PROCESS

- PUD-5 Zoning Petition filed December 2012
- 2 of 3 Planning Board Hearings
- 2 of 3 City Council Ordinance Hearings



ZONING PETITION OVERVIEW

	2011 Petition	2012 Petition	2013 Refinements	Planning Board
Commercial Max.	980,000 SF			✓
Residential Min.	120,000 SF	240,000 SF		✓
FAR	3.8	3.9		✓
Height	150' - 250'		Additional review over 200'	✓
	Up to 300' may be allowed	Required middle income	Entire building subject to inclusionary and moderate	✓
Floorplates	None	Smaller floorplates at higher height		✓
Open Space	15%			✓
	0.9 office, 0.5 residential & retail			✓
Parking Ratios	0.9/lab	.8/lab		✓
	1/2 hotel rooms	1/4 hotel rooms		✓
Signage	No limitations	Commercial sign regulations apply	Subject to all Business, Office and Industrial District standards	✓
Innovation Space	Not included	5% of office space in district	Added specific space characteristics Only 50% exempt from FAR	✓
Sustainability	Not addressed	New Commercial Buildings LEED Gold	All buildings LEED Gold except non-traditional high-tech academic labs	✓
Community Fund	Not addressed	Contribution to Community Fund of \$10 psf of commercial development		✓
Active Uses	Minimum 60,000 SF	75% of ground level space along Third St., Main St., and Broad Canal Way	Limits retail exemption to 5,000 SF with exception for grocery/pharmacy	✓
Low & Moderate Income Housing	42,000 SF	48,500 SF		✓
Incentive Zoning Payment	Not included	Up to \$4.3m contribution to Affordable Housing Trust		✓

ZONING PETITION OVERVIEW

Updated PUD-5 Petition

Housing Min. 240,000 SF required including up to 48,000 SF of low and moderate income housing

Innovation Space 5% of office space in district with specific space characteristics; only 50% exempt from FAR

Sustainability All buildings LEED Gold except non-traditional high-tech academic labs

Community Fund Contribution to Community Fund of \$10 psf of commercial development

Active Uses 75% of ground level space along primary streets; limits retail exemption to 5,000 SF with exception for grocery/pharmacy

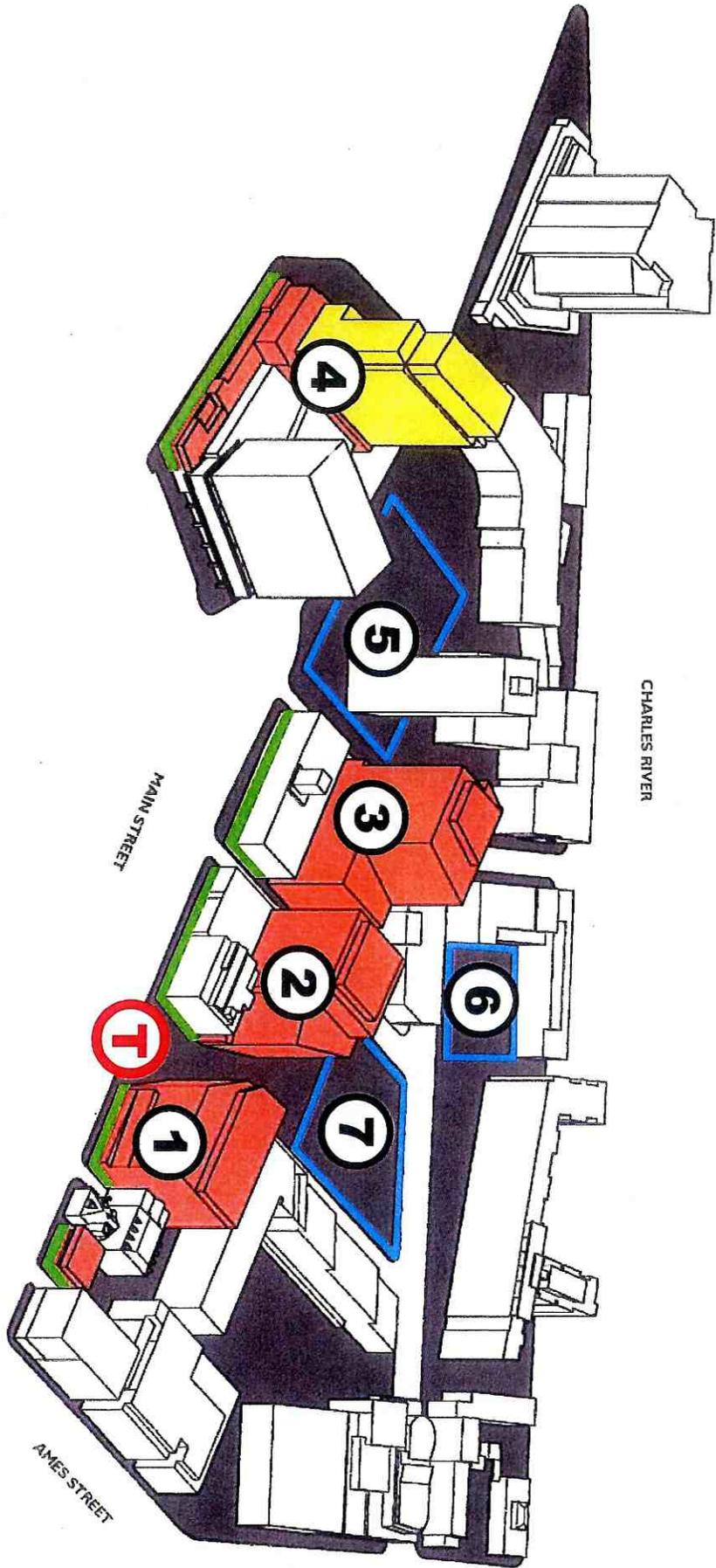
Incentive Zoning Payment Up to \$4.3m contribution to Affordable Housing Trust

GENERAL ALIGNMENT WITH KENDALL PLANNING

	MIT	K2	CBT	PB
Heights	✓	✓	✓	✓
Floorplates	✓	✓	✓	✓
Total SF	✓	✓	✓	✓
Residential SF	✓	✓	✓	✓
Commercial SF	✓	✓	✓	✓
Active Ground Floor Use	✓	✓	✓	✓
Parking Ratios	✓	✓	✓	✓
Open Space Network	✓	✓	✓	✓
Public Realm	✓	✓	✓	✓
Moderate Income Housing	✓	✓	-	✓
Sustainability	✓	✓	-	✓
Setbacks	✓	✓	-	✓
Innovation Space	✓	✓	-	✓
Community Benefits	✓	✓	-	✓

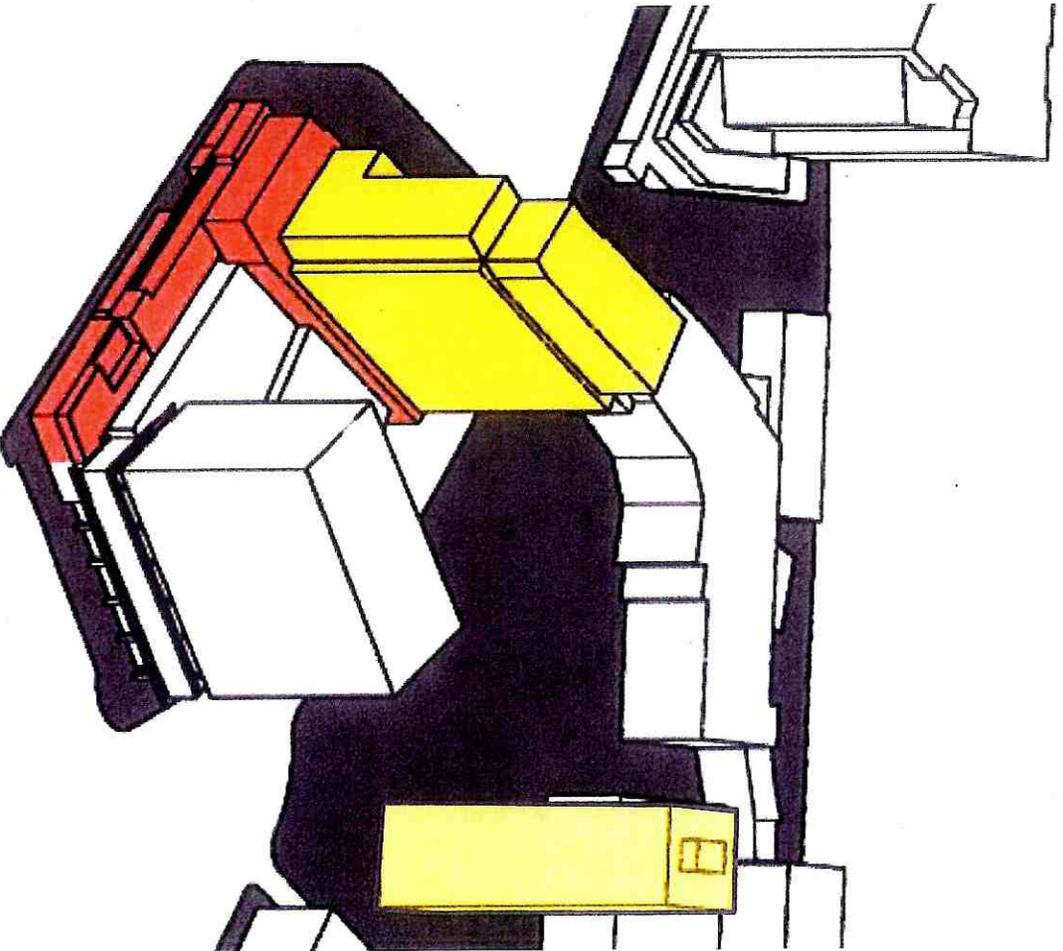
DEVELOPMENT OVERVIEW

7 PARKING LOTS



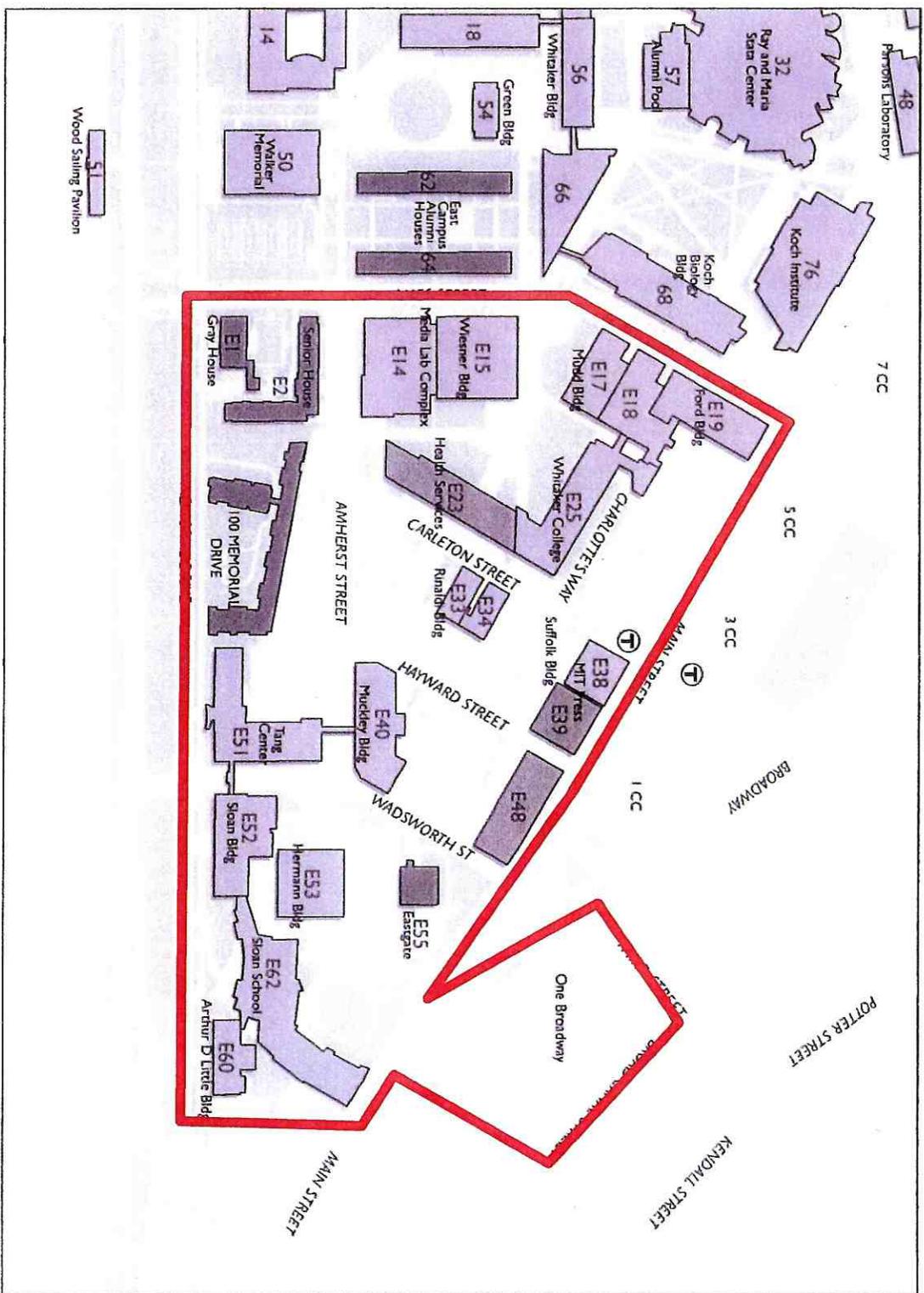
HOUSING

- Trigger requires housing prior to completion of commercial development



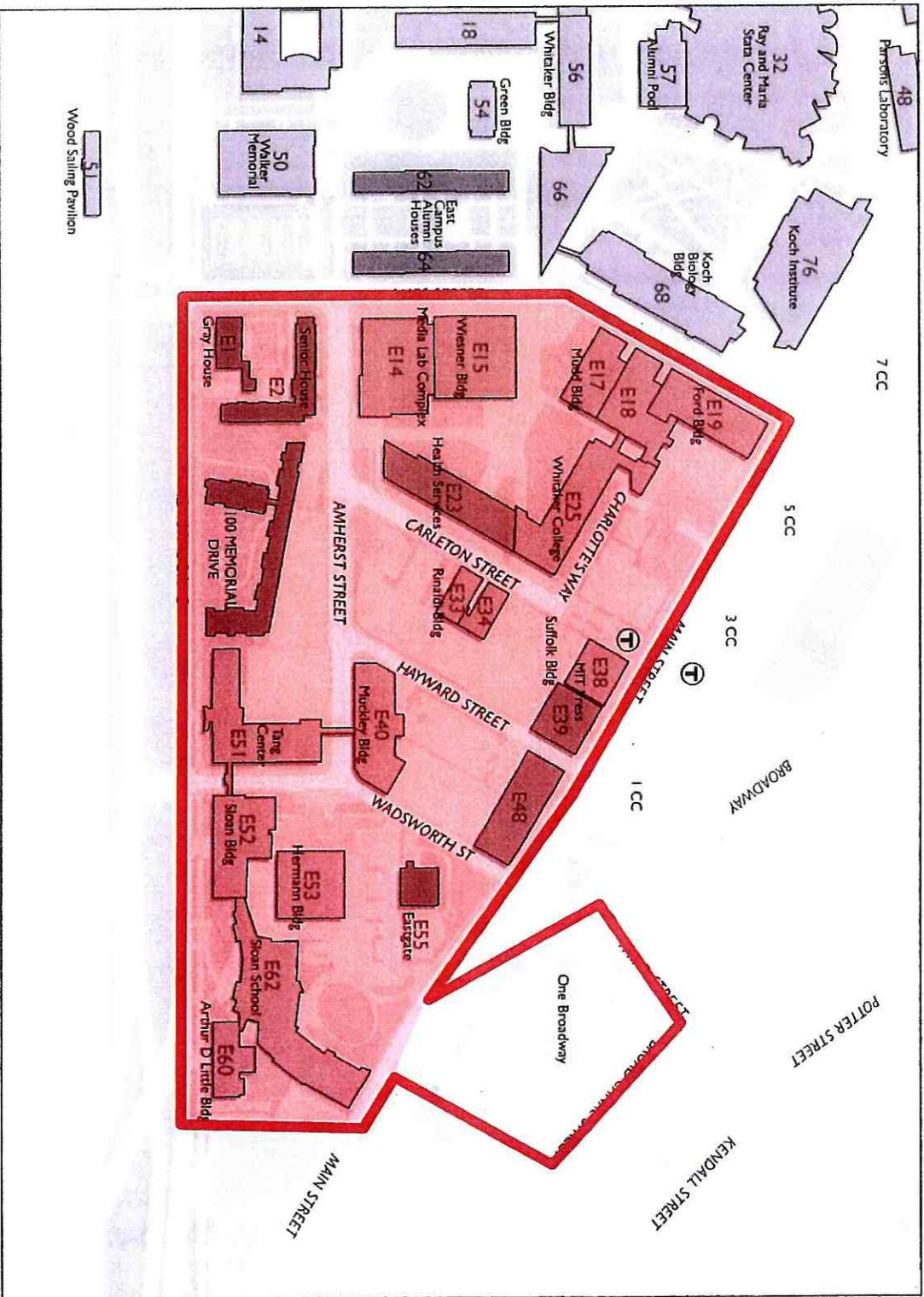
HOUSING

ALLOWED USE IN ENTIRE PUD-5 DISTRICT



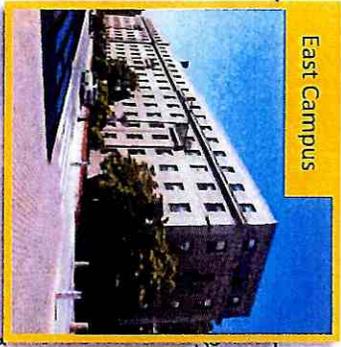
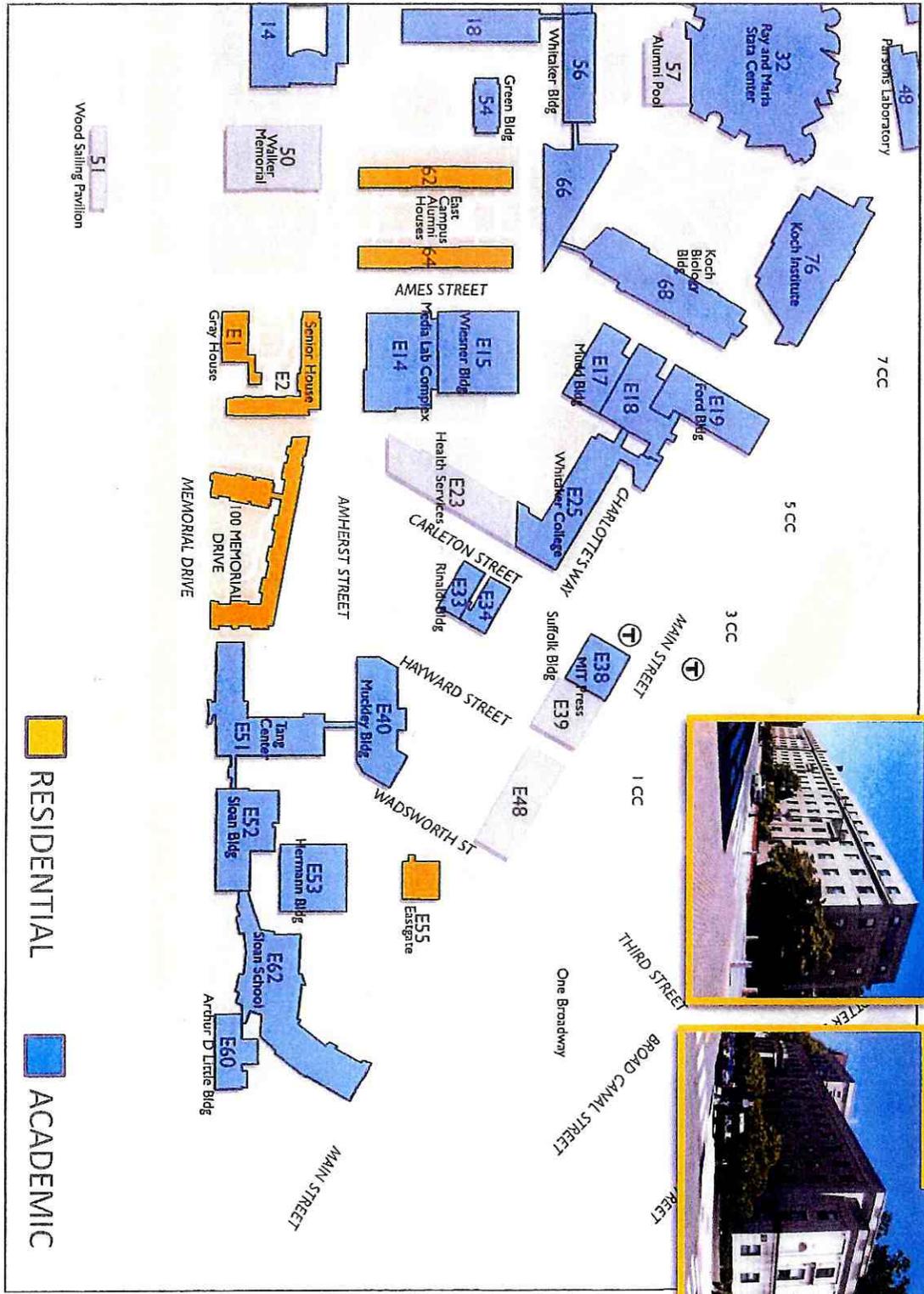
HOUSING

FAR EXCLUSION

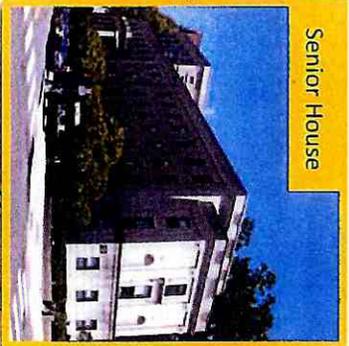


HOUSING

MIT EAST CAMPUS



East Campus

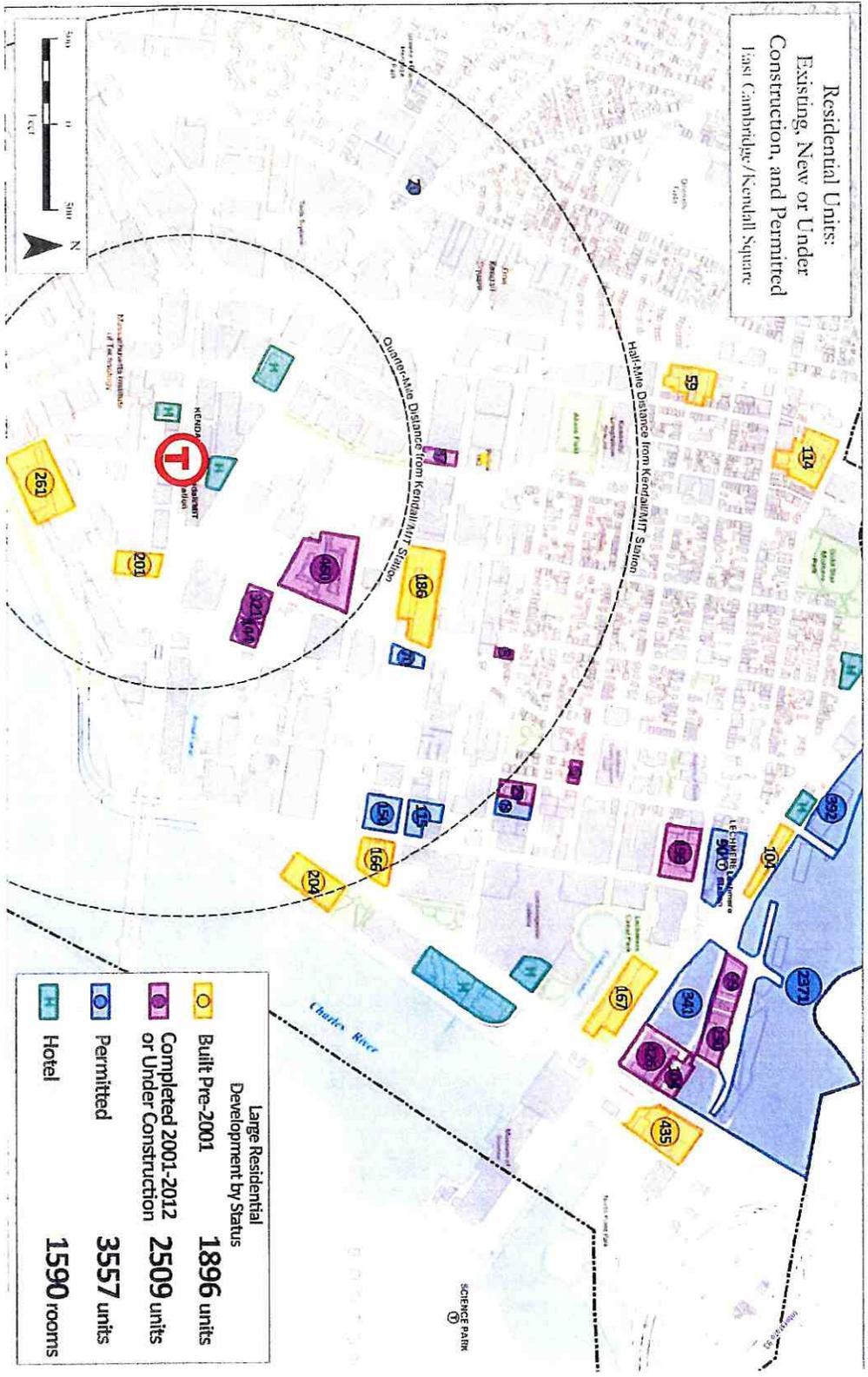


Senior House

RESIDENTIAL ACADEMIC

HOUSING

EXISTING AND PROPOSED MULTI-FAMILY DEVELOPMENT



Figures and graphic by Cambridge Community Development Department, September 2012

