PLANNING BOARD FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, November 20, 2012

7:15 p.m.

in

Second Floor Meeting Room, 344 Broadway
City Hall Annex -- McCusker Building
Cambridge, Massachusetts

Hugh Russell, Chair
Thomas Anninger, Vice Chair
Pamela Winters, Member
H. Theodore Cohen, Member
Steven Winter, Member
Ahmed Nur, Associate Member

Community Development Staff:
Brian Murphy, Assistant City Manager for Community Development
Susan Glazer
Roger Boothe
Jeff Roberts
Stuart Dash
Iram Farooq

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Patty Chen, et. al., to amend the Zoning Ordinance of the City of Cambridge by amending the Central Square Overlay District, Section 20.304.5 Use Limitations and Restrictions by amending paragraph 3b Restricted Uses by inserting the underline phrase:

Bar establishment where alcoholic beverages are consumed and where dancing and entertainment is provided, dance hall or similar place of entertainment: Section 4.35g shall be permitted only if the principal public entrance or entrances are directly from Massachusetts Avenue, Prospect Street between Massachusetts Avenue and Bishop Allen Drive or Main Street 4

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P R O C E E D I N G S

(Sitting Members: Hugh Russell, Pamela Winters, H. Theodore Cohen, Ahmed Nur.)

HUGH RUSSELL: Good evening. This is the meeting of the Cambridge Planning Board, and the first item is an update from Brian Murphy. There are no Zoning Board cases for us to consider tonight.

BRIAN MURPHY: So in terms of meetings, you've got the next one will be December 4th and that's general business. And the two pieces that we'll have there will be Central Square -- an update of Central Square recommendations from the C2 process which is winding down this month, as well as sort of an update on MIT Zoning proposal discussion. Today I believe that the Provost at MIT announced that they would be re-filing and discuss sort of what came out of the committees, and the goal is to have MIT come and give an update to the Board on December

4th.

December 18th we've got a Watermark I green roof Special Permit as well as a continuation of the private way parking hearing, and bike parking zoning is also scheduled for December 18th.

And we will have three meetings in January and three in February, and those will be January 8th, 15th, and 22nd. And then February 5th, 12th and 19th. And I think the goal with that is to try to have more meetings but have them end at a slightly more civilized hour as we try to balance things.

And the other thing that's set at this point is February 5th will be the Town Gown reports.

HUGH RUSSELL: Okay, thank you.

So my vision isn't that good so it looks like it's 7:20 to me.

So we will have a public hearing on the Patty Chen, Et. Al. Petition to amend the

Zoning Ordinance.

Are you Ms. Chen?

PATTY CHEN: Hi, how are you?

ATTORNEY JAMES RAFFERTY: Good evening, Mr. Chairman, members of the Planning Board. I'm Jim Rafferty. I represent Ms. Chen on the Chen Petition. She's present with her husband Mark Shulman. He would be the second signatory on the Petition. The Petition, I'm sure you're aware of from having reviewed it, deals with a very discrete one block segment of the Central Square Overlay District. When the Overlay District was created and adopted in 1989, it contained a provision which amounts to a use restriction that says that if restaurants serving alcohol and also having entertainment, live entertainment; dancing or live entertainment, need to have their principal entry on Massachusetts Avenue or Main Street. Ms. Chen and her husband are

the long-time operators of the entertainment venue on Mass. Ave. now known as All Asia. They have identified a location in a building that has a Mass. Ave. address. It's the former, what did we call it? The Cambridge Electric Light building or is that the one behind it?

AHMED NUR: The former CC?

ATTORNEY JAMES RAFFERTY: Yes. This is the former CC space on frontage -- the 634 Mass. Avenue I believe.

UNIDENTIFIED MALE: 675.

ATTORNEY JAMES RAFFERTY: Thank you.

AHMED NUR: It's right at the corner.

ATTORNEY JAMES RAFFERTY: But the principal entrance to the building is on Mass. Ave., but this is a space that has its principal interest on Prospect Street. But Prospect Street has as you know, is a very lengthy street, but the characteristics of

Prospect Street between Mass. Ave. and Bishop Allen Drive are frankly very consistent with the characteristics of Mass. Ave. and Main Street. And I didn't come