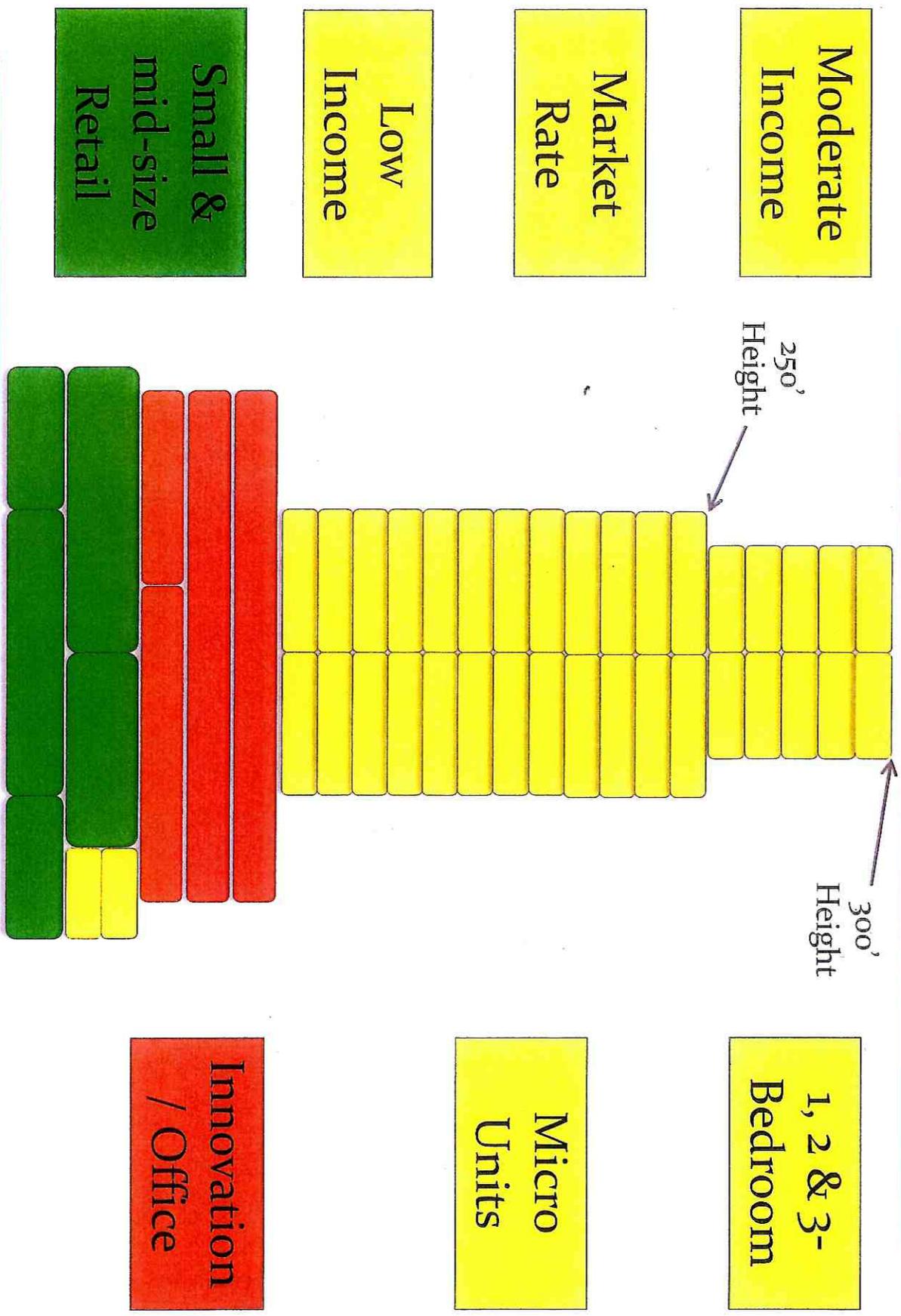
**BUILDING A LIVABLE COMMUNITY
POSSIBLE VIEW FROM BROAD CANAL**



A MIXTURE OF USES



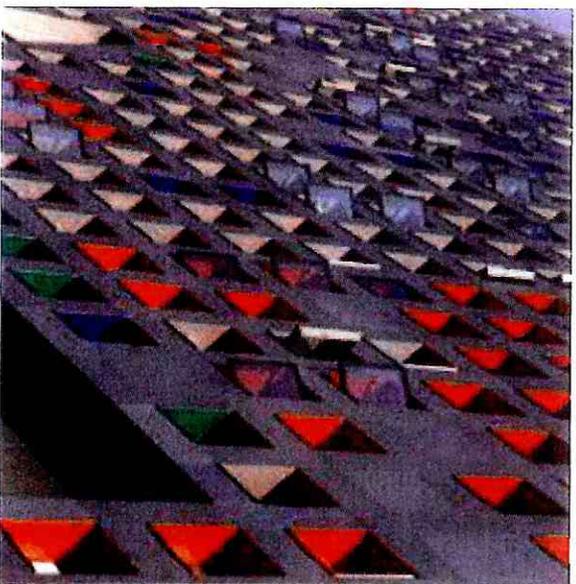
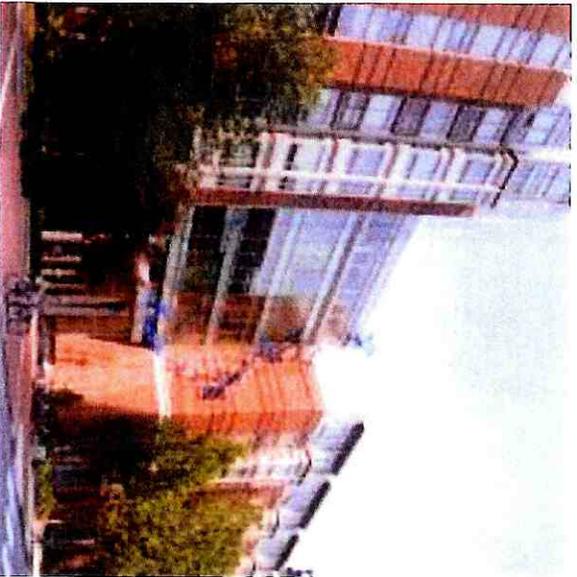
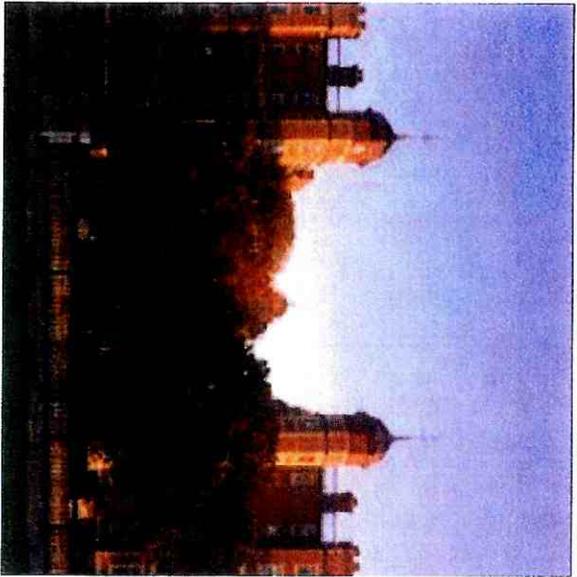
BUILDING A COMMUNITY OF HOUSING



**HOUSING COMMUNITY
POTENTIAL UNIT DISTRIBUTION**

TYPE	COUNT
INNOVATION / MICRO	30-45
AFFORDABLE & MODERATE	50-60
MARKET	225-260
	UP TO 365

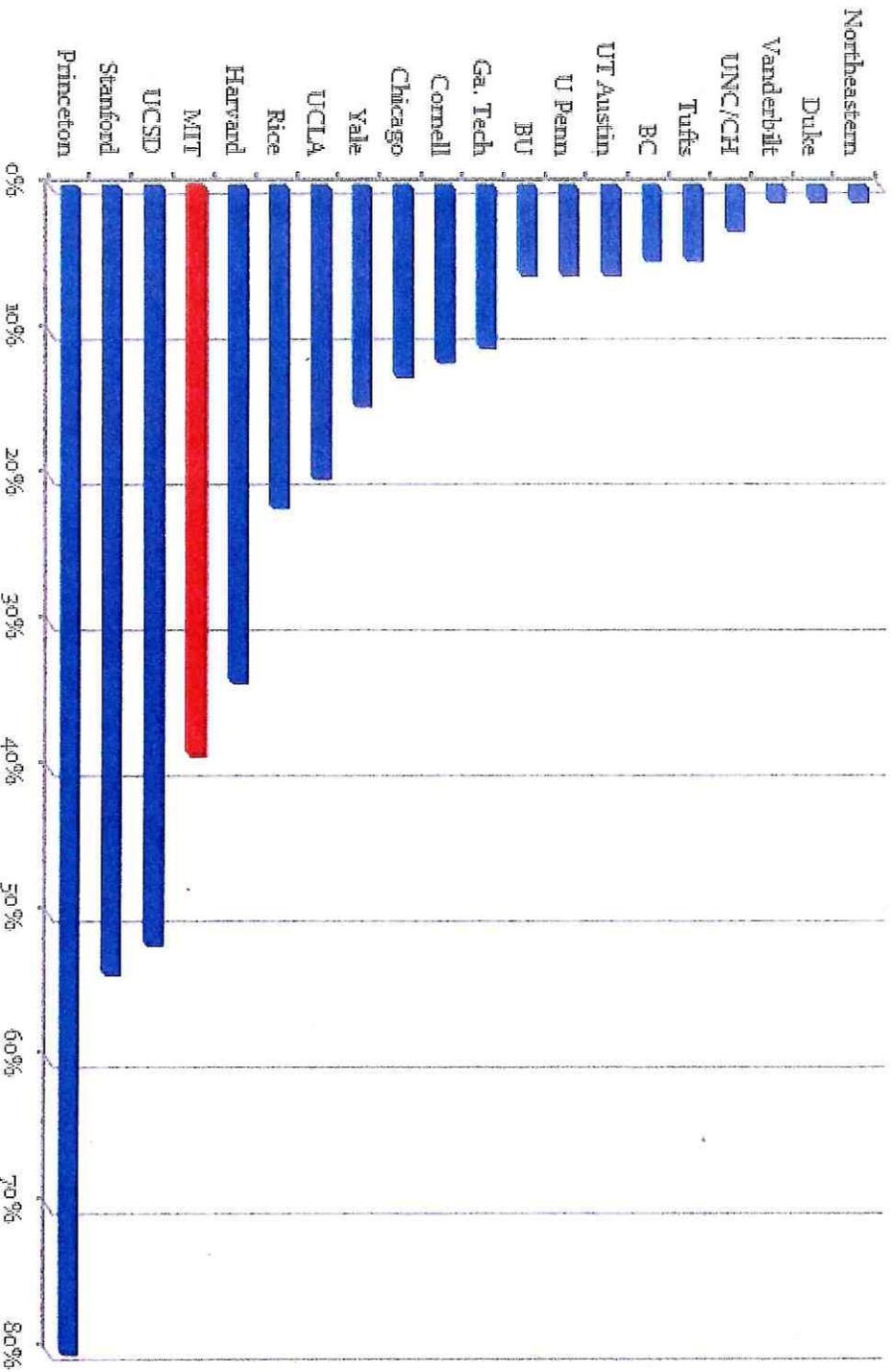
**HOUSING COMMUNITY
GRADUATE STUDENT HOUSING**



MIT HOUSING

GRADUATE

Percentage of graduate students housed by a sampling of other colleges and universities:



Source: Phone survey and web searches, updated 2012

GRADUATE STUDENT HOUSING WORKING GROUP

- Chair Professor Philip Clay
 - Former Chancellor
 - Professor of Urban Studies and Planning
 - Research focus on housing policy and social demographic characteristics of community development
- Membership – faculty, graduate students, and staff
- Timeline – Membership and charge finalized in March, study completed by summer

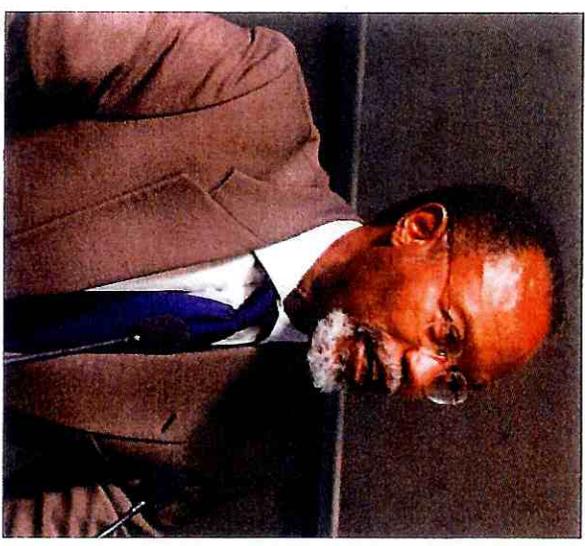
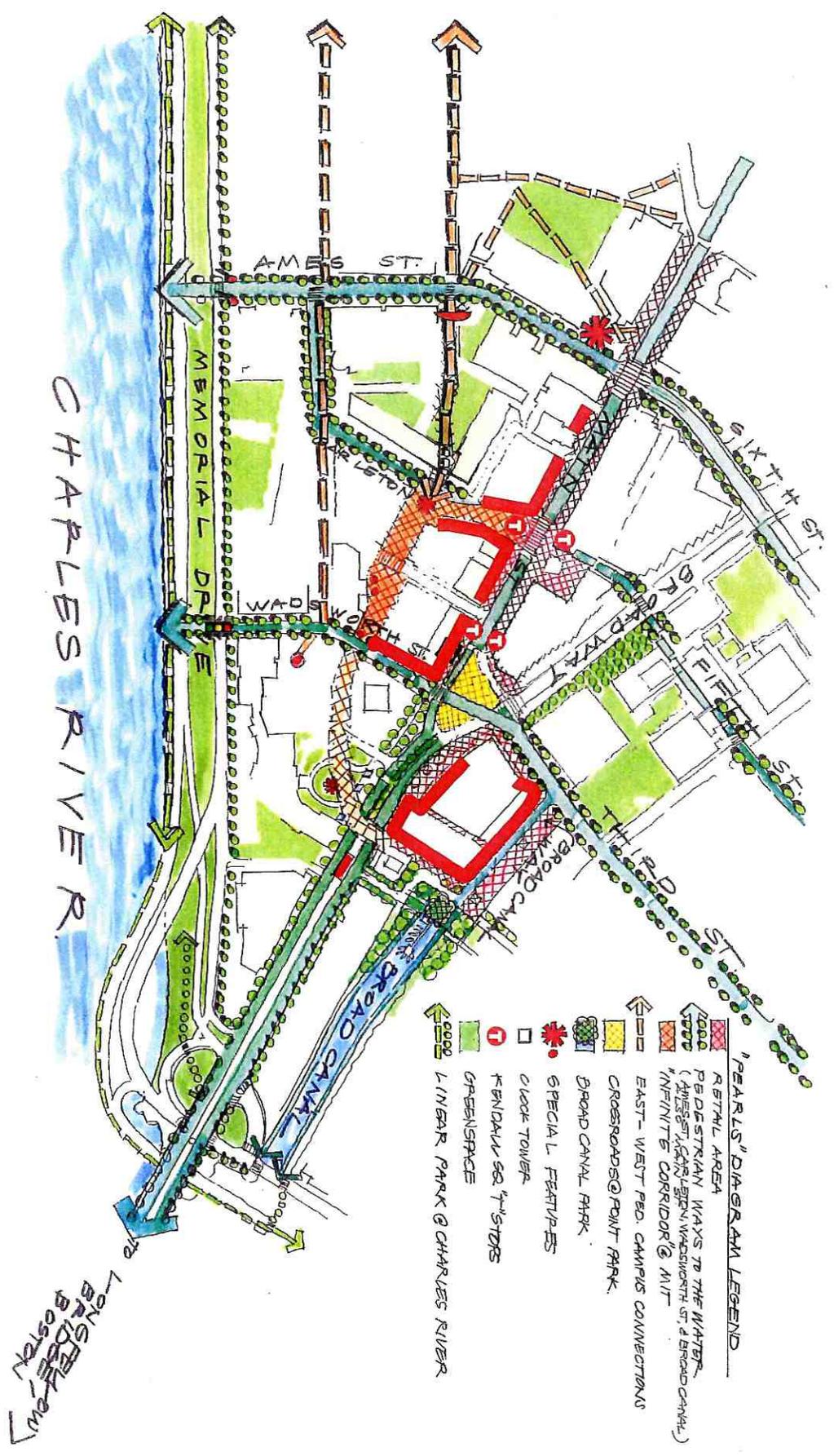


Photo: Justin Knight

ACTIVE USES



ACTIVE USES

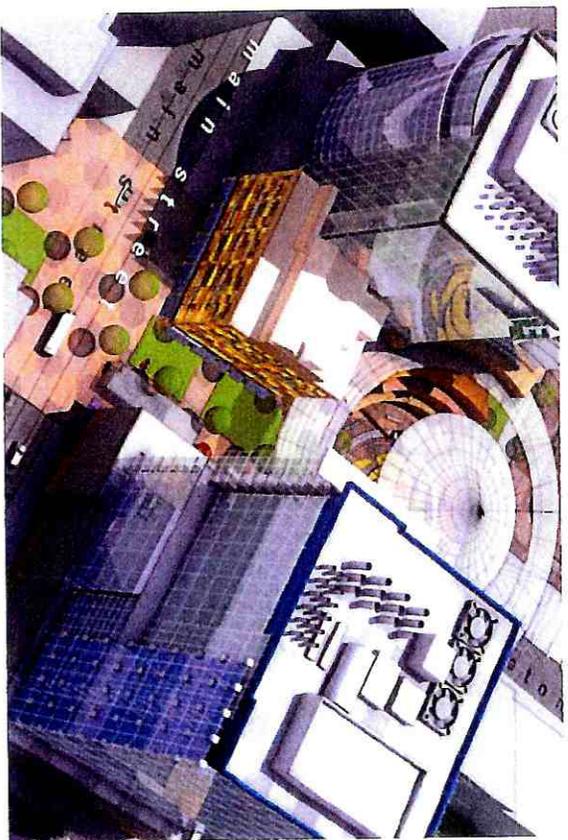
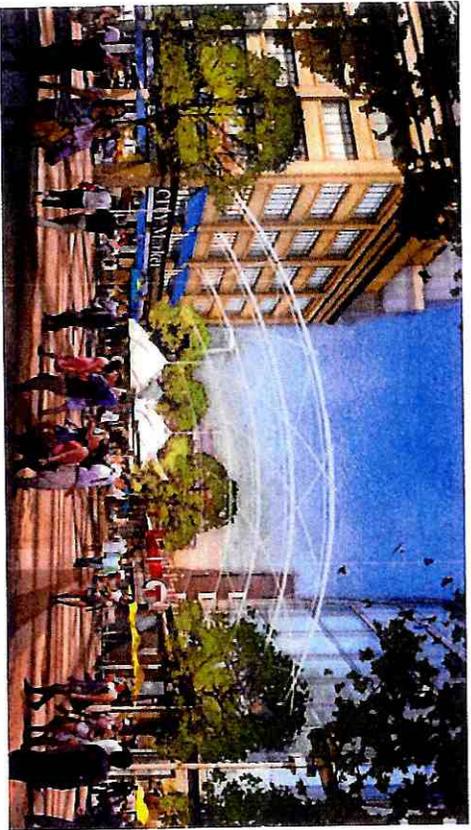
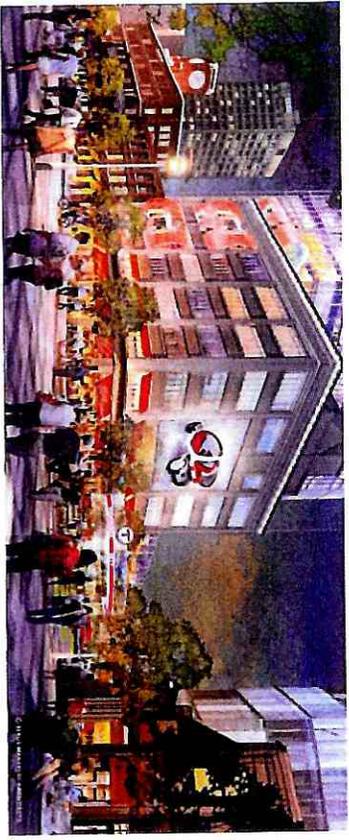
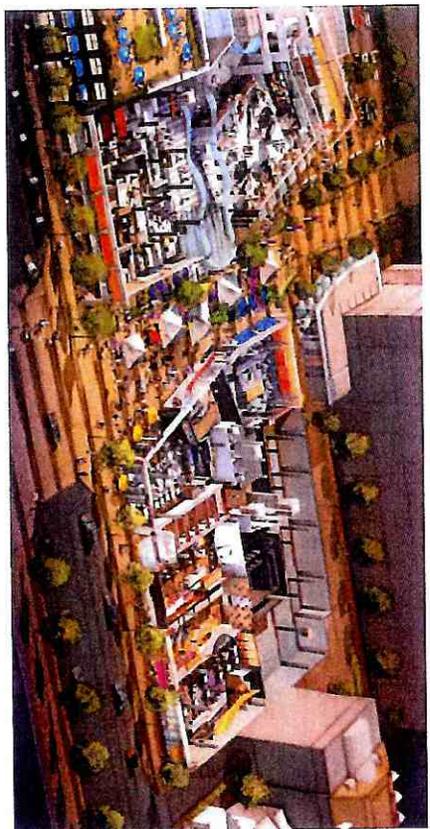
- Retail
- Institutional uses open to the public
- Open air retail
- Other uses as set forth by the Planning Board

**BROAD CANAL WAY
POSSIBLE VIEW FROM 3RD STREET**



EAST CAMPUS GATEWAY AND THE HISTORIC BUILDINGS

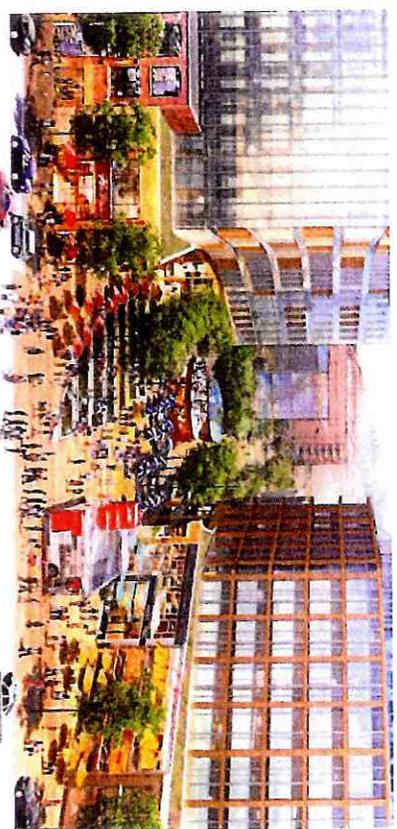
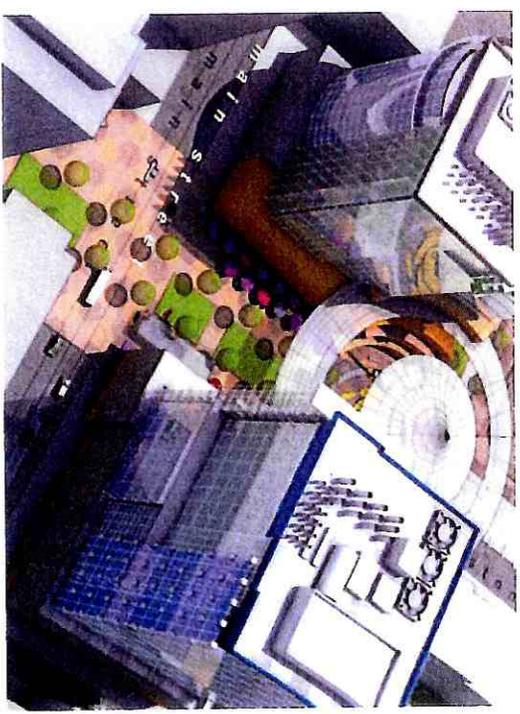
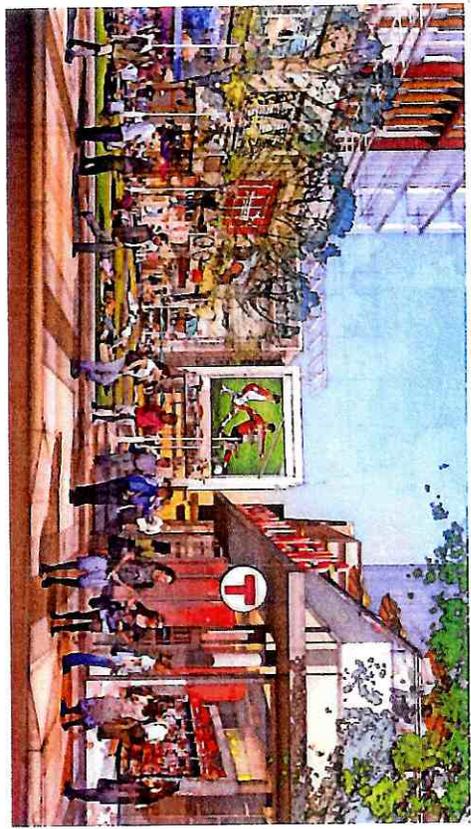
Some Early Concepts with MIT Press



More to come after East Campus/Gateway Planning Study...

EAST CAMPUS GATEWAY AND THE HISTORIC BUILDINGS

Some Early Concepts without MIT Press

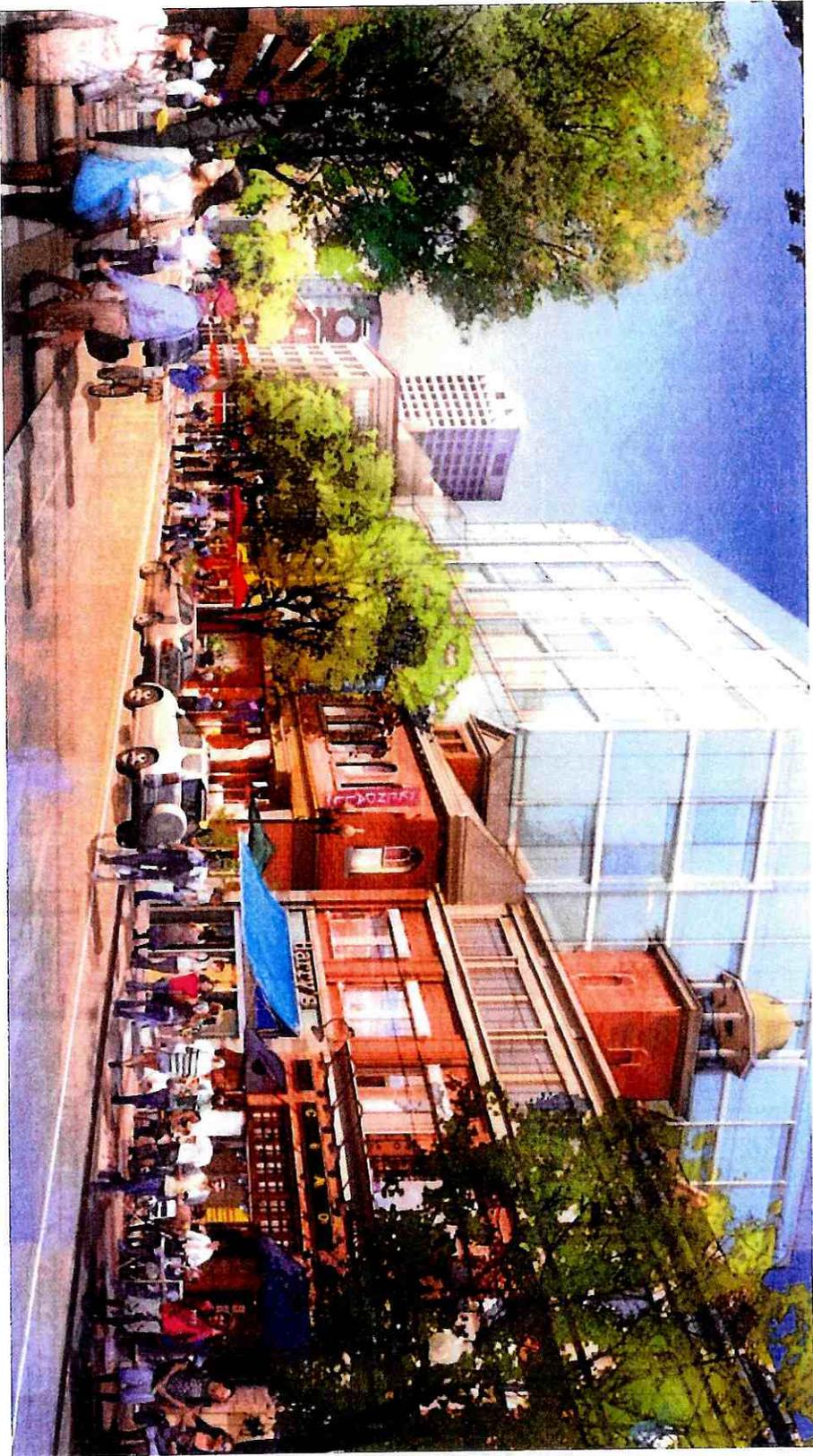


More to come after East Campus/Gateway Planning Study...

RETAIL

OPPORTUNITY

- Potential for 65,000 sf of new retail



RETAIL

NEW ACTIVITY IN LAST 3+ YEARS



RETAIL POSSIBILITIES

FOOD - QSR
SALADS
- F. MEAT AND FISH
200 SF

GROCERY STORE

NIGHTLIFE/CULTURE
OUTDOOR STAGE

ACTIVE
BIKE SHOP
PARTS, SALES, MAINT.
1,000 - 2,000

FOOD - RESTAURANT
RESTAURANT
FULL-SERVE, SIT-DOW
LOCAL, CAFE-CLUB
3,000 - 5,000

FOOD - RESTAURANT
DINER
LUNCH, DINNER
TABLE & COUNTER
3,000 SF

FOOD - QSR
SPECIALTY SANDWICH I
ITALIAN, COLD CUTS, DELI-STYLE
500 - 1,000 SF

SCIENCE
FAIRS

ACTIVE
YOGA
KARMA, SHOP
30 - 4,000

MARKET/KIOSK
FOOD TRUCKS
LUNCH, ICE CREAM, CUPCAKES,
INTERNATIONAL DELI

FOOD - QSR
BAKERY
CAFE, BAKERY, COFFEE
10 SF
HIGHER
RENTANCE

MARKET/KIOSK
FRENCH MARKET
EUROPEAN STYLE MARKET
SELLING SPECIALTY ITEMS

FOOD - QSR
TEA CAFE
TEA ONLY
500 - 1,000 SF

MARKET/KIOSK
COFFEE

LIVE/CULTURE
SOLO PERFORMERS
LIVE PERFORMERS
SMALL OR LARGE

PHARMACY
PHARMACY AND CONVENIENCE
4,000

NIGHTLIFE/CULTURE
FORUM
COMMUNITY
BLEND
3,000

MARKET/KIOSK
PRODUCE
SEASONAL

FOOD - QSR
ICE CREAM
MUST BE TOP LOCAL
500 - 1,000 SF

FOOD - QSR
VENEZUELA
AMERICAN TOSTONES
500 - 1,000

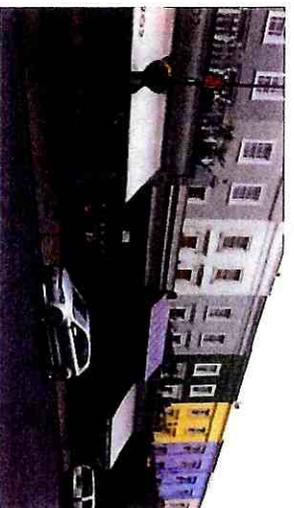
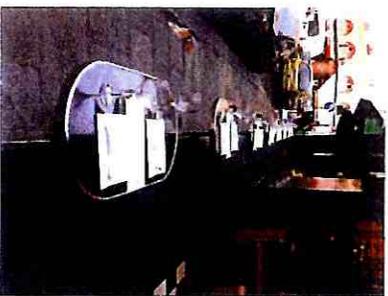
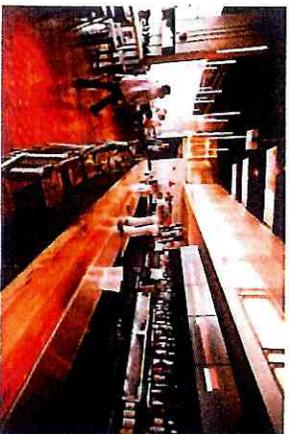


RETAIL

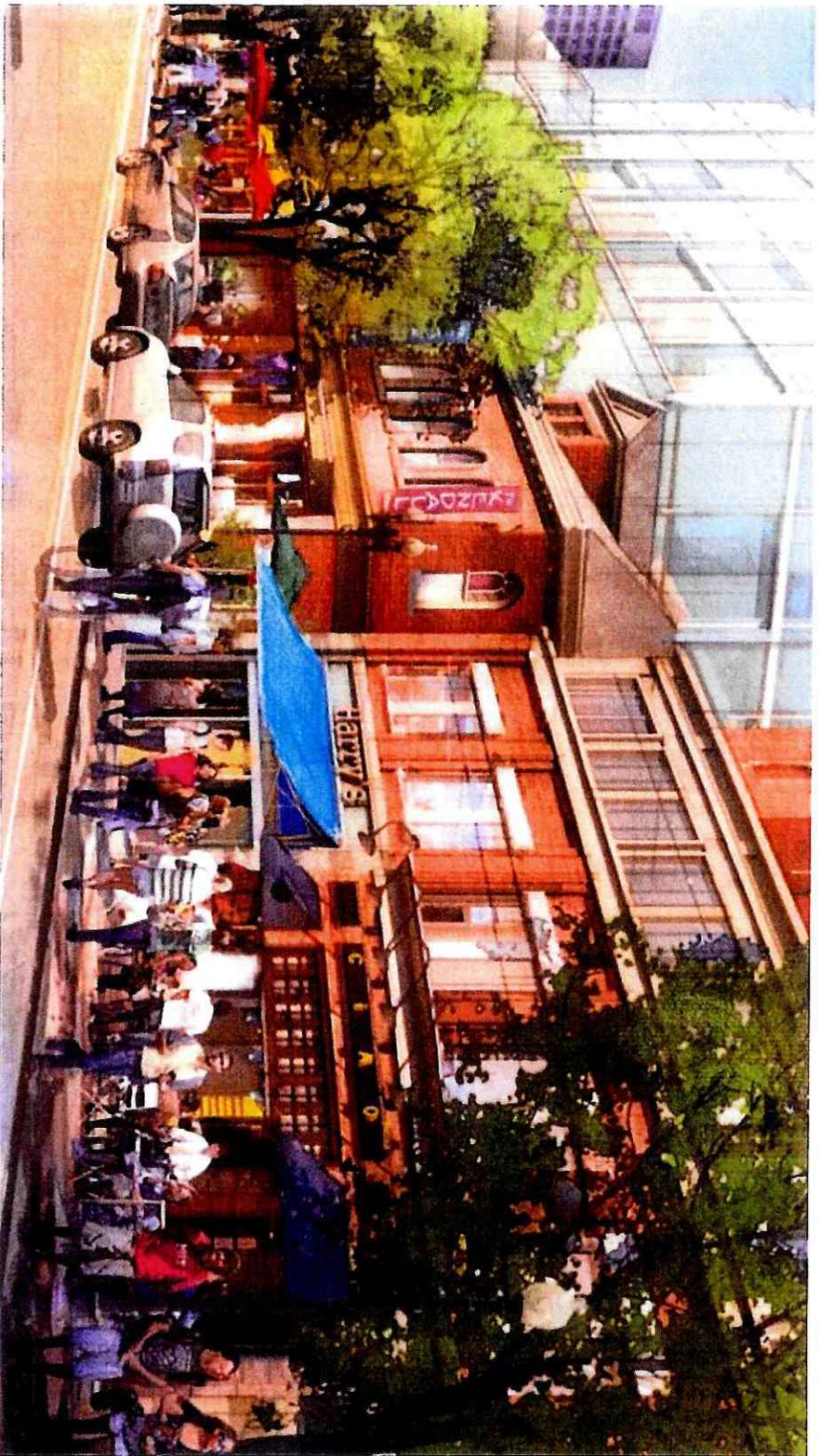
ACTIVE, BUSY, UNIQUE STOREFRONTS AND USES

RETAIL IDENTITY

- small & busy spaces
- diverse storefronts
- spill-out (actual & digital)
- day & night activity
- showrooms & playrooms



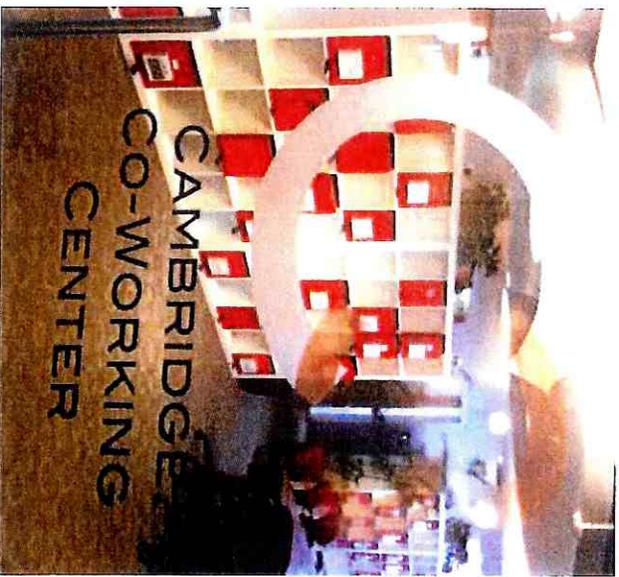
RETAIL
OPPORTUNITY



INNOVATION SPACE

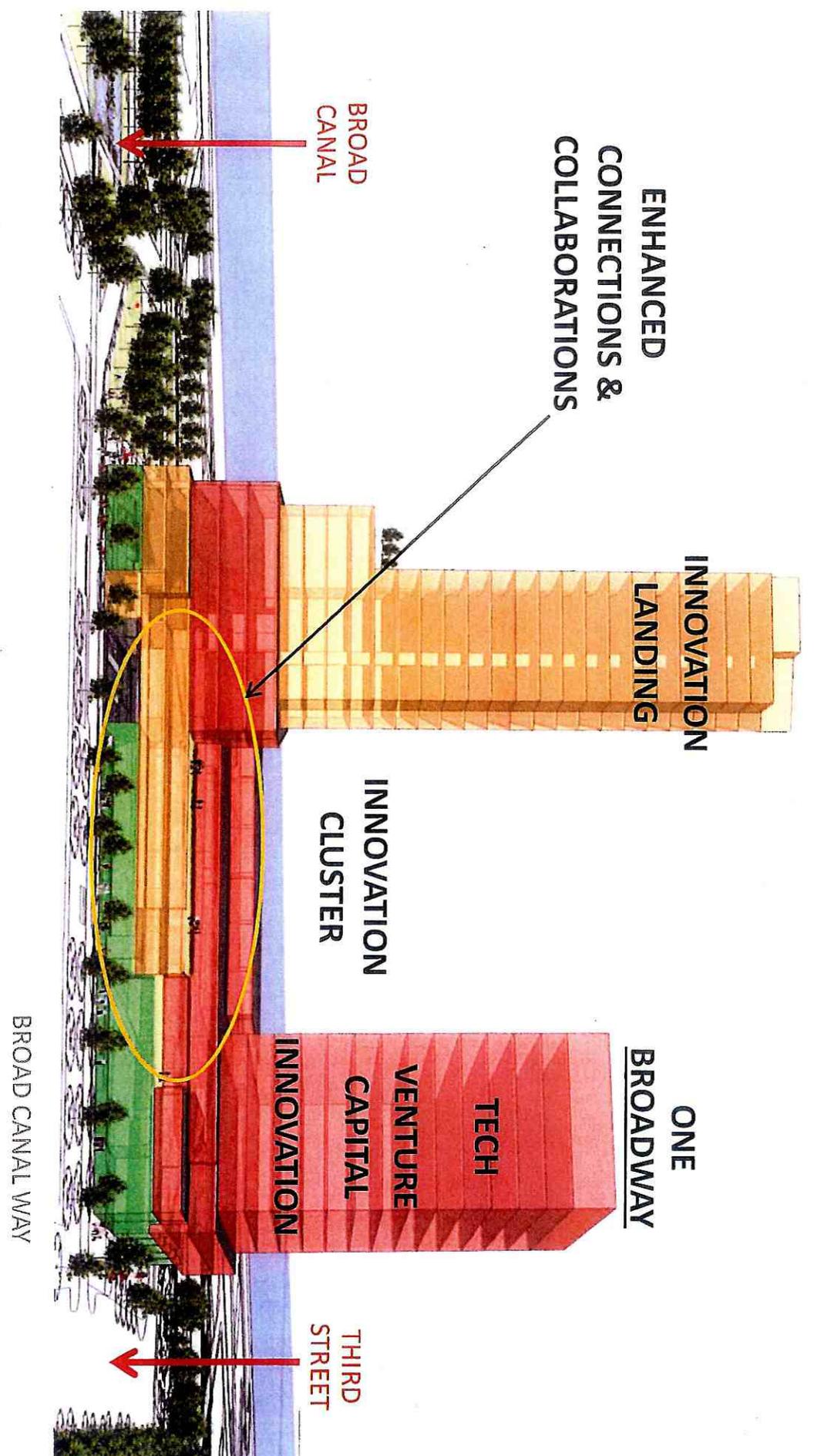
5% REQUIRED

- Short term leases
- Small spaces
- Limits on space for single entities
- Shared spaces
- Defined users



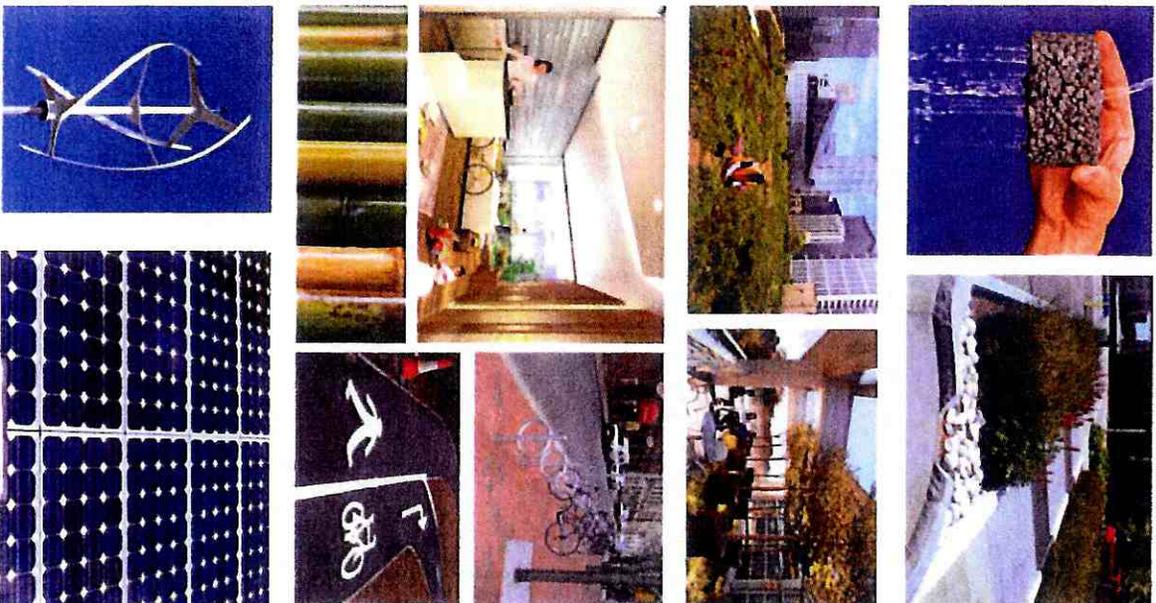
Cambridge Innovation Center
One Broadway

INNOVATION ECOSYSTEM





- LEED Gold
- Enhanced Sustainability language
- Statement of Energy Design Intent
- Feasibility of district steam
- Monitoring energy use



SUSTAINABILITY

MIT Kendall Square

Sustainability Goals

Energy & Emissions

- Reduce carbon/GHG emissions
- Conserve building energy
- Generate on-site energy
- Consider coolroofs
- Integrate monitoring

Urban Site & Landscape

- Explore open space opportunities
- Incorporate indigenous vegetation
- Recycled water for irrigation

Benchmarking

- Apply LEED and other best practices

atelier ten

MIT Kendall Square

Sustainability Goals

Water Management

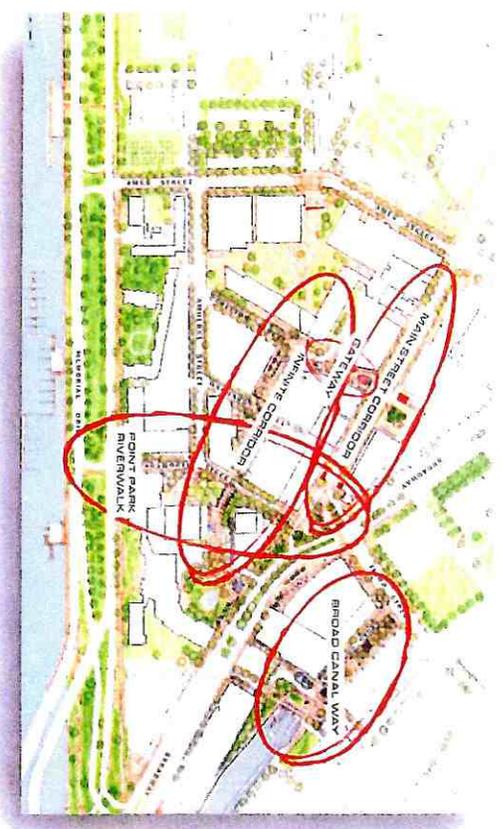
- Reduce potable water use
- Integrate stormwater management
- Re-use non-potable supply

Healthy Living & Working

- Adapt selected existing buildings
- Improve access to daylight & fresh air
- Enhance thermal & visual comfort
- Establish tenant standards
- Encourage multi-modal transportation
- Incorporate cycling provisions
- Alternative energy vehicle infrastructure
- Promote sustainability advocacy and educational features

COMMUNITY FUND

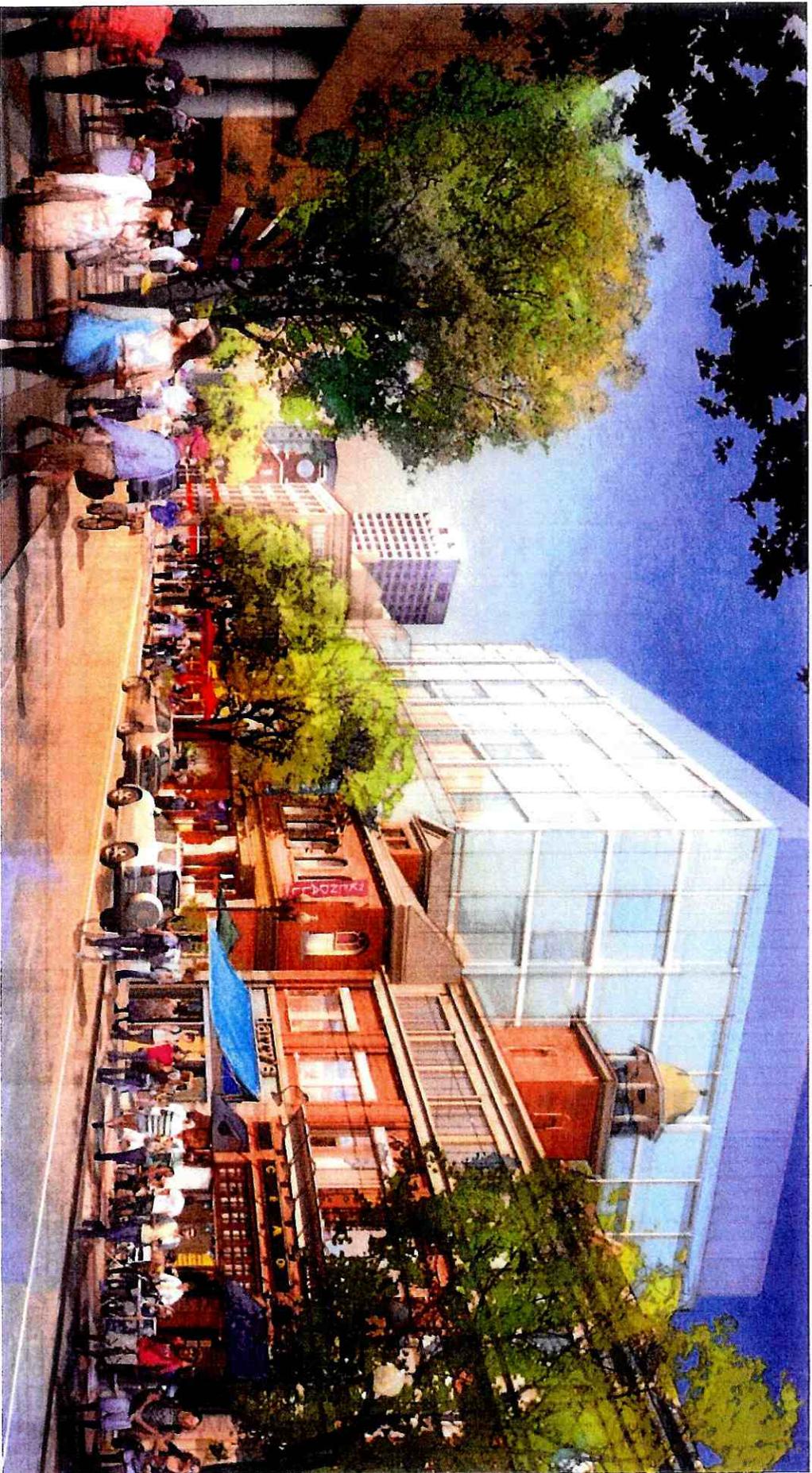
- \$10.00 per new gfa, approximately \$10 million, paid at Certificate of Occupancy
- Three components are:
 - Open spaces within 500 feet of the district
 - Transportation improvements to Kendall and adjacent neighborhoods
 - Workforce development citywide



COMMUNITY REQUESTED INVESTMENTS

Affordable/Moderate Housing	Approximately 48,500 SF
Other Housing	Approximately 240,000 SF
Total Housing	Approximately 290,000 SF
Retail Space	100,000 SF
Innovation Space	50,000 SF
Other Required Spaces	150,000 SF
Incentive Zoning Payment	\$4.3 million
Community Fund	Approximately \$10 million
Total Community Benefit Payments	Approximately \$14.3 million

DISCUSSION



Lopez, Donna

ATTACHMENTS

From: Israel Ruiz [iruiz@MIT.EDU]
Sent: Thursday, March 07, 2013 10:36 AM
To: City Council; Lopez, Donna
Cc: Martin Arnold Schmidt
Subject: MIT response to Ordinance Committee Request

Dear Chairman Maher and Honorable Members of the Ordinance Committee,

At our most recent Ordinance Committee hearing on 2/26/13, Chairman Maher asked us to address the issue of some dissension and concerns about communication within the MIT community in relation to our Kendall Square Initiative. We are happy to do so.

We recognize that some members of our community have raised concerns regarding the Kendall proposal. Since 2010, we have engaged in a great deal of internal outreach and discussion, during which issues were raised by several faculty members and the leadership of the Graduate Student Council. These expressions of concern generated additional interest within our community.

Recognizing the questions that were being raised, Provost Chris Kaiser thought it was important to appoint an independent faculty group to critically evaluate our plans, talk to key stakeholders, and make recommendations. As you know, this group delivered recommendations this past fall, which Provost Kaiser and President Reif completely embraced. This important exercise led to the decision to re-file our petition in December, with the full support of the Faculty Task Force, assuming that the Institute proceeds with the Task Force's recommendations to study the needs of graduate student housing and undertake an urban planning analysis of the east campus area and possible gateway concepts.

We continue to engage in campus dialog with faculty discussions about the Kendall Square proposal taking place in both February and March, and the launch of the two working groups to study housing and the east campus plan/gateway. Not all members of the community are fully supportive of the petition moving forward, and some individuals continue to advocate for a different course. Nonetheless, the administration feels, with the concurrence of the Faculty Task Force, that the current filing and the work of the two studies we are commencing will result in a plan for the Kendall and East Campus area that has broad-based support from the MIT community.

Since MIT first conceived of the need and aspiration to try to achieve more vibrancy in the Kendall Square Innovation District, we have been fortunate to have the full support and encouragement of the former and current administrations, including President Susan Hockfield and President L. Rafael Reif. As you know, Dr. Reif served as Provost before his election as MIT President, and has actively participated in our ongoing discussions about the Kendall proposal over the past three years.

We look forward to continuing and completing our work with you in the weeks to come. Thank

you for your support.

Israel Ruiz
Executive Vice President and Treasurer

Marty Schmidt
Associate Provost

<http://web.mit.edu/newsoffice/kendall-square/>

Potential Landmarks in Kendall Square

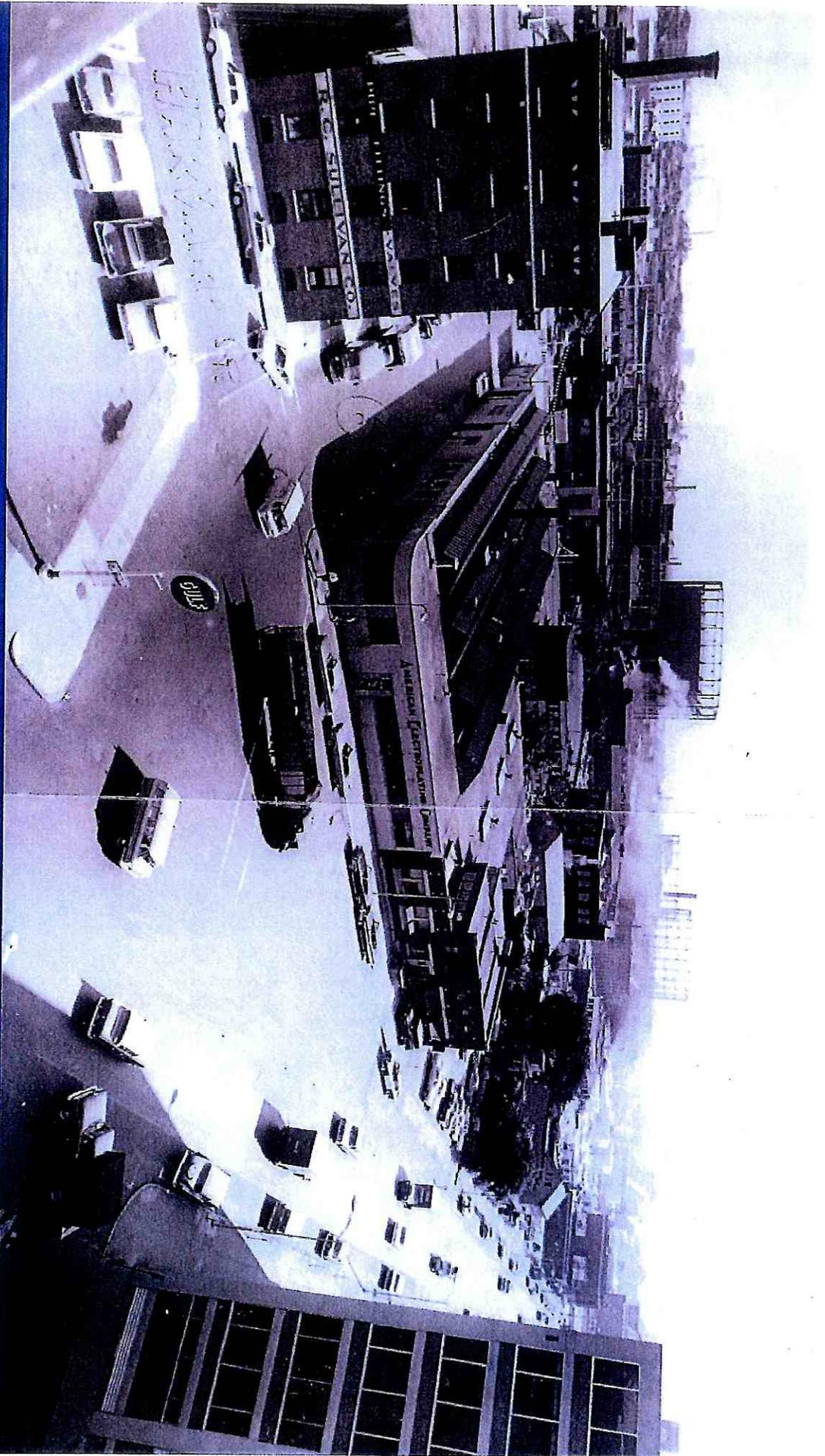
Kendall Square Building, 238 Main St.

J. L. Hammett (Rebecca's) Building, 264 Main St.

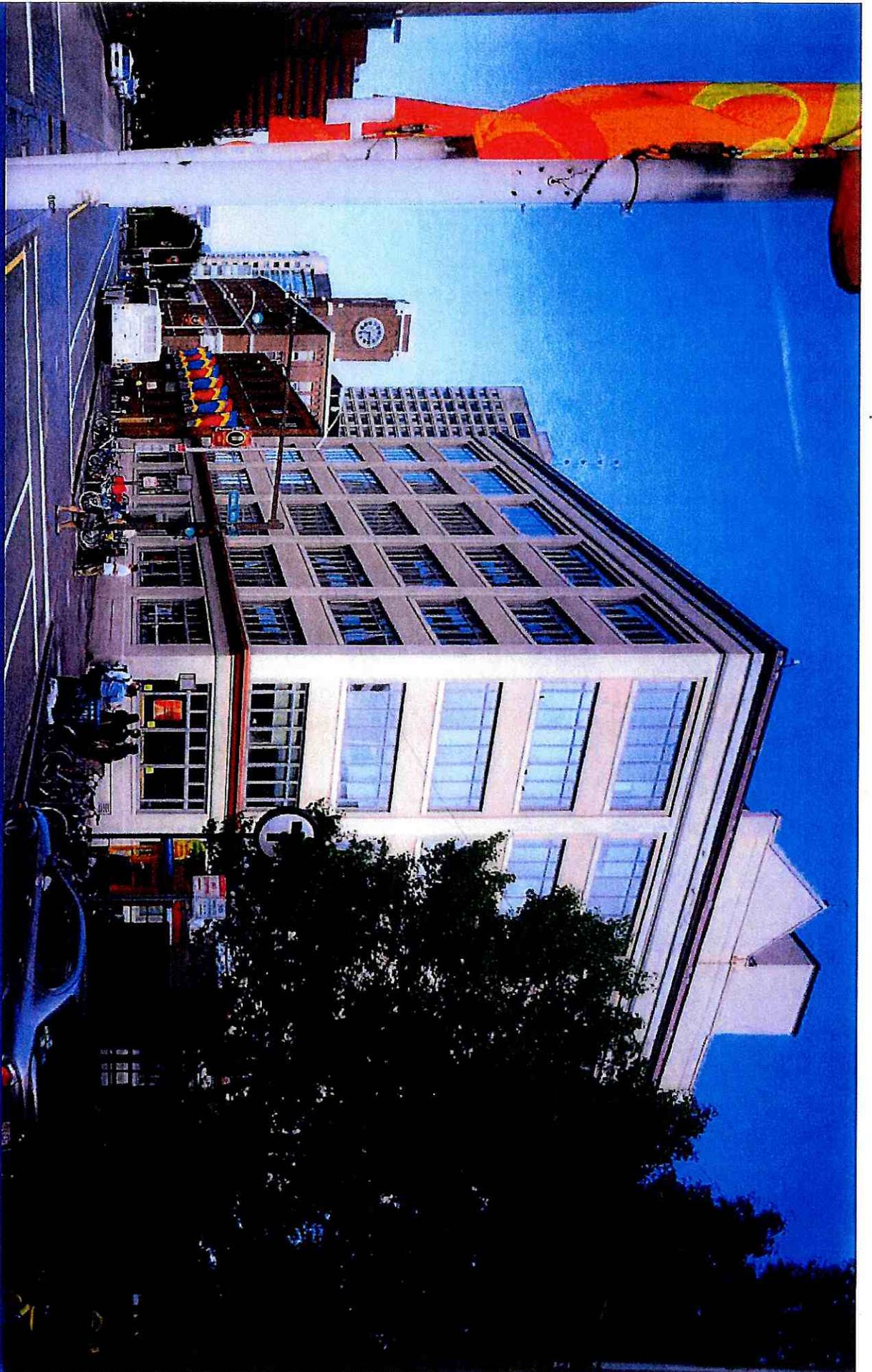
Suffolk Engraving (MIT Press) Building, 292 Main St.

Cambridge Historical Commission

March 7, 2013



Main Street at the corner of Ames and Harvard Streets,
Kendall Square, 1964



Kendall Square Landmark Group, 2012



Kendall Square Building,
238 Main Street, 1917-1925



J. L. Hammett Co., 264 Main St., 1915

SCHOOL SUPPLIES



J. L. HAMMETT COMPANY
Kendall Square, Cambridge, Mass.

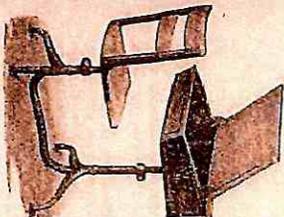
American Universal Desk No. 234

This original union of desk and seat into a movable type, is provided by arrangements of movable writing on the most perfect in design, posture, features, comfort and mechanical excellence of all the models. Its design has been extensively copied by other manufacturers. Its excellence has not been equalled.

It constitutes a separate desk and seat, both adjustable, the seat with swivel device turning to either side, mounted on a frame of steel tubing of requisite strength and broad stable floor contacts, constituting an ideal classroom desk whether to serve in row arrangement or as movable desks for frequent and rapid accommodation to group study work.

Adjustments—Both desk and seat are adjustable for height. Adjustment controls are so made that tempering by the curious is improbable, yet adjusts with the utmost ease by any one authorized.

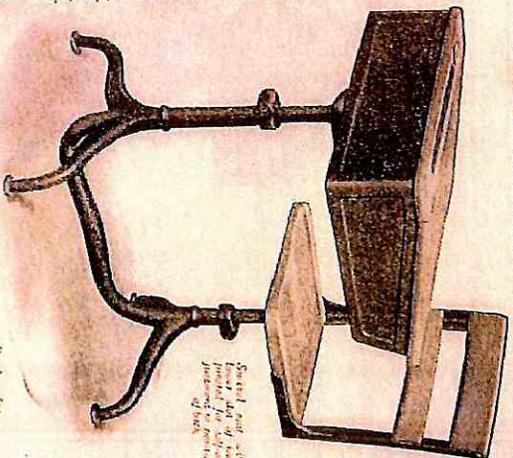
Examiner model—A special top to hold a portable typewriter makes an economical combination of dictation and typing desk for commercial departments. Turn the top down and go on with study or desk work.



Crippled children find comfort in the Universal desk with leg and foot supporting attachments. These are available for attaching to stock type desk at no extra cost. If arranged, write for special circular devoted to comfort of the crippled child.

Broad base and heavy ribbing make it rigid and non-tipping. The front legs of new models are provided to the desk top, which permits arrangement of desks in two, four or six, which with top leveling device, provides table arrangement.

Seats have special formed out saddle extending across the seat and over at the rear edge, lessening tendency to slump and inducing good comfortable posture.



Pat. Appl. for

Steel tubing—Heavy gauge seamless steel tubing furnishing ample strength and true balance in construction without excess weight. The weight of a movable desk must be no barrier to its intended purpose.

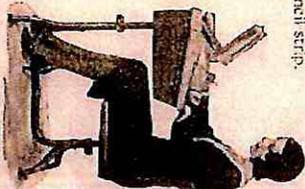
The lifting lid is reinforced by steel splines dovetailed into the underside, from which friction hinges with adjustable tension attach direct to the steel sides of the box, thus eliminating screws in wood construction. The lid cannot slam or pinch fingers.

Eye conservation book holder may be added at any time by changing the pencil strip.

Book box has spacious capacity, and is built to the new deep slope, eye protecting design. The same size of book box is used on all three sizes of desks.

Lid leveling device holds lids at level, permitting use of desks for table project work.

Tables finished school furniture brown color, genuine lacquer surface. **Metal parts** finished in large enamel baked on.



No. 234 Model
Showing desk and chair in use
Pat. Appl. for
See circular Universal desk

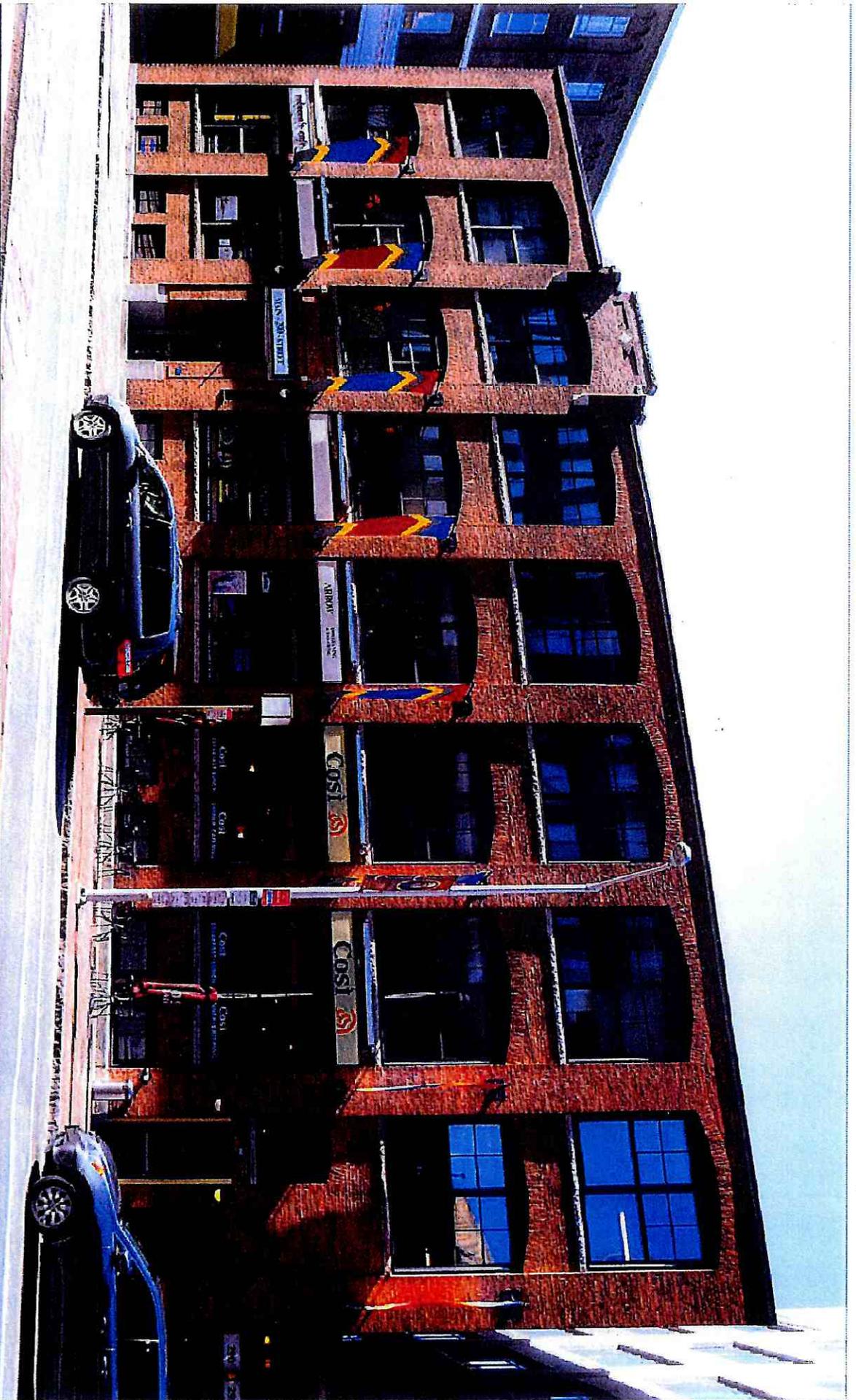


Group work with Improved Desk, Chair, Rubric, Work Pad, Blackboard

Size	A	B	C
Desk Top	21 1/2 x 27 1/2	21 1/2 x 27 1/2	21 1/2 x 27 1/2
Height Range of Desk Top	25-27	25-27	25-27
Height Range of Seat	17 1/2-18 1/2	16-17 1/2	14-15 1/2
Floor Space Required, Desk to Desk, including seat swing in	35 1/2	33 1/2	31 1/2

Price F.O.B. Car's destination \$11.50 \$11.00 \$12.70
Shipped from our warehouse N. J.

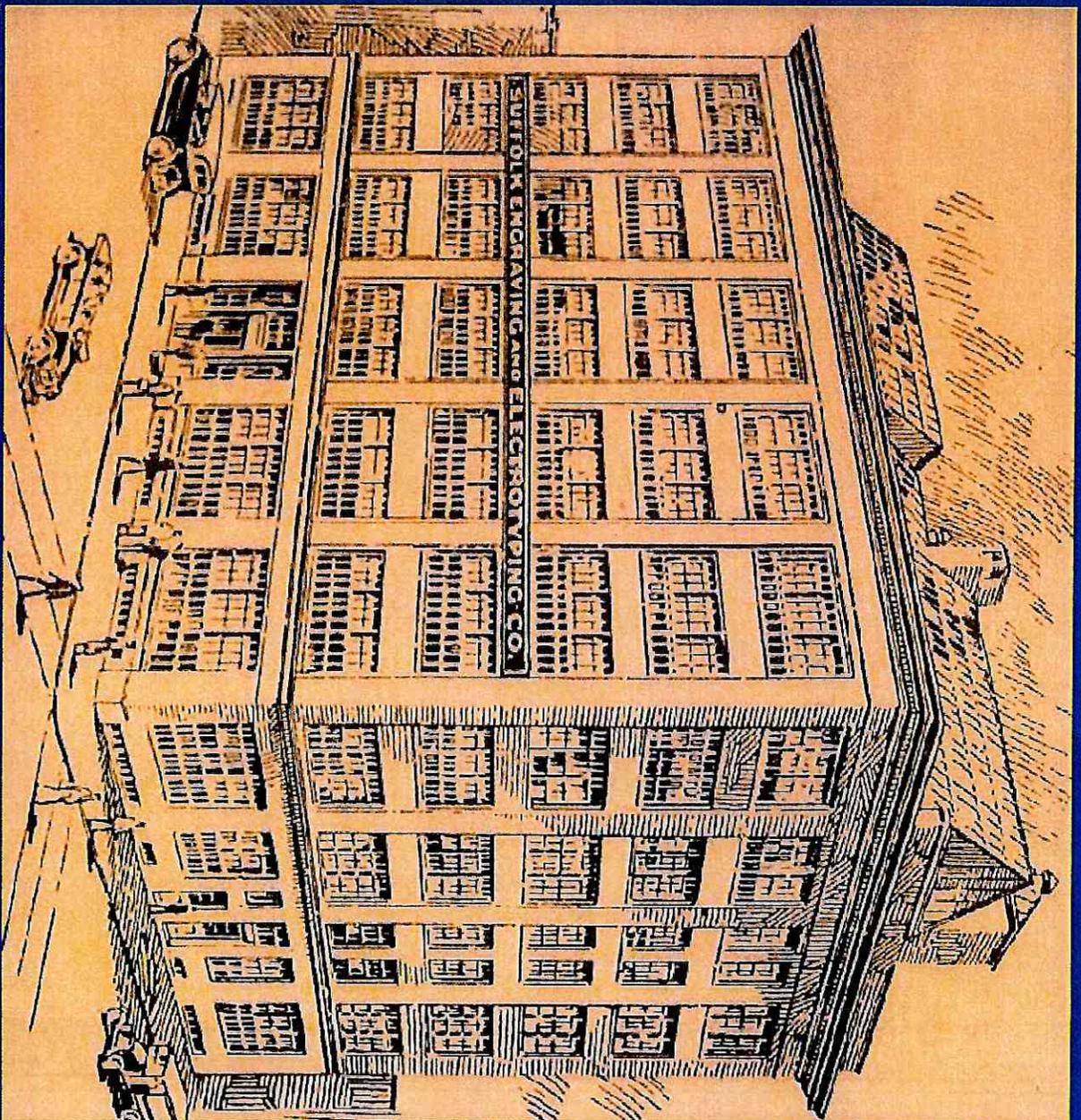
Write for prices on 50 or more desks



J. L. Hammett (Rebecca's) Building
264 Main St., 2012

CAMBRIDGE WINS PRIZE IN A NEW INDUSTRY

Suffolk Engraving Co. About to
Construct Large Photo-En-
graving Plant at Corner of
Main and Carleton Streets



Suffolk Engraving Co. building
292 Main Street, 1920



Suffolk Engraving (MIT Press) Building, 292 Main St., 2012

Significance

The three adjacent buildings that comprise the Kendall Square Landmark Group represent Cambridge's industrial aspirations in the early 20th century. The Kendall Square Building was explicitly designed to be a landmark. The the Hammett (Rebecca's) and Suffolk (MIT Press) buildings represent Cambridge's manufacturing, distribution, and industrial sectors. The ensemble they create is the last remnant of traditional streetscape and architecture in Kendall Square. Loss of the Suffolk building would diminish the Hammett building to the point of irrelevancy.

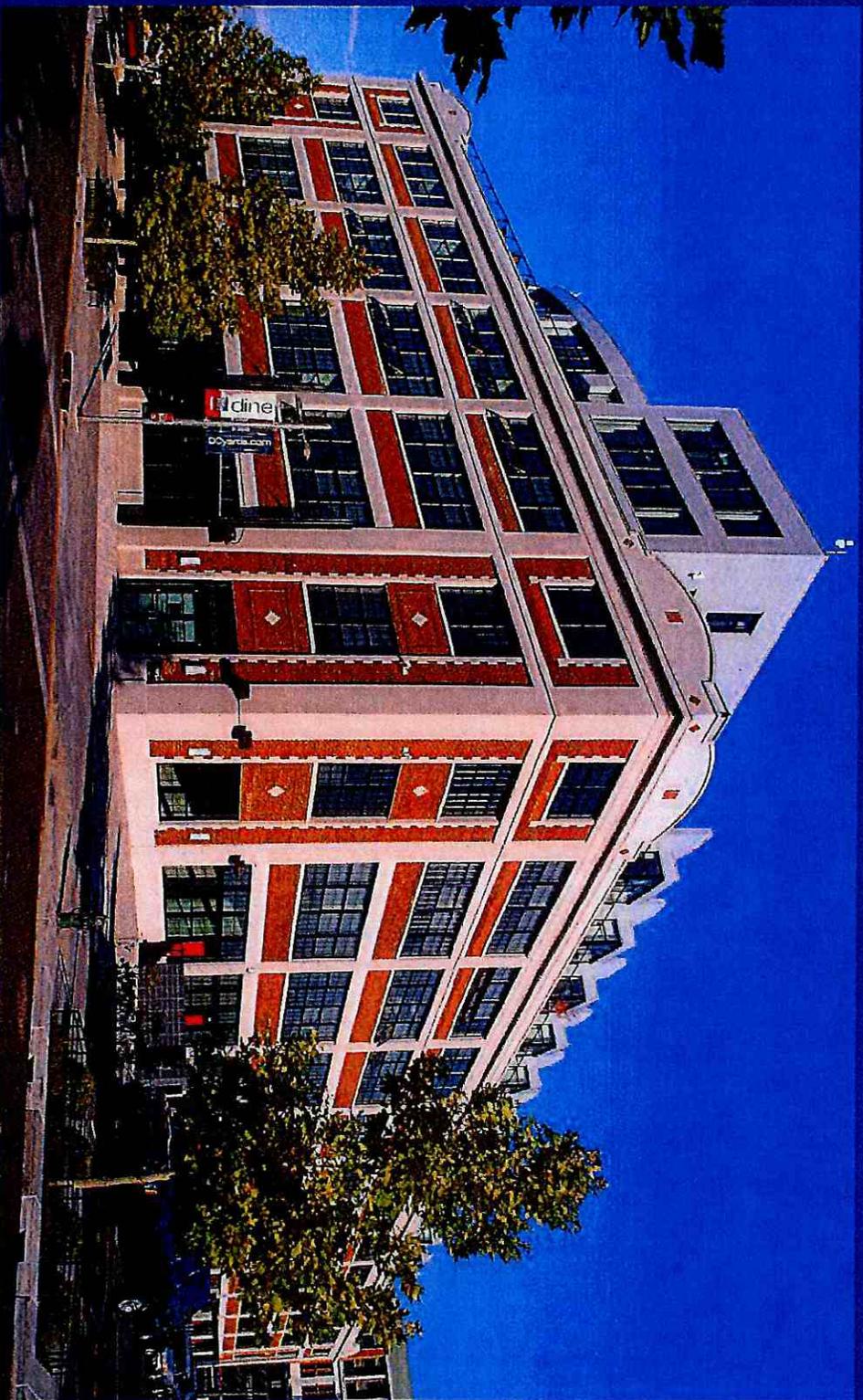
All three buildings are significant for their architecture as well as for their associations with the industrial and commercial history of Cambridge. Their architects were well-known practitioners who designed theaters, office buildings, city halls, and statehouse expansions throughout the northeast. They recall a period when Cambridge was becoming the second most important manufacturing city in Massachusetts.

Urban design considerations

- Kendall Square has almost entirely lost its sense of place through wholesale demolition.
- A healthy urban context is best achieved through adaptive reuse of buildings of different ages, types, and materials.
- Past efforts at urban design in Kendall Square have severed buildings from their surroundings through inward-facing architecture, excessive setbacks, and lifeless plazas.
- All three buildings are capable of continued use and can be adapted to modern requirements, including street-level retail — as MIT's architects have shown.

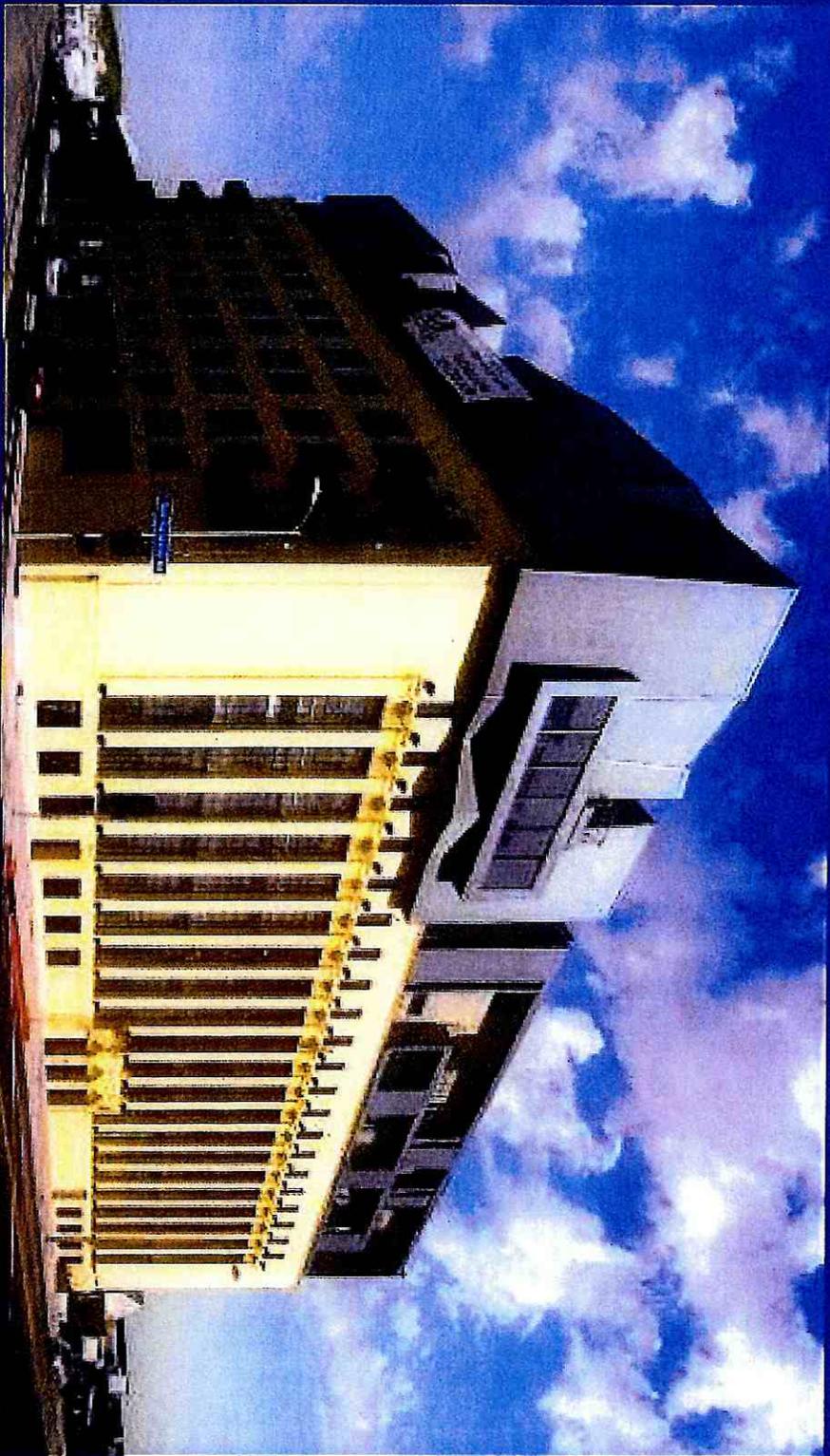
Foundry Lofts, Washington, D.C.

U.S. Navy, 1917



170 apartments developed by Forest City Enterprises, 2011

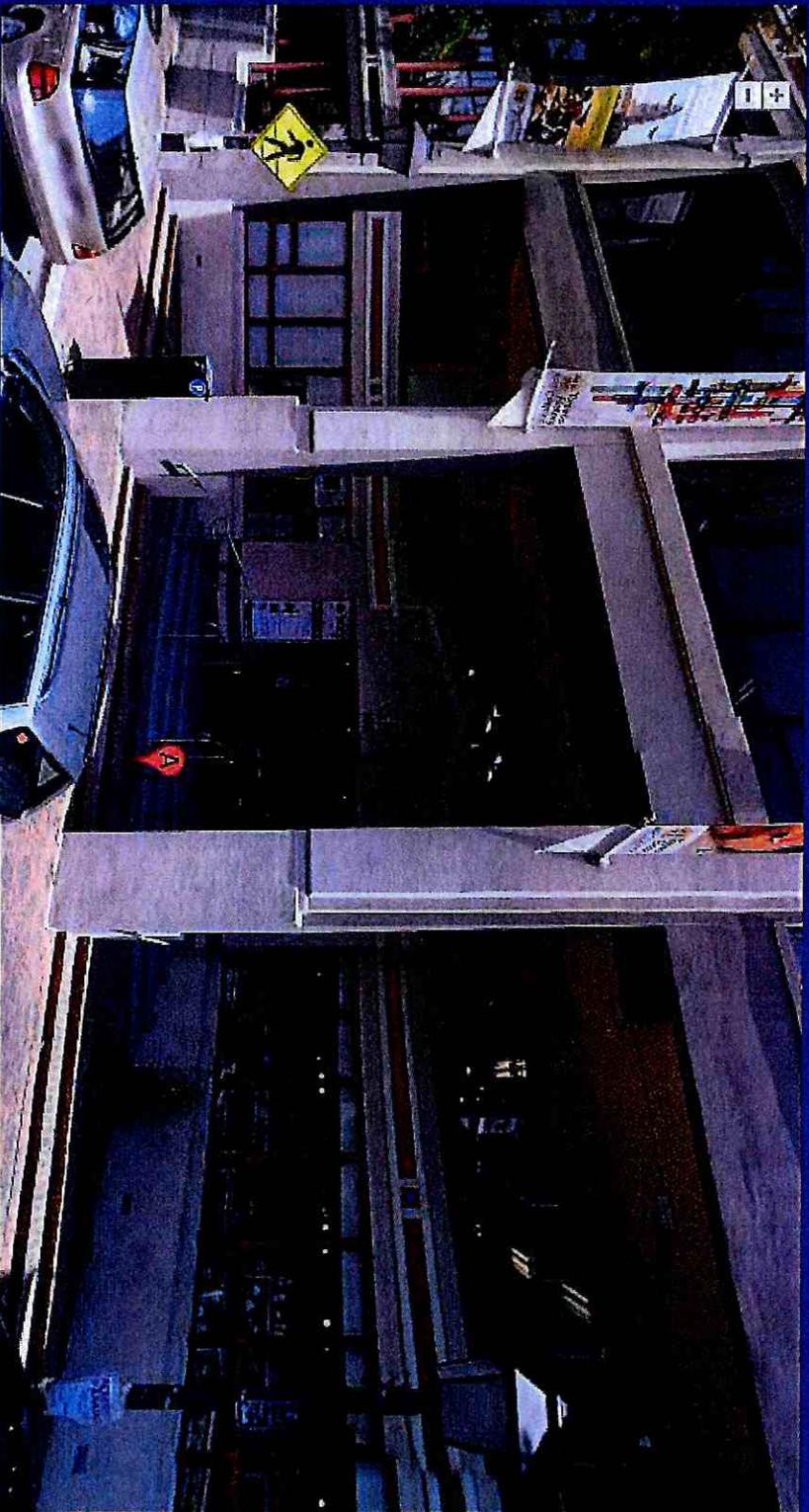
Alta Lofts, Los Angeles
Paint Company Warehouse, 1925



Adaptive reuse by Brooks + Scarpa, 2012

The Torpedo Factory Art Center, Alexandria, Va.

U.S. Navy, 1918



North Union Street Entrance

The Torpedo Factory Art Center, Alexandria, Va.



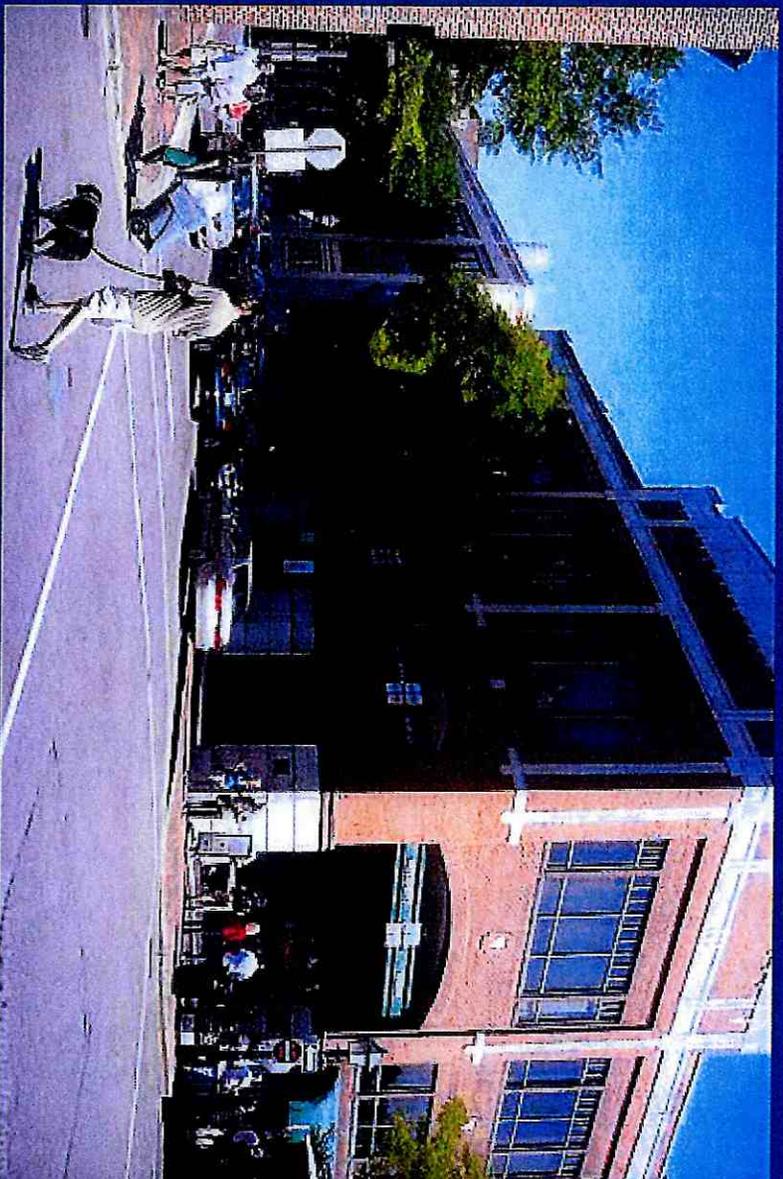
Artists' Studios and Galleries

The Torpedo Factory Art Center, Alexandria, Va.



Public Events

*City of Alexandria Visitor Center
at the Torpedo Factory Art Center*



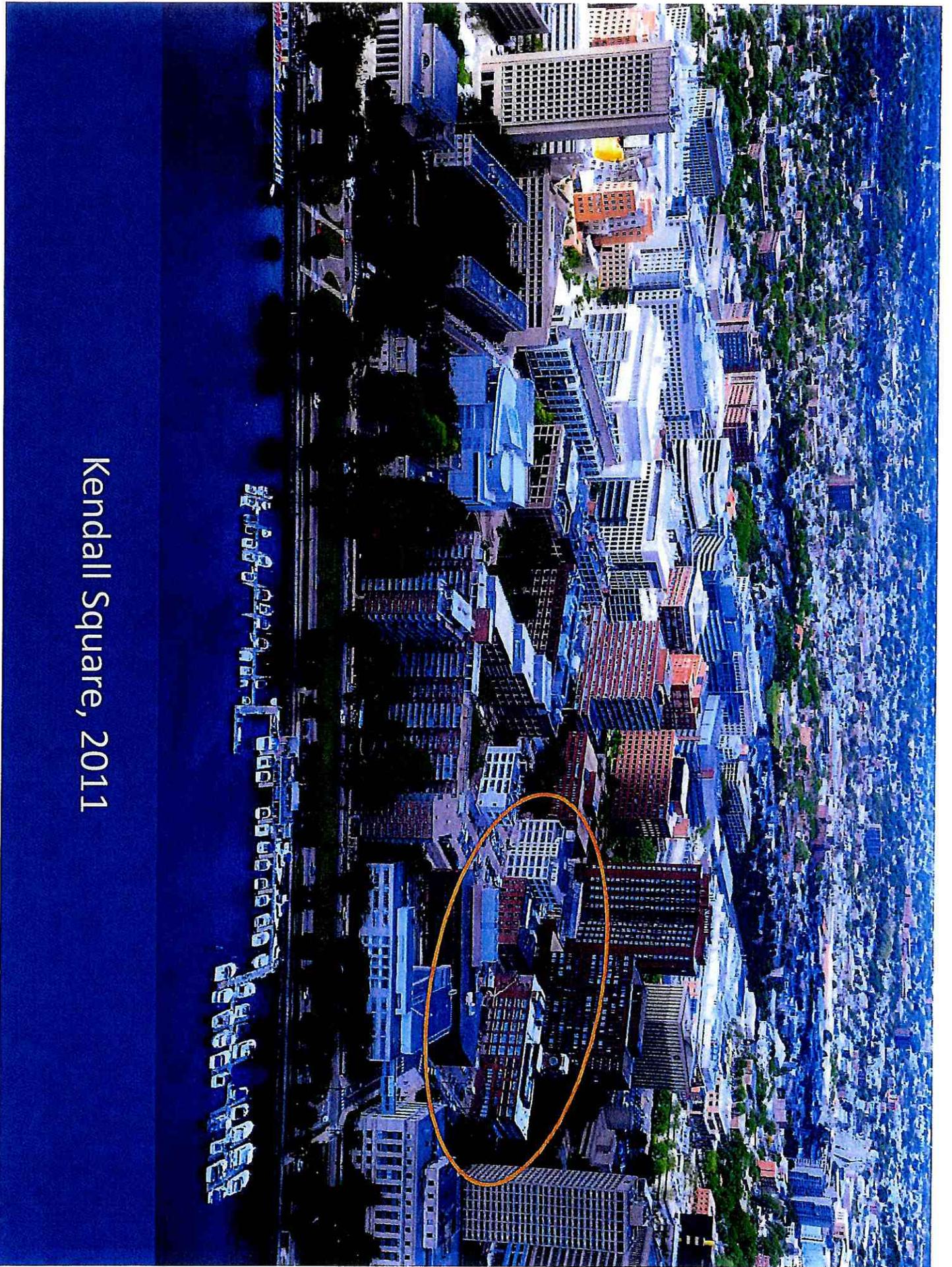
Street-level Entrance

Landmark Designation Status

- The buildings have been found significant by the Historical Commission and are eligible for landmark designation.
- The buildings are protected during a designation study period that has been extended until July 2013 to allow the K2 process and the MIT zoning initiative to mature.
- Landmark designation will not become permanent until the City Council acts on a CHC recommendation.

Effect of Landmark Designation

- The object of landmark designation is generally to protect buildings from destruction or inappropriate alteration.
- Cambridge Landmarks are not frozen in time; they are allowed to evolve to meet current needs.
- The CHC will agree in advance to allow the ground floor of the MIT Press building to be lowered to ground level, and offer pre-approval of other alterations that will meet the urban design goals of the K2 study.
- All alterations, whether envisioned in the guidelines or not, will be considered at public hearings where preservation will be weighed against other public interest goals.



Kendall Square, 2011

City of Cambridge

MASSACHUSETTS

In City Council March 7, 2013

Mayor Davis moved at the Ordinance Committee meeting held on March 7, 2013 that the MIT petition be referred to the full City Council and that the subject matter remain in committee.

	YEA	NAY	ABSENT	PRESENT
Mr. Leland Cheung	✓			
Ms. Marjorie Decker			✓	
Mr. Craig A. Kelley		✓		
Mr. David P. Maher	✓			
Mr. Kenneth E. Reeves	✓			
Vice Mayor E. Denise Simmons		✓		
Mr. Timothy J. Toomey, Jr.	✓			
Ms. Minka Y. vanBeuzekom		✓		
Mayor Henrietta Davis	✓			

Motion – carried.

5 3 1

Lopez, Donna

ATTACHMENT F

From: cambridgeville@gmail.com on behalf of Lara Gordon, Coldwell Banker
[Lara.Gordon@nemoves.com]
Sent: Thursday, March 07, 2013 2:13 PM
To: City Council; Lopez, Donna
Subject: Letter for Tonight's Ordinance Committee Meeting

Hi there,

I am going to attend the ordinance committee meeting tonight, but not sure if I'll be able to stay through to the public comments section, so wanted to submit this letter (below) in support of MIT's petition to create a new Section 13.80 Planned Unit Development 5 (PUD-5) District. Thank you.

Dear Ordinance Committee Members:

I am writing in support of MIT's petition to create a new Section 13.80 Planned Unit Development 5 (PUD-5) District in Kendall Square. As a Cambridge resident since 2002 and Area Four homeowner since 2009, I have been very pleased to see the changes to Kendall Square and Area Four in the last few years—the many new restaurants and past/present development of new commercial and residential buildings have brought a new vibrancy to a once very desolate part of the city.

I certainly understand people's concerns over building height and density, and believe that all development should be done in consultation with the neighboring community, taking into consideration quality of life issues. However, I do not believe that development should be limited for the sake of maintaining the status quo. In my opinion, cities should be considered living things that change and grow over time in pace with our lives.

We are all very lucky to live in Cambridge. It is a vibrant, beautiful city that has managed to thrive in the face of a national recession. While other cities across the country were turning off their street lights because they couldn't afford the electric bills, we were building a gorgeous new library, and renovating our schools. Our unemployment rate, as I understand it, has been something like half the national average throughout the recent recession. And our home values have not only remained strong; they are actually increasing. These circumstances are as they are because we have a thriving commercial base that attracts people who want to live here, provides numerous jobs in growing industries, and fills our tax coffers.

To be clear, I don't see MIT's proposal as any sort of necessary evil that we must accept for the sake of revenue. I actually see it as an exciting opportunity to bring more innovative businesses to the area, provide housing that will allow people to live where they work, and create lively and beautiful new public and open spaces that all Cambridge residents can enjoy. I hope I get to see these plans come to fruition.

Thank you,
Lara Gordon

--

Lara Gordon, Realtor
Coldwell Banker Residential Brokerage
1730 Massachusetts Avenue
Cambridge, MA 02138

617.710.4632 - cell
617.864.4430 - office
617.245.3939 - efax

Lara.Gordon@NEMoves.com

Check out my latest blog posts on Cambridgeville

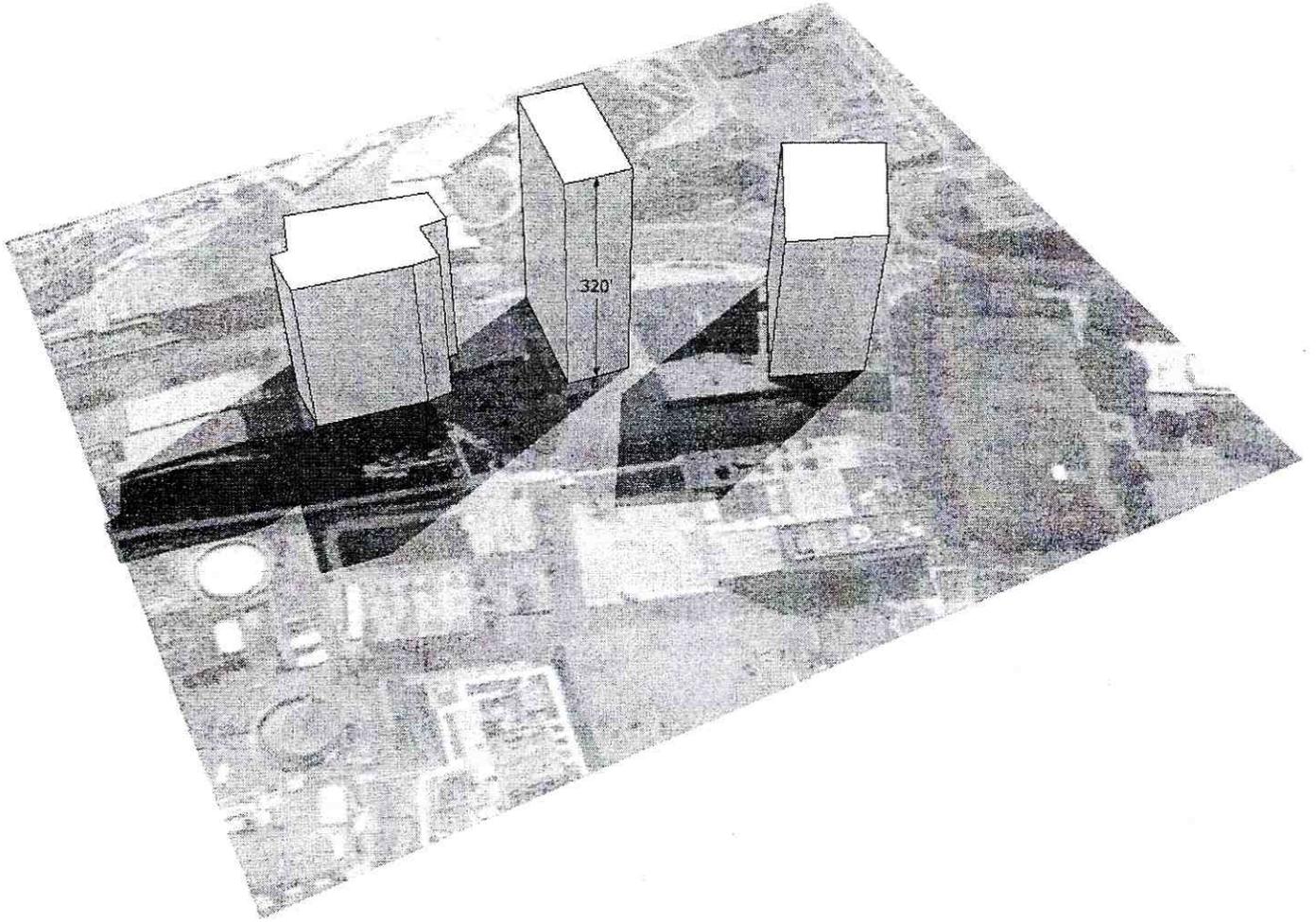
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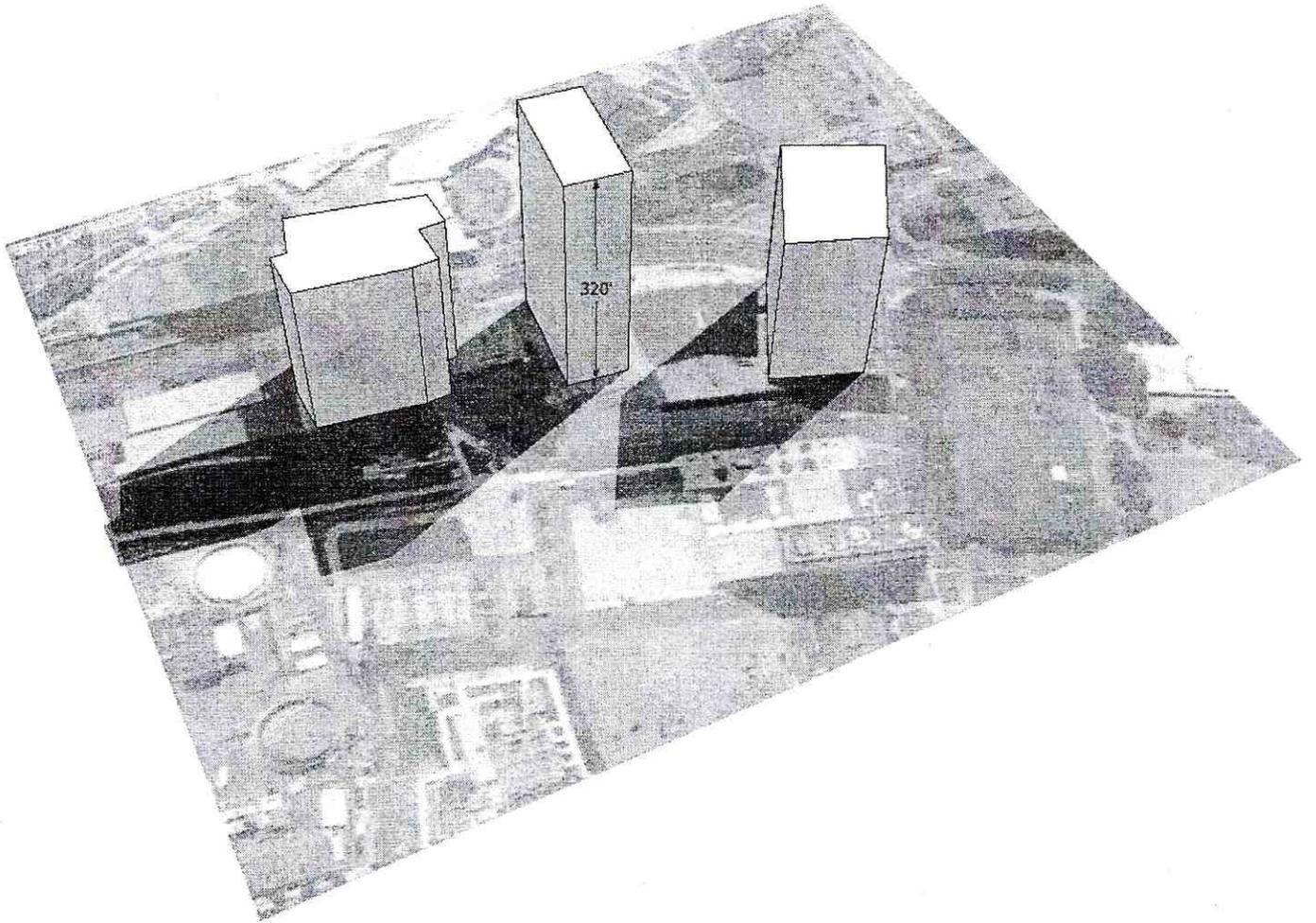
ATTACHMENT G-1

EXISTING + PROPOSED

AVT. 27 - 3PM G

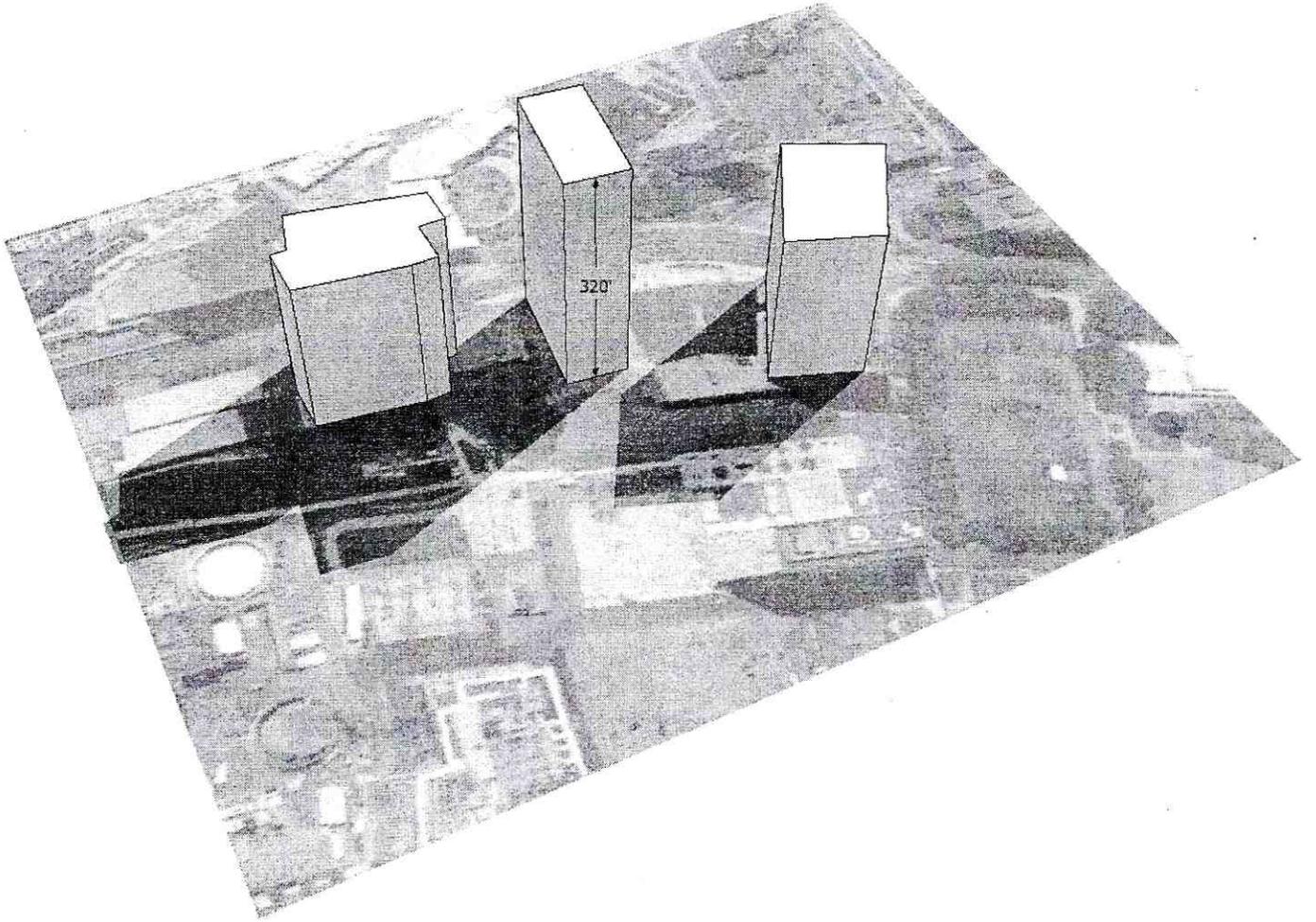


G-2



G-3

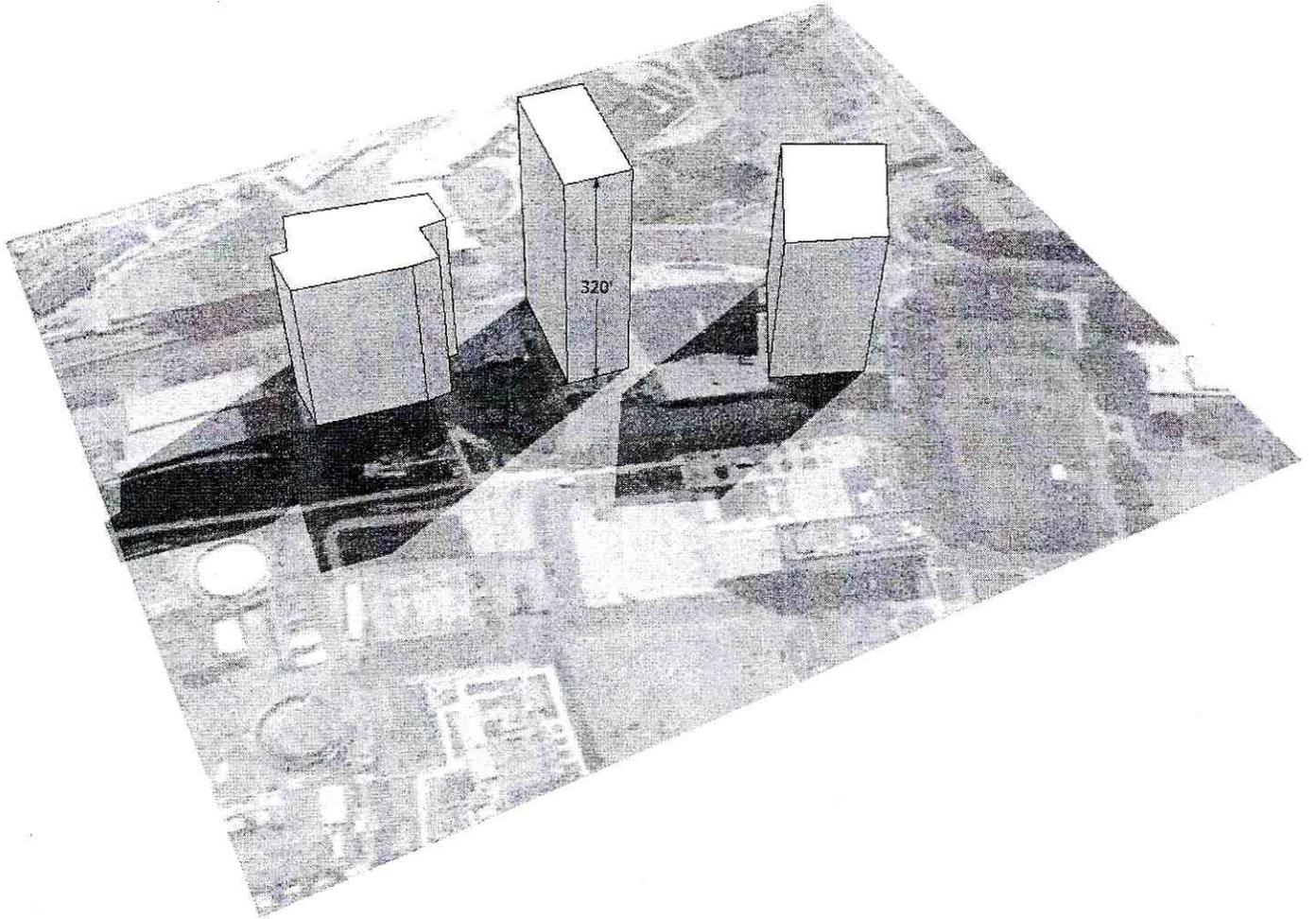
EXISTING + PROPOSED
AUG. 21-3 PM



G-4

EXIST + PROPOSED

AUG. 21 3 PM

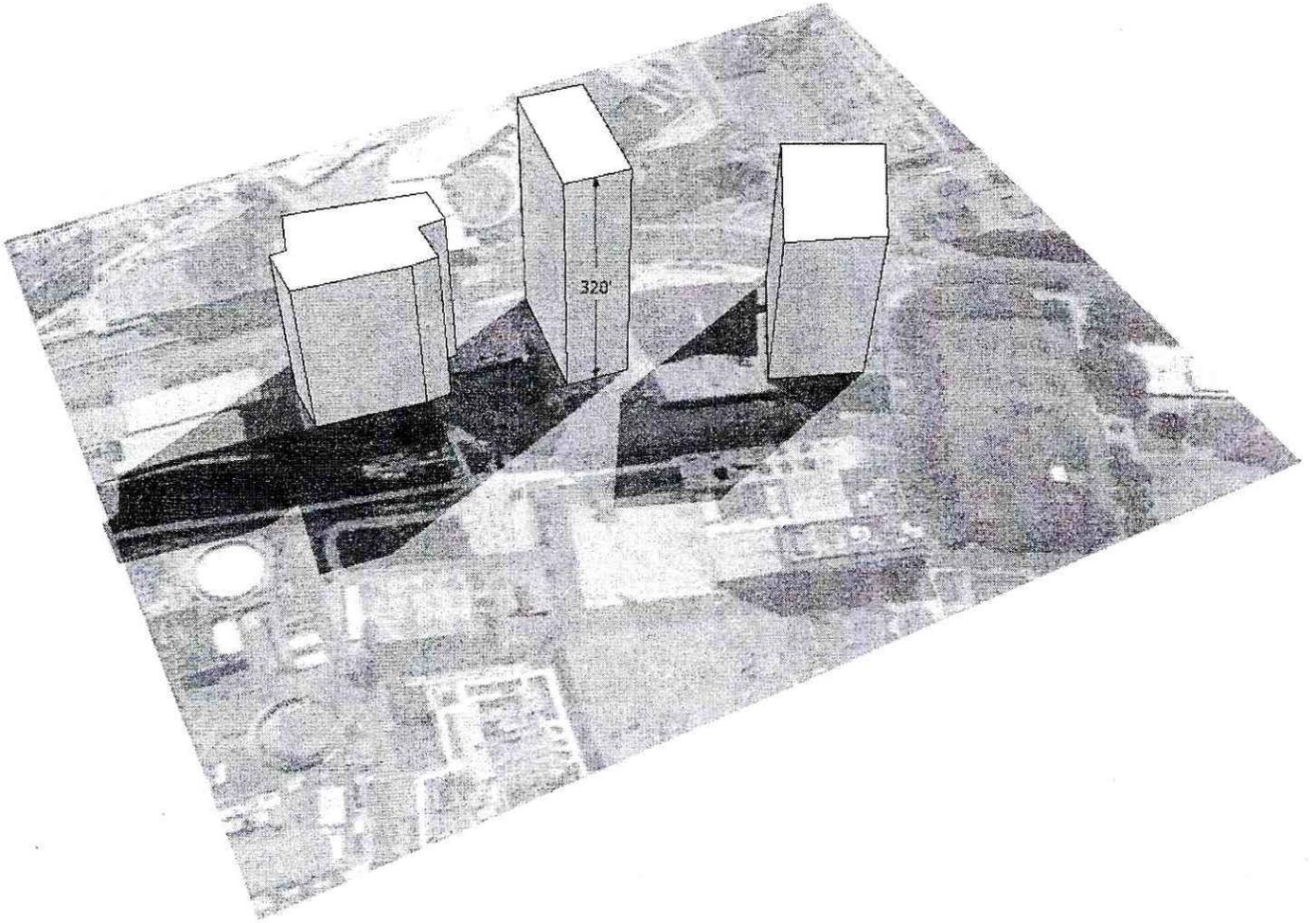


G-5

EXISTING TOWER
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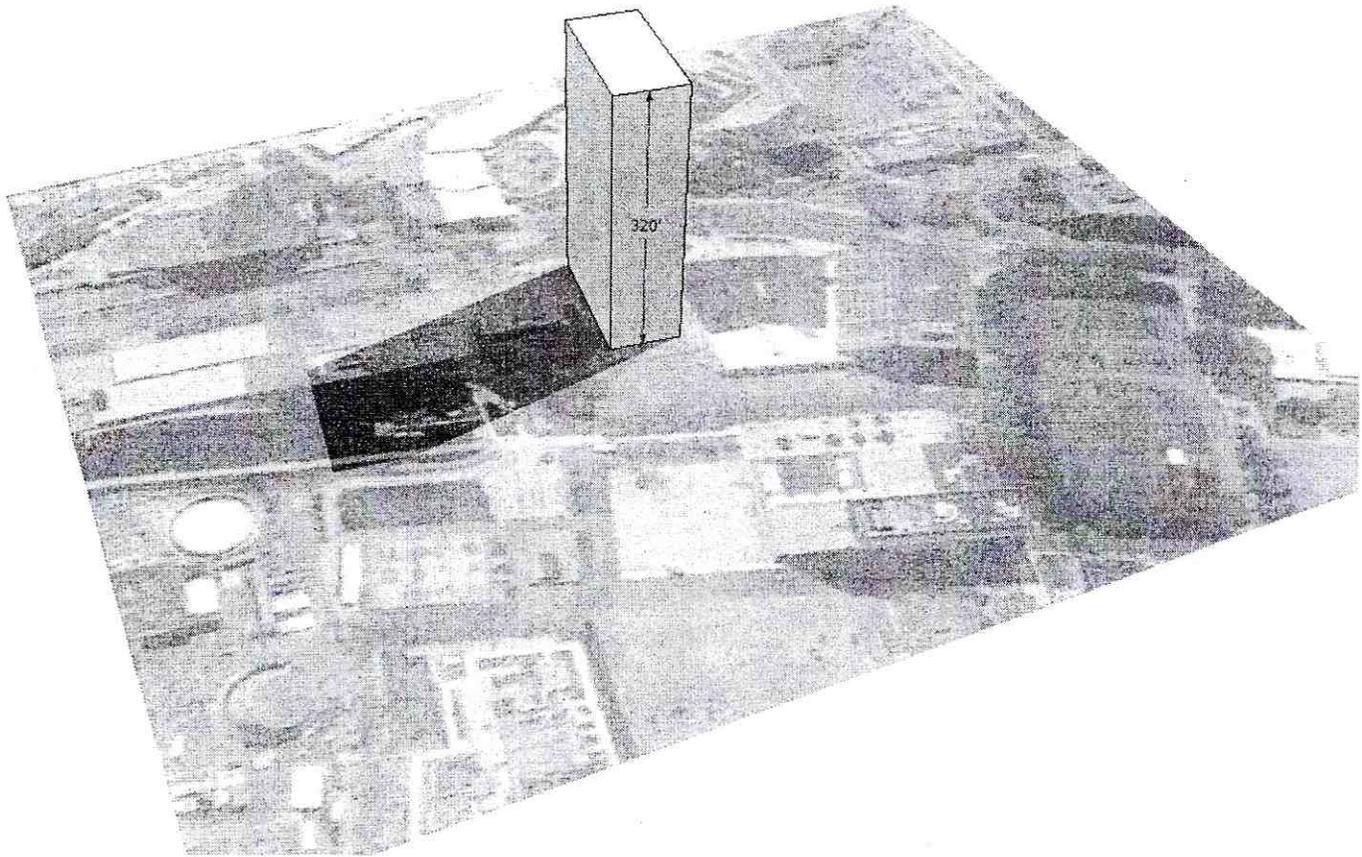
3. PM



G-6

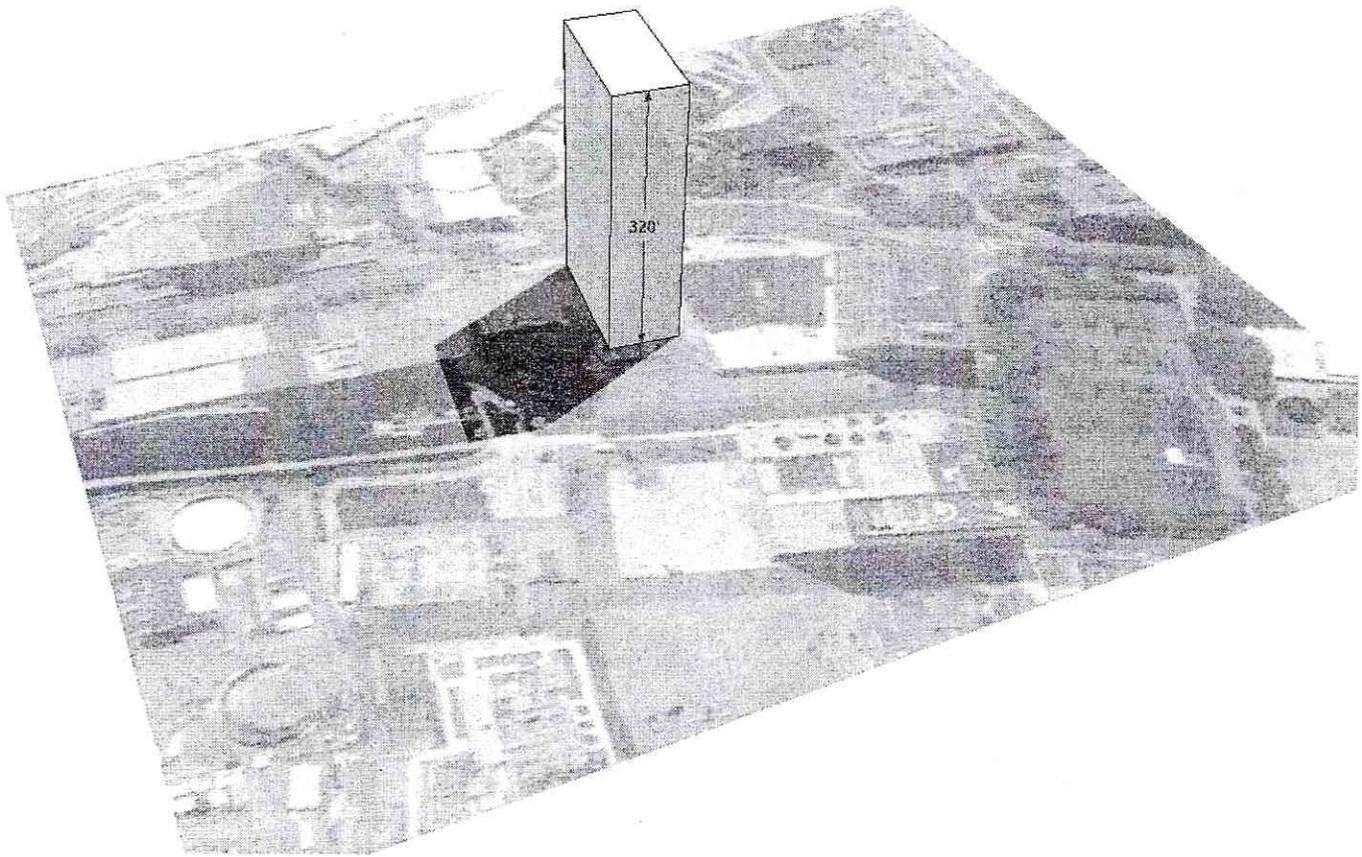
S. WADLOW ON
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MARK JAQUITA
MAY 6, 2013



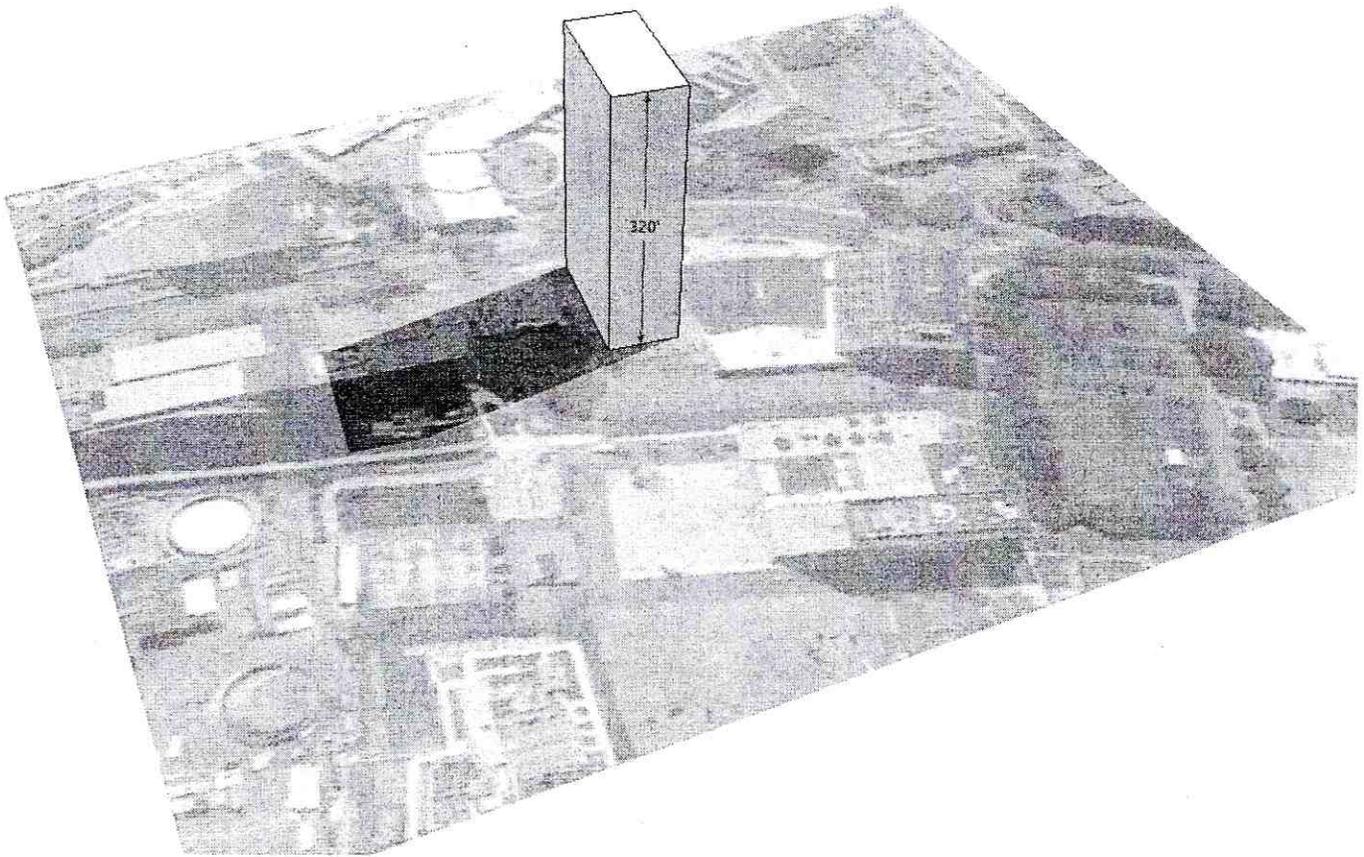
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JUNE 21 2PM



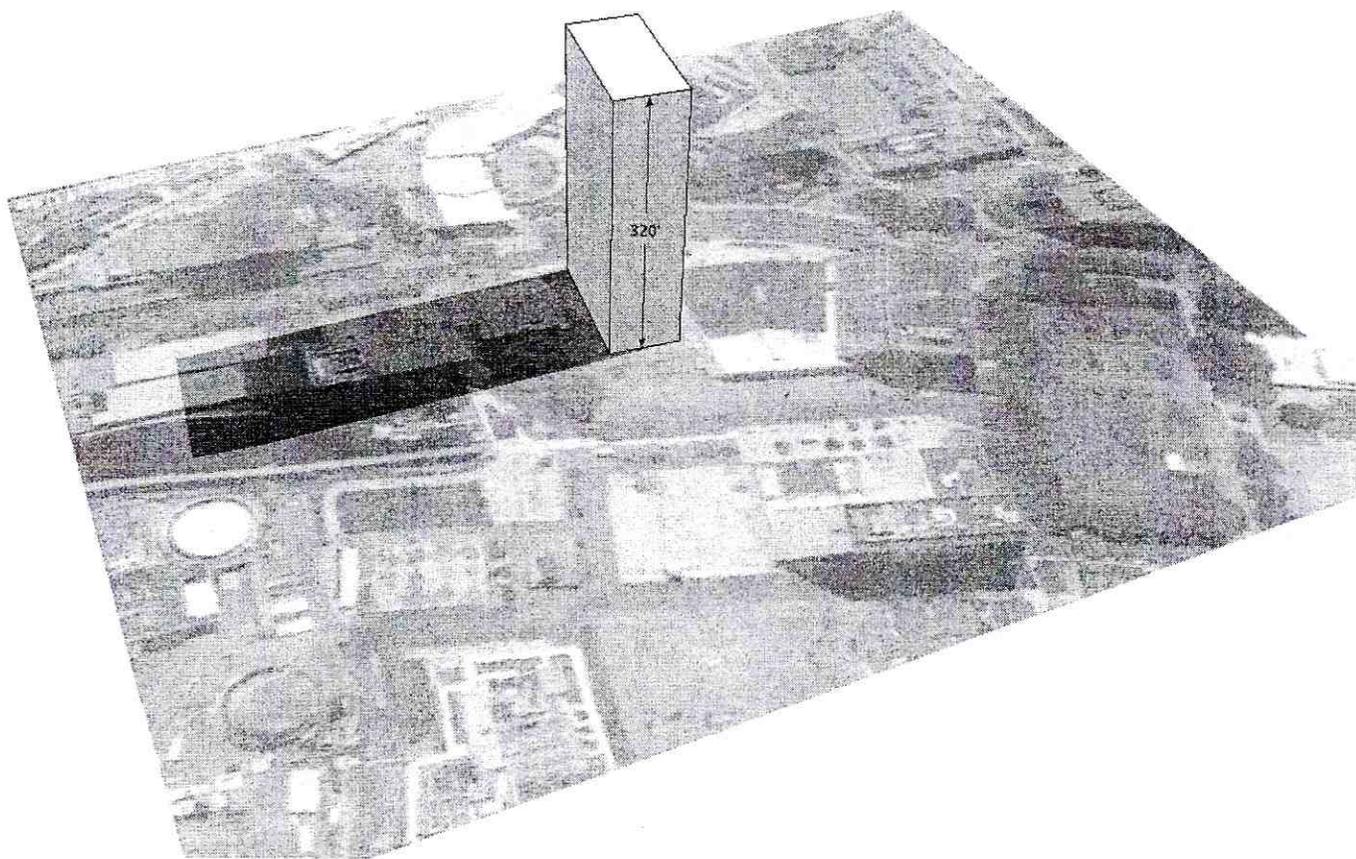
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JUNE 21 3 PM



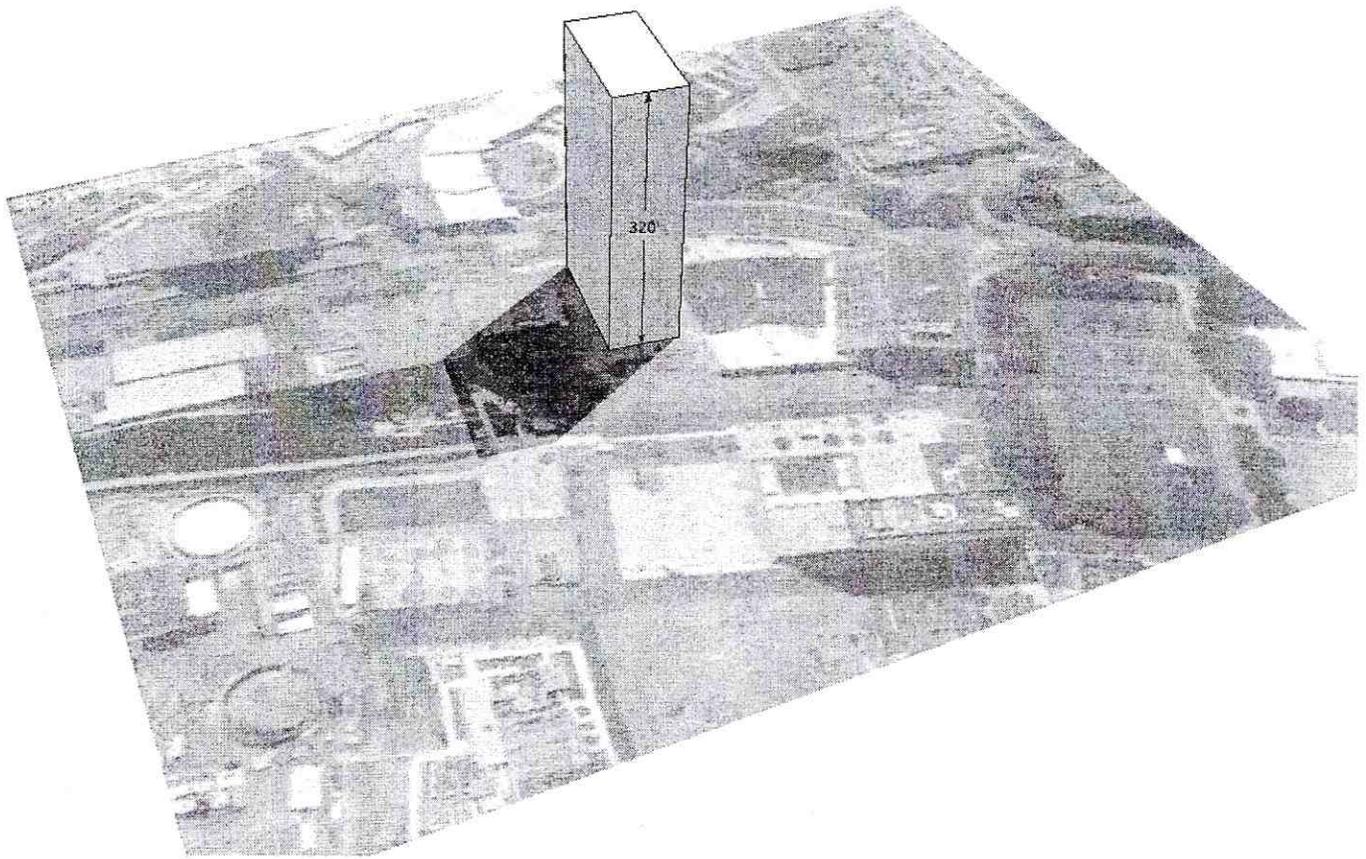
G-9

JUNE 21 4PM



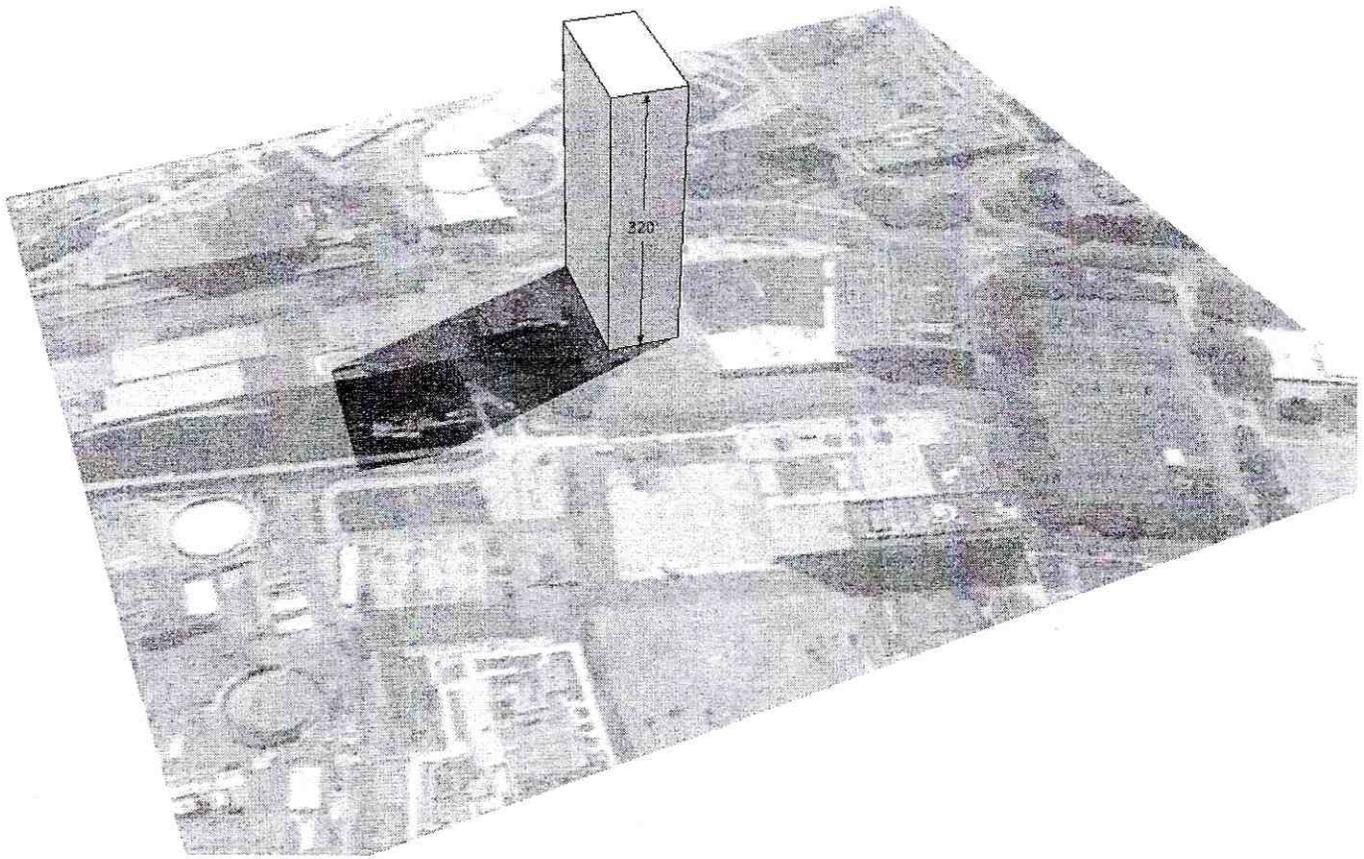
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JULY 21 2 PM



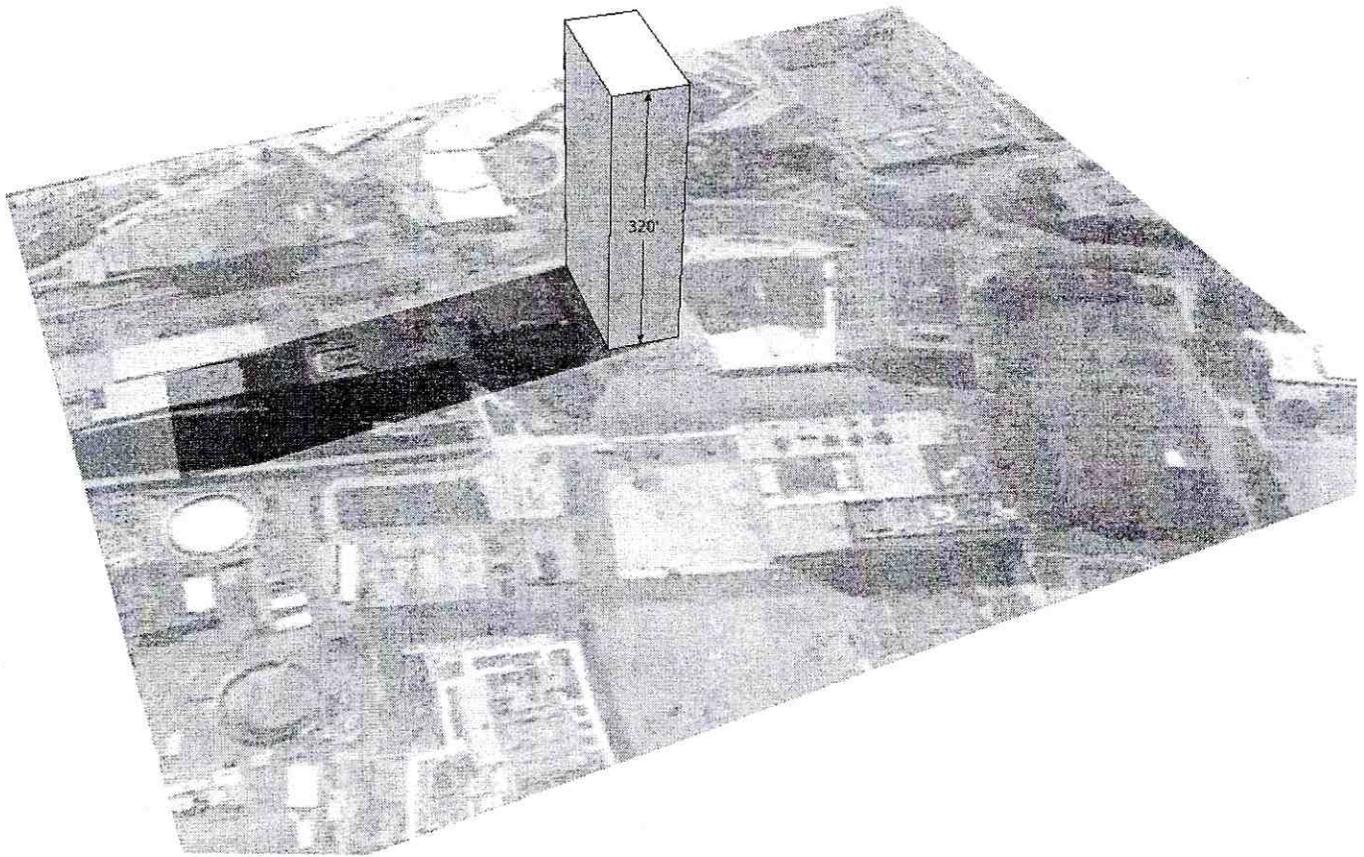
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JULY 21 3 PM



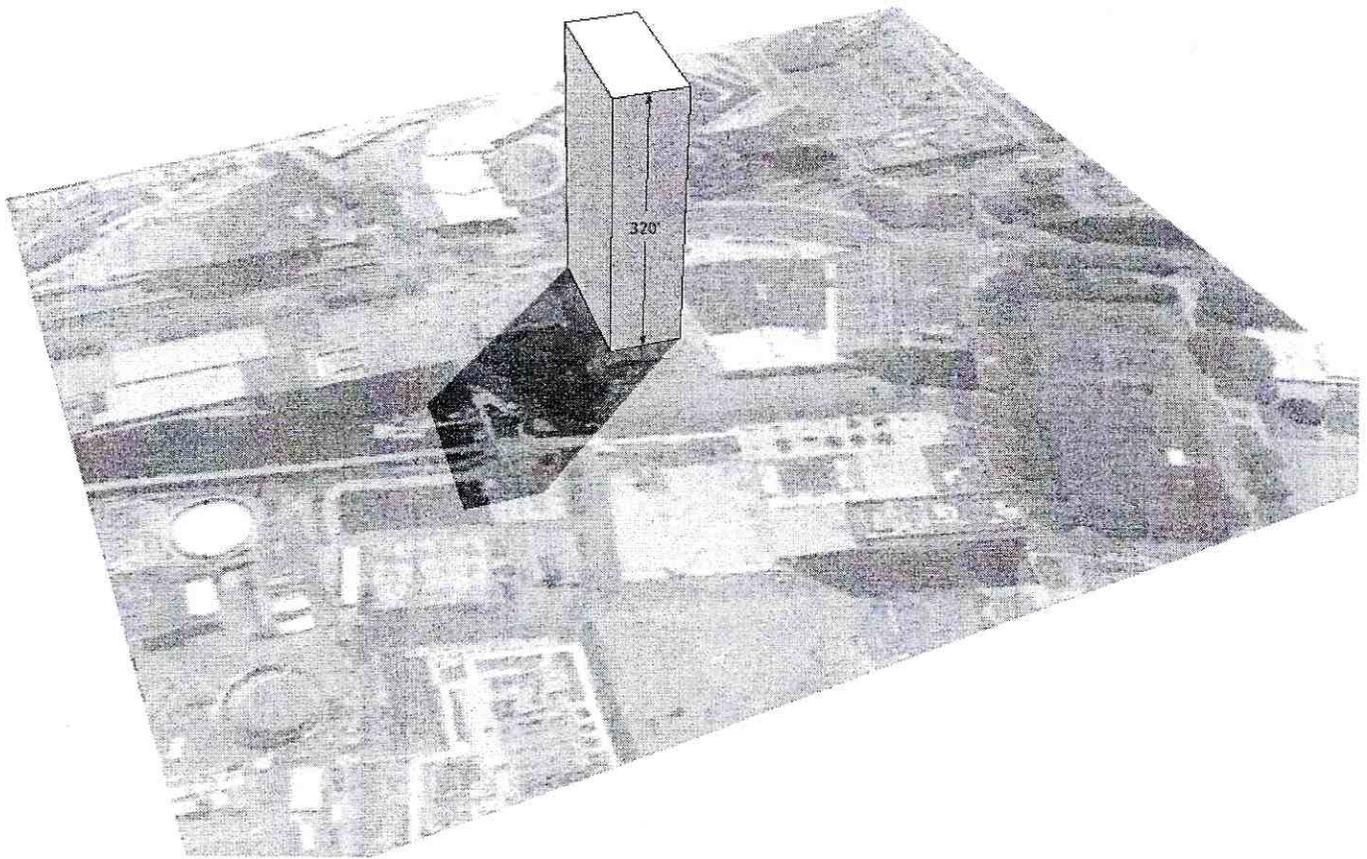
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July 21 4 PM



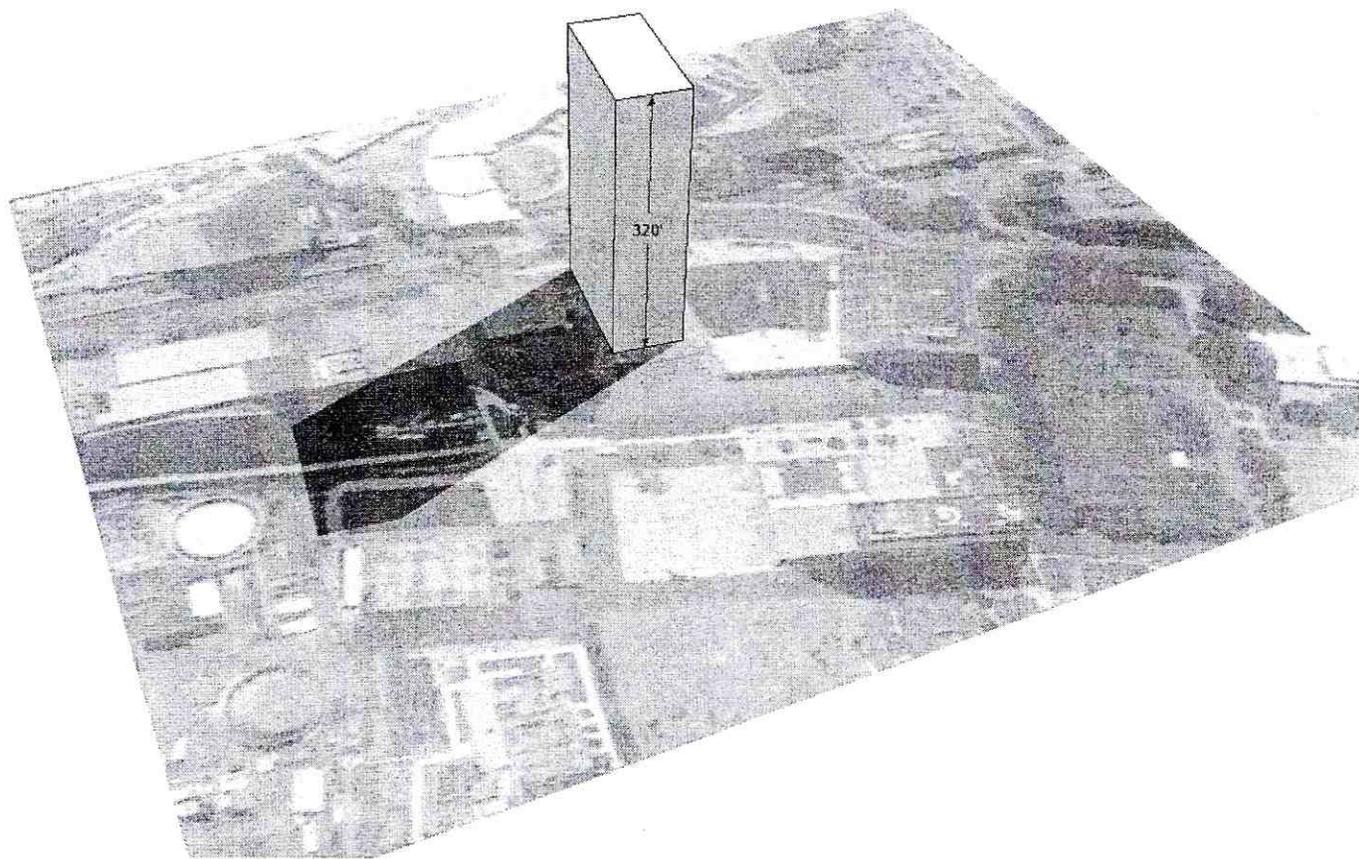
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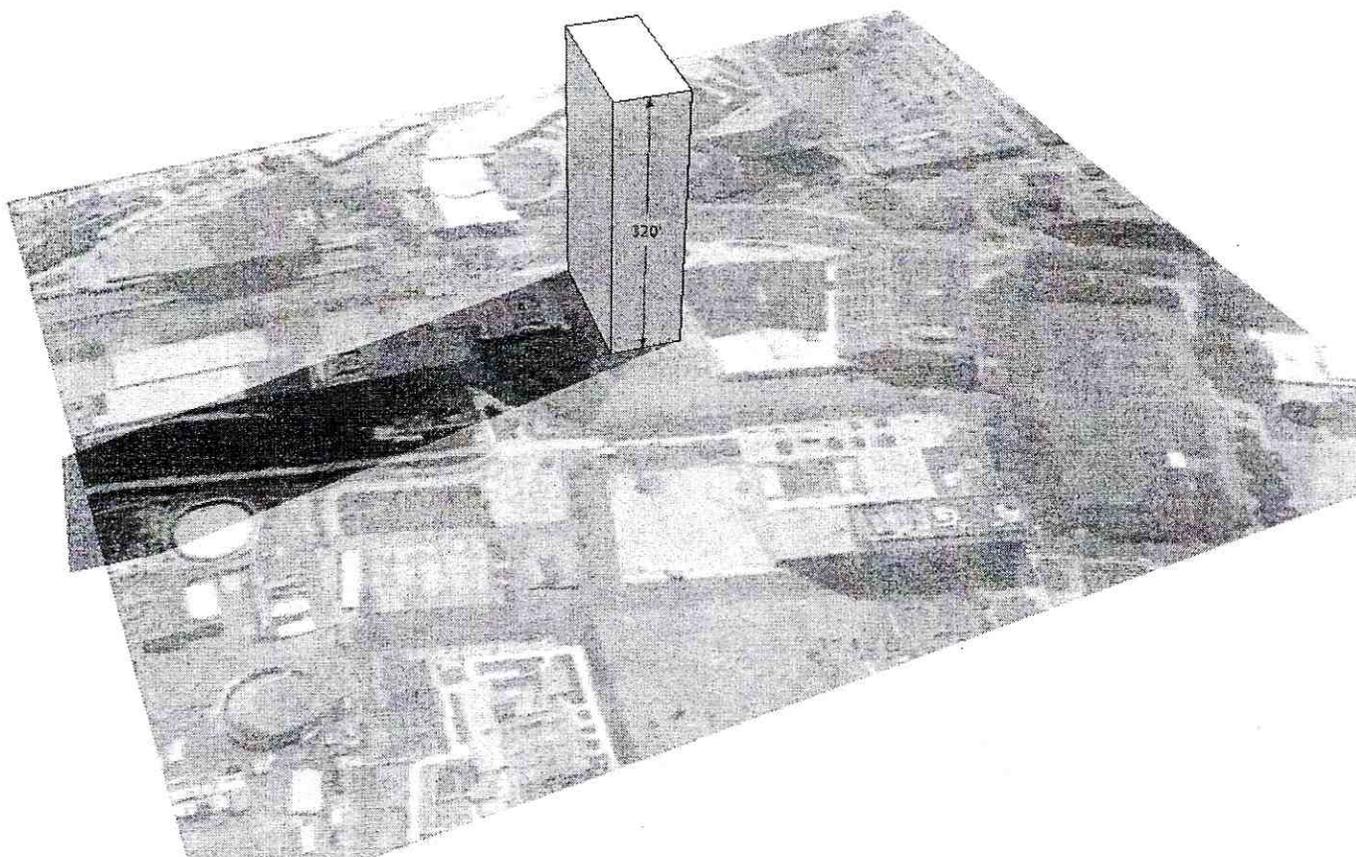
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AUGUST 21 3 PM



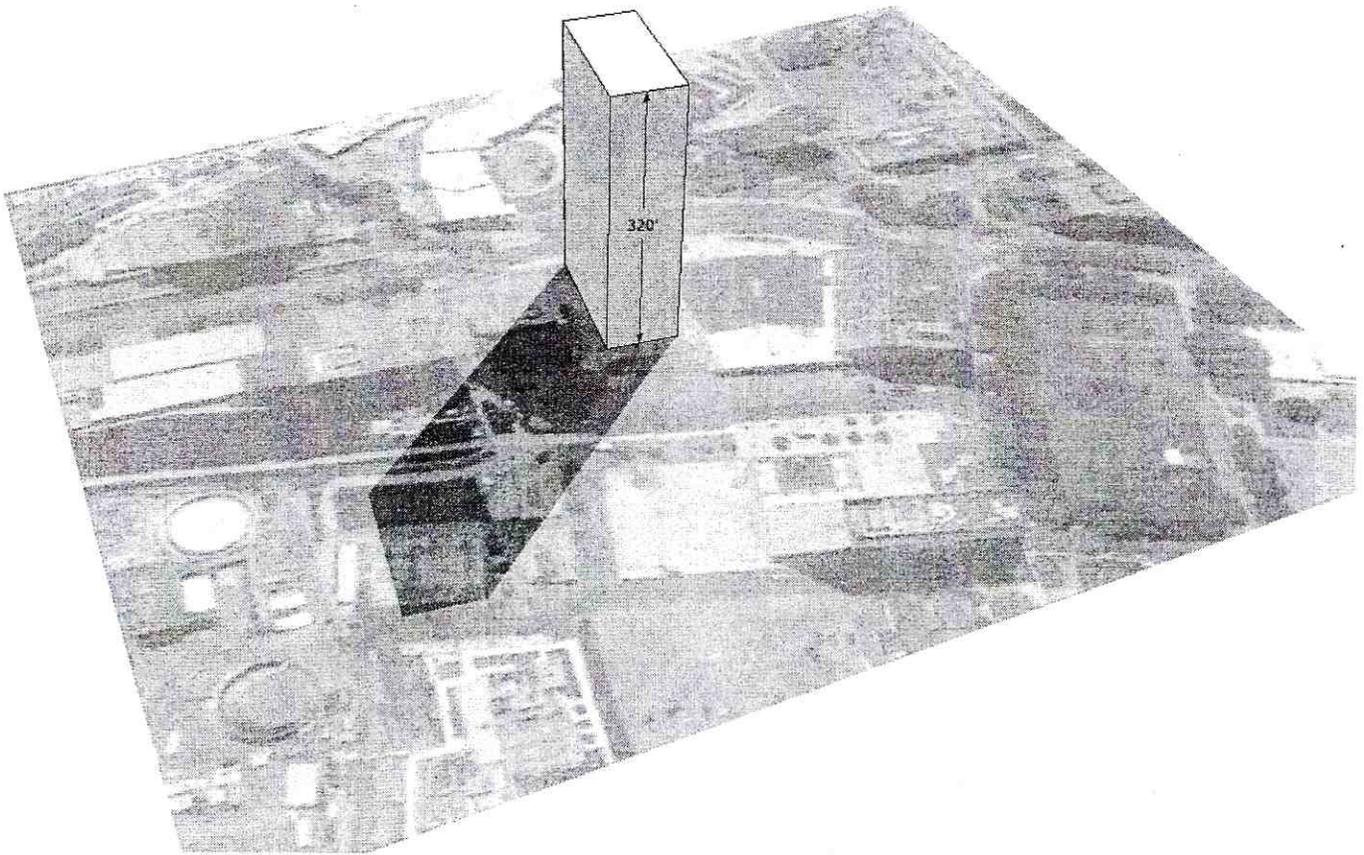
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August 21 4 PM



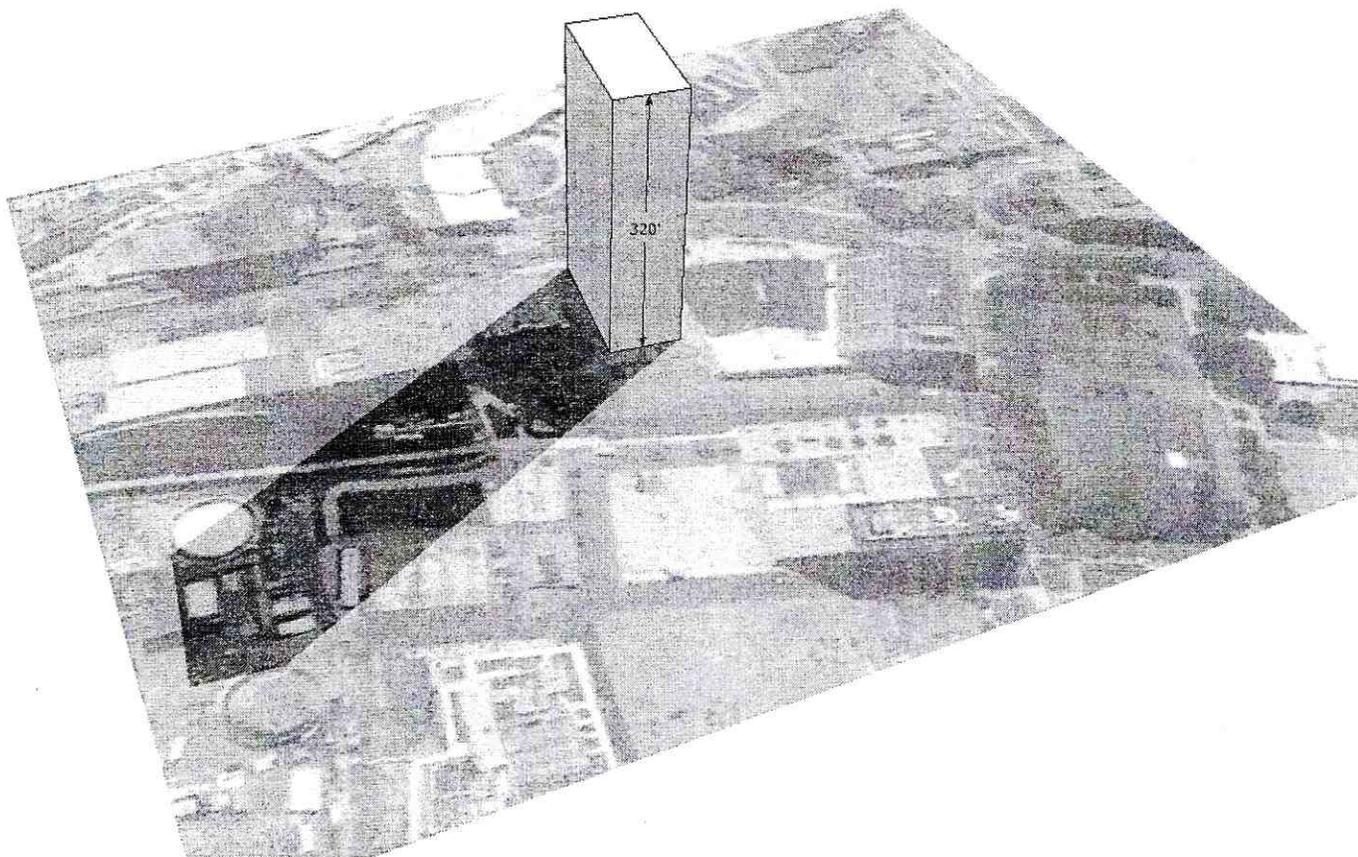
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SEPT. 21 2PM



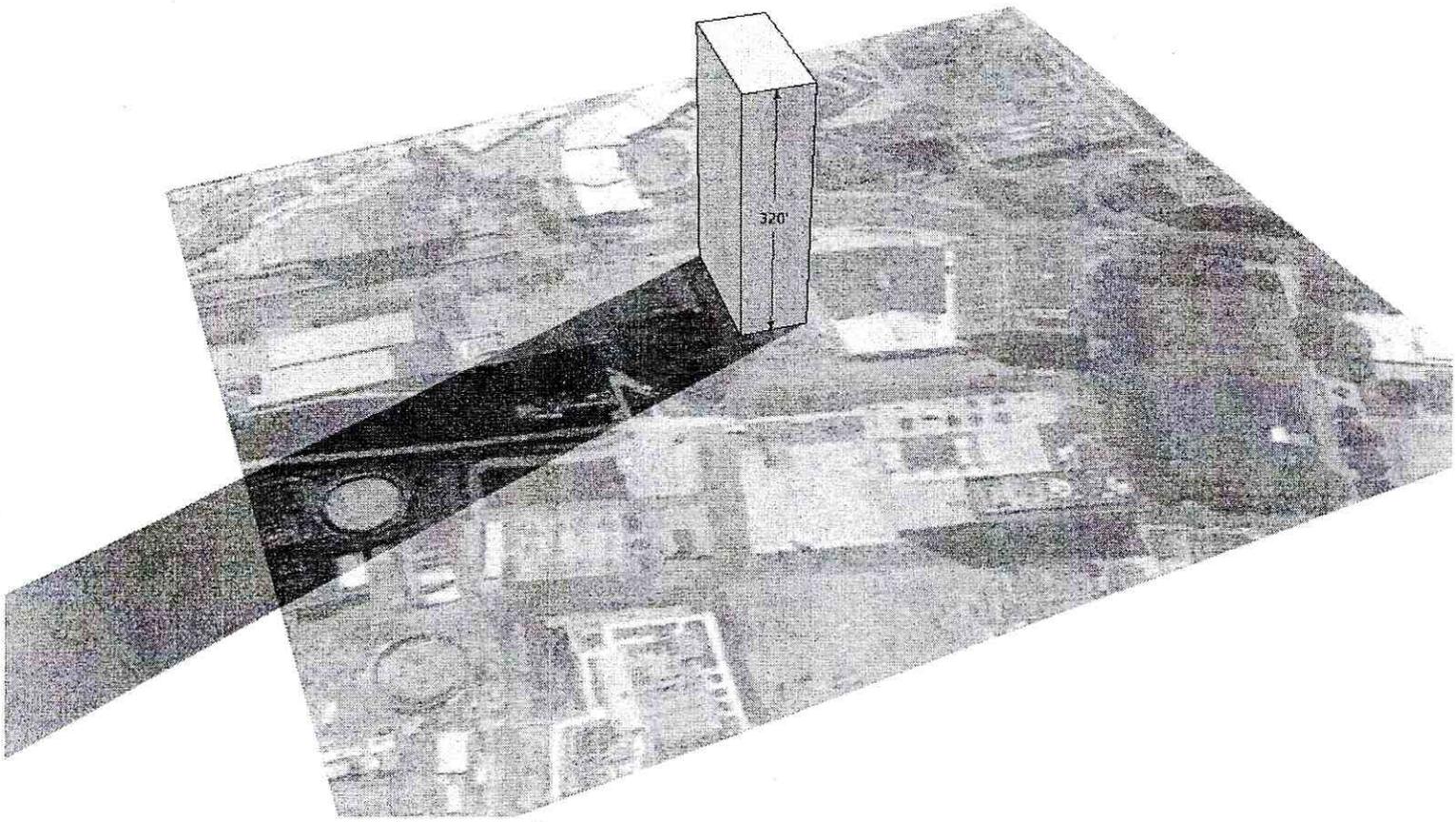
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SEPT 21 3 PM



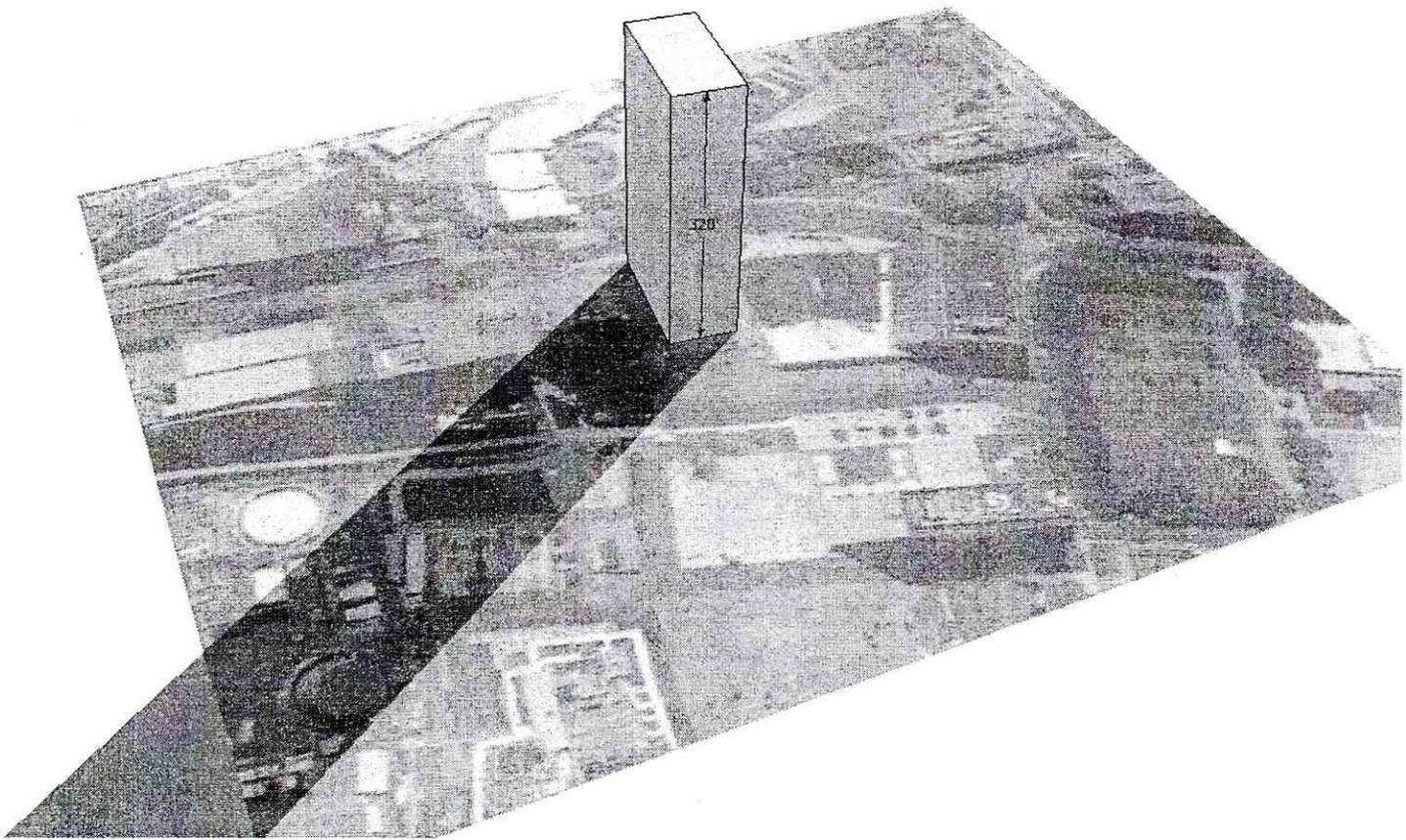
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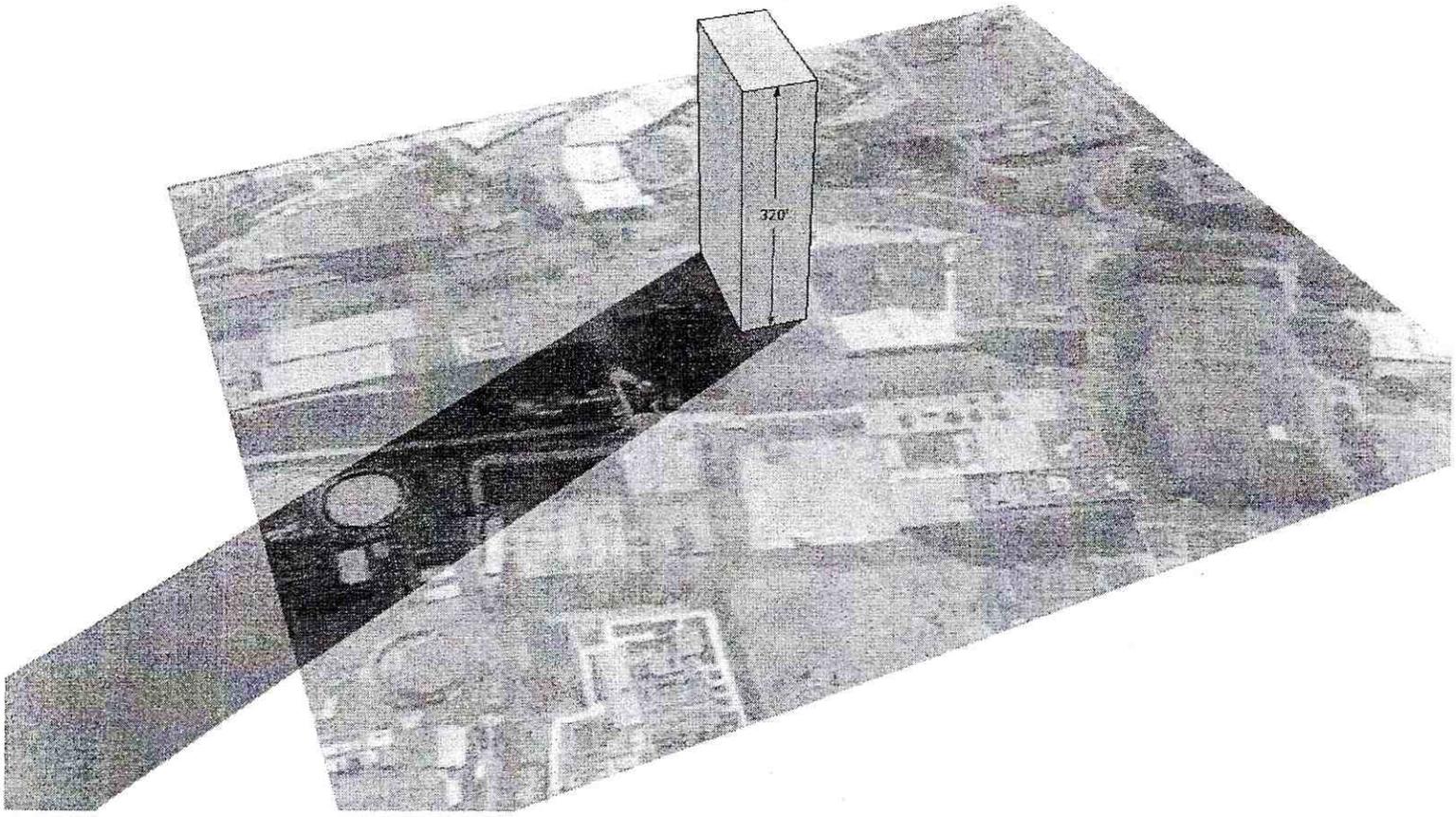
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OCT. 21 3:00 PM



G-20

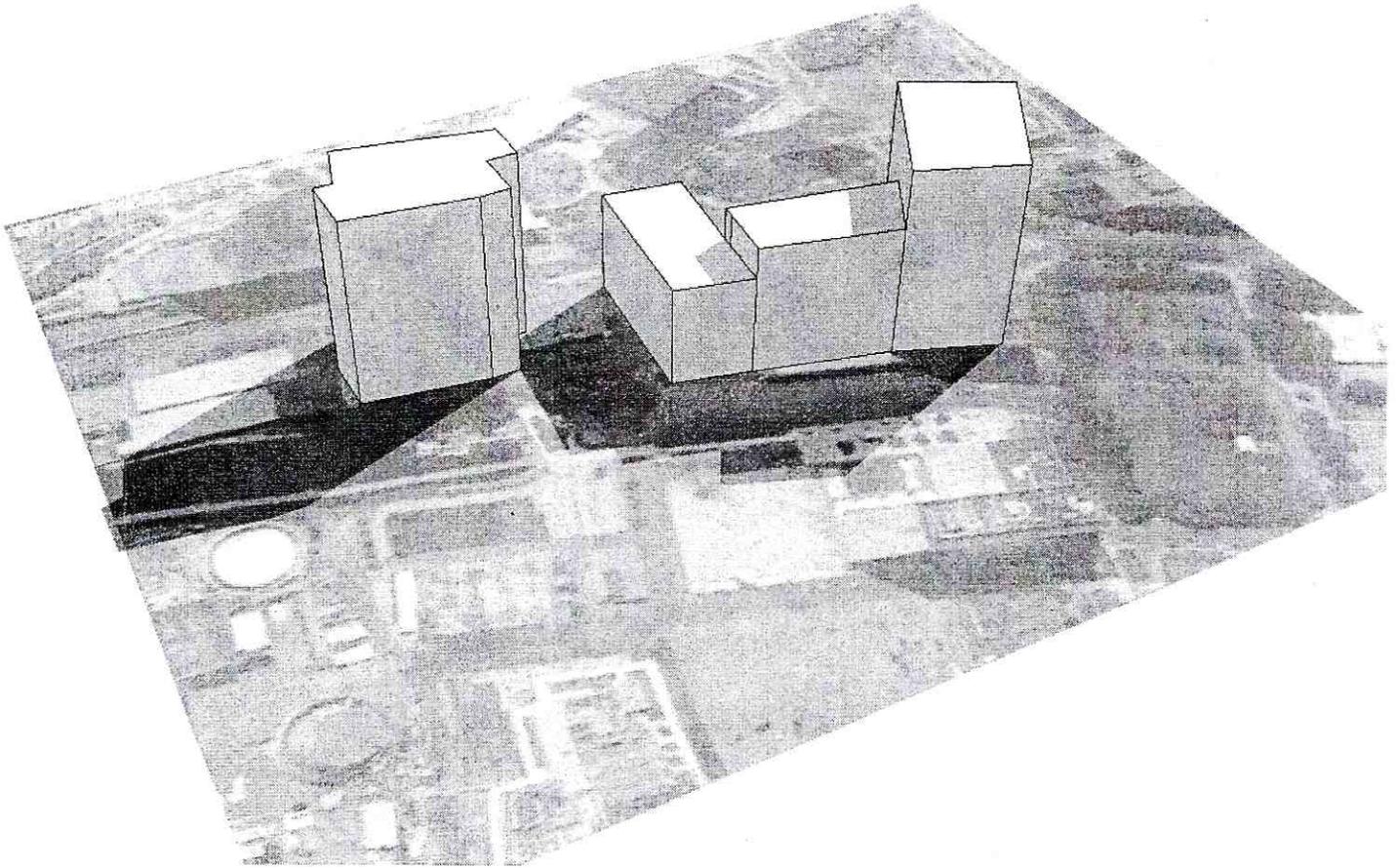
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G-21

ALT AUG 21

3 PM



T paints bleak picture on funding

Faces projected \$130m deficit

By Martine Powers
GLOBE STAFF

MBTA officials painted a dark picture Tuesday of the T's future if no funding increase arrives from the state, outlining cost-saving measures that could dramatically decrease service, increase fares, and fundamentally change the size and scope of the public transit service.

Facing a projected deficit of \$130 million for fiscal 2014, Charles Planck, director of strategic initiatives for the MBTA, presented the Massachusetts Department of Transportation's finance committee with options for how the T could balance its budget, which is due by April 15.

T officials are hoping to receive additional state funding through an expansive transportation finance plan proposed by

Submission #2 (2084)
Ordinance Cont. 3/07/13
James Williamson

MBTA, Page B4

T presents bleak options if funding ends up short

► MBTA
Continued from Page B1

Governor Deval Patrick earlier this year, which relies on a slew of tax increases to fund investments in roads, bridges, and public transportation, which would help shore up the T's finances over the long term. But it will probably be months, long after the T's budget deadline, before the Legislature votes on the funding plan.

Even then, lawmakers could choose to reject or only partially approve the plan.

Beverly A. Scott, general manager of the MBTA, bristled at suggestions that the austere budget proposals presented Tuesday were scare tactics. Balancing the budget, she said, is required by law. The potential fare hikes and service cuts are simply a reality of the T's strained financial situation, she said.

"There are consequences of inaction," Scott said. "We're just doing what we need to do. . . . This is where we find ourselves."

Last year, the T received a one-time influx of additional state cash to help with its operating deficit. Those funds, with a 23 percent fare increase, allowed the T to balance its budget for fiscal 2013.

Now, the T is faced once more with a dire financial landscape.

In one scenario presented Tuesday, the T's deficit would be closed solely with fare hikes. In that case, Planck said, fares would need to rise by a total of 33 percent, increasing subway fares from \$2 to \$2.60, bus fares from \$1.50 to \$2, and fares on The Ride from \$4 to \$5.25. A commuter rail pass that currently costs \$329 would increase to \$461.

In another scenario, T officials would implement a 15 percent fare increase to cover half the deficit, or \$65 million. The other half would come from cuts to operating costs: the elimination of the 30 least popular bus routes, curbed schedules on the T and commuter rail, and the closure and

sale of some MBTA facilities and fleet, which would lower maintenance costs.

Some of those cuts, Planck said, would not just limit the hours and frequency of service on the T, but would dramatically reshape the area that it covers.

"If there is no action on the governor's transportation plan, we're going to need to discuss a resizing of the MBTA, so that it is consistent with the resources available going forward," Planck said.

To some state legislators, such dramatic cuts sounded far-fetched.

Representative Ryan Fattman, a Sutton Republican, said the MBTA's stark picture of service cuts and fare hikes might be overstated as the Patrick administration pushes for support of the governor's proposed budget.

"The public doesn't know if they can trust in the government, and it's because people tend to use hyperbole," he said.

Fattman said he would rather

see state programs and organizations like the MBTA eliminate "low-hanging fruit," or costly nonessentials, before taxes are raised.

John R. Jenkins, chairman of the MassDOT board of directors, made it clear that it remains a very real possibility that the State House will decide not to send any additional funds to the T.

"We've got to put a placeholder plan in place, not knowing what relief we're going to get from the Legislature," said Jenkins. "And unfortunately, we've got to plan that we're not going to get any."

Planck estimated that it would take seven or eight months to increase fares, but Jenkins said T officials must work faster than that to maximize the amount of money that can be raised through increases, even if it means cutting the number of community hearings held to discuss such hikes.

"We want a legitimate, we-can-do-it plan, not a dream plan," Jenkins said. "This has

got to be a plan that when the Legislature says no . . . then we have to be able to adjust and put that plan in place quickly."

Planck warned that cutting service could cause a drop in fare revenue due to declining ridership, which could counteract some savings.

Ferdinand Alvaro, a member of the MassDOT board of directors, questioned whether the estimates on anticipated drop in ridership on the T and commuter rail might be inflated.

After all, he said, officials predicted that last year's fare increases would result in a drop in passengers, but more people ride the T now than ever.

"We need a realistic assessment of what ridership impact is going to be," Alvaro said.

Globe correspondents *Jacklyn Reiss and Haven Egresitz* contributed to this report.

Martine Powers can be reached at mpowers@globe.com.

Follow her on Twitter @martinepowers.

ATTACHMENT

New York Times (2013)

\$40 Million in Air Rights Will Let East Side Tower Soar

By CHARLES V. BAGLI

The price of air in Manhattan apparently knows no bounds.

The developers William L. and Arthur W. Zeckendorf are paying a record \$600 per square foot this week for unused development rights, sometimes called air rights, so that they can add floors to a planned ultraluxury tower on 60th Street in the old Silk Stocking District, according to real estate executives.

The prior record for the cost of air rights was set only last fall when another developer snapped up rights from an adjacent parcel in Chelsea for \$500 a square foot for a planned tower at 21st Street and 11th Avenue.

Now the Zeckendorf brothers are topping that number by paying more than \$40 million for 70,000 square feet of air rights from Christ Church, at the northwest corner of Park Avenue and 60th Street. Prices for the 30 apartments in the new 51-story building are expected to fetch upward of \$8,000 a square foot, which would be \$48 million for a 6,000-square-foot apartment.

"They're building what I call a Viagra building: a tall slender tower with great views at a great location," said Robert I. Shapiro, a real estate broker who specializes in these kind of deals. "What difference does it make if you pay \$100 more per square foot if you're selling condos at over \$4,000 a square foot? But there

more floors, building higher than they otherwise could.

Under the city's zoning code, a taller building could sit on the land occupied by the church. Air rights rules allow the property owner to transfer the unused development rights — the difference between the existing building and what is allowed under the zoning code — to an adjoining property owner.

Some other cities allow similar transfers, but only in Manhattan do the prices reach eye-popping levels.

The Zeckendorf brothers built 15 Central Park West, one of the city's most successful condominium buildings, which was designed by the architect Robert A. M. Stern, who will also design the new tower.

New York is currently in the midst of a frenzied contest between two developers, Gary Barnett and Harry Macklowe, to build the tallest, most expensive residential building in North America, on 57th Street.

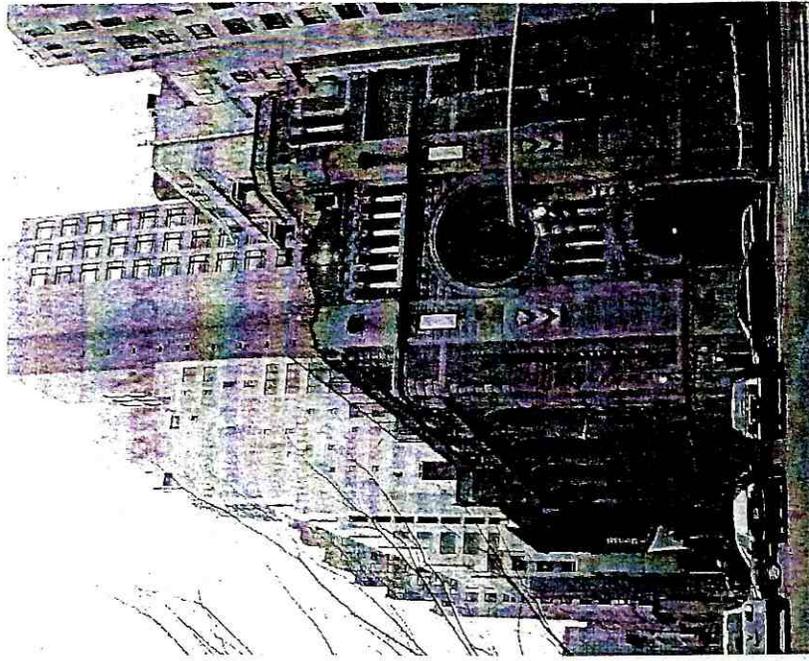
"Height is where the profit is," said Jonathan Miller, an appraiser. "There's a premium for views and floor levels. The higher you

go in a building, the higher the price you can get."

The Zeckendorfs declined to comment, as did Christ Church, a United Methodist church.

Their transaction actually marks the revival of a deal first struck in 2005. The brothers then agreed to pay more than \$37 million for air rights from Christ Church and the adjoining Grolier Club, which are on the east side of the Zeckendorfs' development site. M. Myers Mermel, a real estate broker at TenantWise and a trustee of the church, represented both sellers.

But for a variety of reasons, the deal with Christ Church never closed. After a contentious meeting of the club's members, the Grolier Club concluded the sale in 2006. The new tower will cantilever over the club. Under the current deal, one executive briefed on the transaction said, the church will get about \$30 million in cash and an assortment of other payments and several apartments in the new building that it can sell, bringing the total value to more than \$40 million. The church plans to use the proceeds for a variety of programs.



OSIER MUHAMMAD/THE NEW YORK TIMES

Christ Church, at Park Avenue and 60th Street, is selling air rights that will let developers erect a taller building behind it.

Submission #1 (1064)
Ordinance Code. 3/07/13
James Williams

N-2

* How Much Does it Cost to Build a Unit?? →

2008



When originally approved in 2008, the total development cost of the project was expected to be \$17.5 million, or \$415,000 per unit and the total anticipated Trust/City contribution was expected to be approximately \$5 million. During the intervening five years, the project has been faced with a range of complicated delays, each of which has led to cost increases. The multi-year appeals by abutters of the comprehensive permit resulted in both quantifiable cost increases in terms of legal, design and engineering, and related soft costs, as well as missed opportunities to access previously available sources of funding (e.g. state TOD funds) and missed opportunities to take advantage of very competitive construction pricing which is now well back on the upswing. Other factors impacting costs included the building's high-rise steel design and the CHA's public bidding requirements. By the time CAHC went out to bid in September 2012, the project had already undergone substantial value engineering in an effort to keep total development costs at approximately \$520,000. However, despite the efforts to reduce costs, bids came back prohibitively high.

2013



The total development costs for the redesigned 40-unit Temple project is now estimated at \$21,549,494 or \$538,737 per unit. Total City/Trust contributions are estimated at \$6,631,994 or \$165,800 per unit. This figure includes the \$3,010,000 in Trust funding originally approved in May 2008, the additional \$1,987,921 approved by the Trust in August 2012 (a portion of which will soon be used to demolition existing buildings), approximately \$734,000 in City HOME funds, up slightly from the \$660,000 in HOME anticipated in August 2012, and an anticipated Trust request of up to \$900,000 be requested once construction bids are in and the tax credit equity yield is determined. CAHC is now assuming a lower raise on tax credit equity from the \$1.046 expected in September 2012 to \$1.00 in current yields. In addition, CAHC is no longer assuming that the \$400,000 in FHLB funding, approved in early 2008 will still be available. Staff will work with CAHC to reduce this additional request once the final gap is determined. It was suggested that staff examine splitting some of that final gap with CAHC through a further reduction in CAHC's developer fee or a commitment from the CHA.

While the development cost per-unit remains exceptionally high, we believe that this is the best option among the alternatives available for Temple Place. Other options, such as replacing CAHC with a non-CHA non-profit or private developer, or delaying redevelopment of the site until sometime in the future, present other challenges. Switching developers at this point poses a range of issues, not least of which is how the CHA's role in assisting in the oversight of the SRO Housing, negotiated as part of the YWCA rehab project per requirements of the Trust's funding for the YWCA, would be addressed. In addition, potential cost savings could easily be erased by cost increases of making such a transfer. Similarly, delaying redevelopment of the pool building site would also mean sacrificing current commitments of DHCD funding and tax credit equity which combined total more than \$10,400,000, funds which are expected to only get harder to access in the future. To obtain similar commitments for a future redevelopment project would be difficult, take considerable time, and could impact or delay requests for state funds for other Cambridge needs.

Both DHCD and the tax credit investors are aware of the current status of the project and have agreed to maintain their funding commitments to the project while CAHC works on a plan to move the project into construction. DHCD has asked CAHC to provide an update in early 2013 on whether or not a redesign can result in a feasible project. CDD staff have also discussed the

* NB = It appears to cost substantially more than \$200,000 to build a unit of "affordable" housing.

Submission #3 (3 of 4)
Ordinance Note, 3/07/2013
James Williamson

Anemia Drug Is Recalled After Allergic Reactions

W-4

NFT, 2/25/13

By ANDREW POLLACK

The suppliers of a new drug to treat anemia in patients undergoing kidney dialysis have recalled all lots of the product after reports that it had caused severe allergic reactions, including some that were fatal.

Affymax and Takeda Pharmaceutical, which jointly market the drug, Omontys, or peginesatide, announced the recall late on Saturday, and the notice was also posted by the Food and Drug Administration.

The F.D.A. said in a news release on Sunday that it had received 19 reports of anaphylaxis, a severe allergic reaction, and that three of the patients had died, while others required prompt medical intervention or hospitalization.

Approved last March, Omontys broke the lucrative monopoly Amgen had since 1989 on treating anemia in dialysis clinics. While it is not clear yet what the recall

Severe responses were noted in 19 patients, three of whom died.

means for the future of Omontys, it could help sales of Amgen's drug, Epogen.

Affymax and Takeda said that hypersensitivity reactions have been fatal in 0.02 percent of the roughly 25,000 patients treated with Omontys since its approval. That would suggest there have been five deaths, a slight discrepancy from the F.D.A. figures that was not explained. Over all, the companies said, about 2 of every 1,000 patients had a hypersensitivity reaction.

The companies and the F.D.A. said the reactions occurred within 30 minutes of patients receiving their first dose by intravenous administration. No problems have been reported with subsequent doses, which are given once a month. Still, the companies and the F.D.A. advised that Omontys use be discontinued even by patients who have already had more than one dose.

The big question is whether this will cause the drug to be withdrawn from the market. It is possible that doctors can act to avert or lessen allergic reactions on the first dose. It is also possible the problems are confined to certain dialysis centers.

A spokeswoman for Affymax said executives would not comment further until a conference call for securities analysts on Monday morning. Omontys is the only marketed product for Affymax, which is based in Palo Alto, Calif., and licensed commercial-

ization rights to Takeda, Japan's largest pharmaceutical company.

Reports of severe allergic reactions have been accumulating, and the Omontys label warns of them, as does the Epogen label.

This month, Fresenius Medical Care North America, the nation's largest dialysis provider, halted a pilot program testing Omontys, in part because of these allergic reactions. The company said in a memorandum that it had treated 18,000 patients with the drug and would now analyze the data.

"To date, we have seen infrequent allergic reactions in our patient population receiving their first dose of Omontys," said the Feb. 13 memo by Fresenius's chief medical officer and its associate chief medical officer. They recommended that patients already taking Omontys continue and said dialysis centers could also put new patients on it.

The memo was made public in a regulatory filing by Affymax.

Sales of Omontys for the nine months it was on the market were \$34.6 million, compared with \$1.5 billion for Epogen. Still, Affymax executives have said Omontys was gaining momentum because of its less-frequent dosing, lower cost and the desire of some dialysis center owners for an alternative to Amgen.

Dr. Daniel W. Coyne, a kidney specialist at Washington University in St. Louis, said that unless the problem was because of contamination, "this could easily lead to withdrawal of drug approval." He said that "two in 10,000 deaths on first exposure is unacceptable, compared to nothing like this" with Epogen.

Dr. Ajay K. Singh, a kidney specialist at Brigham and Women's Hospital in Boston, said that the recall should result in "minimal disruption" because centers could use Epogen or another Amgen drug, Aranesp. But he said it might be hard for Affymax and Takeda, which is based in Osaka, to show the safety of their drug without a huge study.

Amgen's Epogen is a synthetic version of the human protein erythropoietin, or EPO, which stimulates the body to produce oxygen-carrying red blood cells. Omontys is not EPO, but binds to the same receptor in the body.

Sales of Amgen's Epogen have been declining because of changing financial incentives for dialysis clinics and because of safety concerns, particularly those related to blood clots and heart attacks. EPO has also become known for secretly being used by athletes like Lance Armstrong.

The next competition to Epogen could come from Roche's Mircera, a form of EPO, in mid-2014. Biosimilars, or near-generic forms of Epogen, could reach the market after Amgen's last patent expires in 2015.

DORM PRODUCTION 1999-2012

ATTACHMENT I

Project Name	Developer	Street Number	Street Name	Neigh	Date Permitted	Dorm Beds	Current Project Status	TDC
DAVENPORT COMMONS (DORM)	Northeastern University	700	Columbus Ave	South End	6-Oct-99	610	Complete	\$23,004,780
NU West Village Building C (Dorm)	Northeastern University	480	Parker	Fenway/Kenmore	23-Jun-99	236	Complete	\$23,088,136
NU West Village Building B (Dorm)	Northeastern University	460	Parker	Fenway/Kenmore	23-Jun-99	225	Complete	\$23,088,136
BU - Armory East Housing Building (Dorm)	Boston University	10	Buick St	Allston/Brighton	11-Feb-99	817	Complete	\$84,745,763
Wentworth Baker Hall Addition (Dorm)	Wentworth	610-630	Huntington Ave	Fenway/Kenmore	26-Jun-00	464	Complete	\$34,181,356
NU Dorm 10 Coventry St	Northeastern University	10	Coventry Ave	South End	14-Dec-00	154	Complete	\$11,000,000
Artist Residence (Dorm)	Mass College of Art	600 Rear	Huntington Ave	Fenway/Kenmore	30-Jun-01	250	Complete	\$21,880,000
NU West Village Building E (Dorm)	Northeastern University	10	Leon	Fenway/Kenmore	8-May-01	295	Complete	\$34,000,000
NU Dorm 780 Columbus	Northeastern University	780	Columbus Ave	South End	3-Apr-01	117	Complete	\$7,800,000
Harvard Graduate Student Housing (Dorm)	Harvard University	1	Western Ave	Allston/Brighton	9-Mar-01	360	Complete	\$73,000,000
NU West Village Building G (Dorm)	Northeastern University	450	Parker	Fenway/Kenmore	8-Aug-02	325	Complete	\$110,000,000
NU West Village Building H (Dorm)	Northeastern University	440	Huntington Ave	Fenway/Kenmore	8-Aug-02	219	Complete	\$46,750,000
Suffolk Dorms Somerset St	Suffolk University	12-Oct	SOMERSET	Back Bay/Beacon Hill	4-Oct-02	368	Complete	\$45,000,000
BU Dorm (Former Holo's Hotel)	Boston University	575	Commonwealth A	Fenway/Kenmore	5-Nov-02	201	Complete	\$3,000,000
BU Graduate Housing (Dorm)	Boston University	580	Commonwealth A	Fenway/Kenmore	5-Mar-03	220	Complete	\$17,000,000
Emmanuel College Julie Hall (Dorm)	Emmanuel College	300	Brookline Ave	Fenway/Kenmore	17-Jan-03	225	Complete	\$10,000,000
BC Dorm - St Ignatius Gate	Boston College	110	St Thomas Moore	Allston/Brighton	22-May-03	332	Complete	\$40,000,000
Mass College of Pharmacy White Bldg (Dorm)	Mass College of Pharmacy	179	Longwood Ave	Fenway/Kenmore	20-May-03	280	Complete	\$33,000,000
Emerson Dorm (Piano Row)	Emerson College	148	Boylston	Central	7-Apr-04	586	Complete	\$60,000,000
Wentworth Student Residences (Dorm)	Wentworth Institute of Technology	555	Huntington Ave	Fenway/Kenmore	24-Jun-04	355	Complete	\$24,000,000
Trilogy (Harvard Grad Dorm)	Samuels & Associates, LLC	144	Brookline Ave	Fenway/Kenmore	12-Aug-04	170	Complete	\$20,000,000
NU West Village Building F (Dorm)	Northeastern University	40	Leon	Fenway/Kenmore	25-Jan-05	251	Complete	\$44,241,760
Suffolk Dorm 10 West	Suffolk University	515	Washington	Central	29-Dec-05	274	Complete	\$6,500,000
BU Armory Phase II (Dorm)	Boston University	899	Commonwealth A	Allston/Brighton	15-May-07	960	Complete	\$137,800,000
Paramount Theater & Emerson Dorm	Emerson College	543-561	Washington	Central	22-Mar-07	260	Complete	\$92,000,000
Parcel 18 NU Dorm (Residence Hall I)	Northeastern University	1155	Tremont	South End	6-Aug-07	1200	Complete	\$165,842,950
Wheelerlock College Dorm	Wheelerlock College	150	Riverway	Fenway/Kenmore	31-Jan-08	115	Complete	\$27,300,000
Emerson Dorm Colonial Theatre	Emerson College	98-106	Boylston	Central	28-Mar-08	364	Complete	\$43,189,900
Wheelerlock Riverway Dorm Addition	Wheelerlock College	150	Riverway	Fenway/Kenmore	11-Feb-09	39	Complete	\$11,500,000
Modern Theatre Suffolk Dorm	Suffolk University	523-525	Washington	Central	6-Aug-09	200	Complete	\$41,000,000
Mass College of Art and Design Dorm	Mass College of Art	578	Huntington Ave	Fenway/Kenmore	28-Apr-10	493	Complete	\$61,000,000
BU Medical - Albany Fellows Graduate Dorm	Boston University	815-817	Albany	South End	16-Feb-11	208	Complete	\$40,000,000
Grandmarc at St Botolph Dorm (NU)	Northeastern University	291	ST BOTOLPH	Fenway/Kenmore	5-Aug-11	720	In Construction	\$75,000,000
Berklee Dorm (168 Mass Ave)	Berklee College of Music	168	Massachusetts Av	Fenway/Kenmore	30-Nov-11	370	In Construction	\$100,000,000
YMCA HASTINGS WING (NU Dorm)	Notheastern/Mass Housing & Shelter A	316	HUNTINGTON AVB	Fenway/Kenmore	20-Jul-12	88	Complete	\$11,000,000

12,351

\$1,600,912,781

DORM PRODUCTION 1999-2012

Selected Universities Located in Boston

Full Time Undergraduate and Graduate Student On-Campus Residency

(Data: Student Housing Reports submitted to Boston City Clerk's Office Fall 2012 or Spring 2013)

	Full Time Undergrads		Full Time Grads		Living on Campus	%	Living on Campus	%
	in Boston	Living on Campus	in Boston	Living on Campus				
Northeastern University	15,179	8,184	0	0	0	53.9%	0	NA
Boston University	17,100	11,168	9,424	1,247	1,247	65.3%	1,247	13.2%
Wentworth	3,660	1,825	98	14	14	49.9%	14	14.3%
Mass College of Art	1,536	623	61	6	6	40.6%	6	9.8%
Harvard University	0	0	2,173	1,613	1,613	NA	1,613	74.2%
Suffolk University	5,003	1,159	1,536	3	3	23.2%	3	0.2%
Emmanuel College	1,832	1,362	18	0	0	74.3%	0	0.0%
Emerson College	3,385	1,896	673	0	0	56.0%	0	0.0%
Wheelock College	639	472	140	5	5	73.9%	5	3.6%
Berklee College of Music	3,031	743	123	0	0	24.5%	0	0.0%
MIT	454	428	485	28	28	94.3%	28	5.8%
TOTALS	51,819	27,860	14,731	2,916	2,916	53.8%	2,916	19.8%

Lopez, Donna

J
ATTACHMENT J

From: Charles Teague [charles.d.teague@gmail.com]
Sent: Thursday, March 07, 2013 9:55 AM
To: City Council
Cc: Lopez, Donna
Subject: MIT Ordinance Committee Hearing ... "take your time, please"

Here is my letter published by the "Cambridge Day" basically saying this is a once in a generation opportunity to get something great for Cambridge.

Our Council should stand up to the MIT Industrial Complex

On Monday February 25, our Council unanimously voted to allow the construction of an oversize bio-lab in Central Square by MIT and it's partner, Forest City.

Less than 48 hours later, Councillor Maher, not the Mayor, wrote to Forest City admitting to the "loophole" described in my letter published in the previous week's Chronicle. He belatedly asked to please change the deal despite multiple statements in Council that the deal needed no review.

But now MIT wants to rush another, twenty times larger, change to our law to expand their industrial complex by constructing giant commercial buildings on campus. MIT also wants incentives to build housing, retail, and start-up space using exclusions from our zoning law. This is another, much larger, loophole. Will the council hearing this Thursday, March 7, provide adequate review?

MIT tells us how much their plan is improved. This is the standard developer tactic of revising an appalling initial proposal.

Just like Forest City, MIT repeatedly recites how their plan has been under consideration for years. MIT tells us that they should be approved right away. But at the last hearing, Councillor Reeves detailed how, just like the MIT-Forest City deal, MIT is getting ahead of the planning process that he had fought for.

Also at that hearing, School Committeeman Fantini showed real leadership by expressing "outrage" at MIT's failure to accept any CRLS graduates despite at least five being qualified. He demanded that "MIT create a serious pathway for our children to get accepted".

But his outrage fails to address the major issue. MIT's plan for market rate industry and housing, increases, not decreases, the pressure that MIT is applying to our lowest income neighborhoods, neighborhoods having our city's highest percentage of children. MIT plans buildings that require more of their folks living in our neighborhoods and more folks commuting to campus.

Our Council can do better. Force MIT to build housing that the over 6,000 grad students and post-docs living off-campus can and will want to live in. Let MIT set rents they can afford. This frees up thousands of non-luxury neighborhood apartments that our middle income folks can afford. Our Council should make this grand bargain with MIT, a bargain that preserves, not destroys, our community.

Nobody should be able to buy changes to our laws to build bigger. But if our Council is making that sale, it must take enough time to truly benefit the community.



CAMBRIDGE CITY COUNCIL

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4280

Fax (617) 349-4287

Marjorie Decker
City Councillor

March 7, 2013

To: Councilor Maher, Chair of the Ordinance Committee
From: Councilor Decker

I am unfortunately unable to attend the third Ordinance Committee hearing on MIT's Kendall Square petition tonight at City hall. I do want to inform you that it is my hope that the members will refer the petition to the City Council but keep the subject matter in Committee for more discussion. In light of the planning board's recommendation and the hearings that have occurred I believe the petition should be kept on course for final action should it be ready.

Thank you for all your work on this matter and I look forward to more community discussion.

Cc: The Honorable, The City Council

Lopez, Donna

ATTACHMENT L

From: Caroline A Jones [cajones@MIT.EDU]
Sent: Sunday, March 03, 2013 9:56 PM
To: Lopez, Donna
Subject: Fwd: Contribution to MITIMCo discussion

to the City Clerk:

I respectfully request that my message be entered into the record, as I cannot physically attend on Thursday.

thank you very much,

Caroline Jones

Begin forwarded message:

From: Caroline Jones <cajones@mit.edu>
Subject: Contribution to MITIMCo discussion
Date: March 3, 2013 9:37:36 PM EST
To: <council@cambridgema.gov>

Dear Mayor Davis, Vice-Mayor Simmons, Chairman Maher and Councilors Decker, Kelley, Reeves, Simmons, Toomey, and vanBeuzekom:

I have lived in Cambridge in three incarnations (as a student, a museum employee, and a professor); I've raised both kids here and worked as a volunteer at their schools (Haggerty, Graham and Parks, Rindge). I am writing more as a Cantabridgean than a faculty member, although as a professor in the Architecture department of MIT I have some strong views about the upzoning petition.

There are many of us on campus who are eager to see MIT take its planning vision to the next level, through the Kendall Square Gateway project and the expansion foreseen by the upzoning petition. While I support the University's goals in this petition, I would respectfully ask the Council to press the university to forecast future phases of the project, ensuring that adequate housing is built into the proposal for individuals *of all income levels*, including spaces for our diverse and growing graduate student population. This provision, together with the increased innovation incubation sites that Councillor Cheung has called for, will preserve the dynamic fabric of the Cambridge community and MIT within it.

sincerely,

Caroline Jones
22 Meadow Way,
Cambridge MA 02138

and, for identification purposes,

Director, History Theory + Criticism Section

Department of Architecture

MIT 3-303

77 Massachusetts Avenue

Cambridge MA 02139

<http://architecture.mit.edu/faculty/caroline-jones>

March 2013

Mayor Davis, Vice-Mayor Simmons, Councilors Cheung, Decker, Kelley, Reeves, Toomey, and vanBeuzekom:

The scientific and technological progress contributed by MIT students, staff and faculty are funded predominantly by taxpayers, whose dollars are allocated by Congress to the National Institutes of Health, National Science Foundation, Department of Energy, NASA, Environmental Protection Agency, the Department of Defense and other federal agencies. Last year these federal research grants to the campus totaled \$472,000,000 dollars. These grants all respond to national research priorities to improve the health and welfare of our population, and to develop new communication, computation and energy technologies.

The human engines of this research and technology enterprise are MIT graduate students. These individuals are selected from across the nation and from around the world according to their extraordinary talent, willingness to work hard, persistence, and commitment to their chosen fields. They are among the most talented most energetic young people in the United States. They provide the innovative environment that enriches the surrounding Cambridge community

In many areas of research, these students have to spend long hours in the laboratory. They are not sitting in classrooms – they are the skilled labor carrying out the research, making the observations, developing hypothesis and new understanding. They cannot work from home – as perhaps some computer scientists or economists can. They have to be in the lab for long hours.

In fact, a key component of their overall productivity is the fact that graduate students, postdoctoral fellows and research technicians spend long hours together. This is a major reason that all of the leading research universities in the United States represent residential campuses. Members of research teams responsible for real breakthroughs and innovation cannot live a 45-minute commute away from campus, but need to be close, almost on call.

There were 6500 graduate students registered at MIT last year. More than 60% - some 4,000 lived off campus. About 2,000 of these students live in the Area 4 and Cambridgeport neighborhoods closest to the campus. This is one of the hottest real estate

markets in the Commonwealth of Massachusetts, making it increasingly difficult for graduate students to secure adequate housing.

The failure of the petition to include housing weakens MIT. On the other hand it increases pressure on other Cambridge residents in the surrounding communities, making it more difficult to residents to stay in their apartments.

This petition needs to be amended to restrict new construction to direct academic, research and educational needs, including graduate student housing. On the other side of the coin, the failure of MIT to build housing on campus.

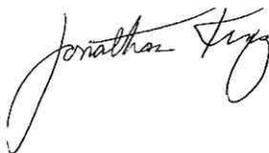
For more than a decade graduate students - living on fixed stipends - have held meetings, written letters, and carried out studies that identify the housing problem as their major stress and major difficulty.

It is unfortunate that MIT has no campus planning committee, but that campus planning has been left to real estate executives. Perhaps it is not surprising that real estate executives view the campus land with respect to leasing income, rather than educational and scientific enrichment. The location of two large commercial office buildings in the heart of the MIT campus can only weaken MIT as a local and national educational and scientific resource.

Very few faculty members have even seen the MITIMCo proposal for the East campus. Despite your advanced stage of consideration, the first meeting where MIT faculty will be able to participate in consideration, discussion and analysis of the petition will be March 18.

The campus is a unique resource, for MIT, for Cambridge and for the Commonwealth. This petition - using precious campus land for redundant commercial office development - is not in the interest of MIT's faculty students or staff; it is not in the interest of the Cambridge community. It is not in the interest of the Nation. It should be rejected in its present form, and amended so that the new construction is for graduate housing, and other academic and research activities.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jonathan Fry".

Lopez, Donna

ATTACHMENT N

From: Chris Matthews [cmatthews@mvvainc.com]
Sent: Thursday, March 07, 2013 3:28 PM
To: Maher, David
Cc: Lopez, Donna
Subject: MITMICO Petition

Dear Chairman Maher,

I was hoping to make it to the hearing tonight to speak in favor of the MITIMCO petition. As I have said before the process between the neighborhood and MITIMCO has been open and productive, they have incorporated many of the things we wanted to see into the plan, including more residential, public open space and retail.

As the process moves forward I hope we do not lose sight of the fact that we are making the strong center that our part of the city has not had to date. I look to the creation of a "true square" at Kendall, a public space that will bring university, neighbors, workers and visitors together. I imagine the MITIMCO proposal has the potential to create such a space, and I look forward to continuing this important conversation from the neighborhood side.

All the best,

Chris Matthews
26 Sixth Street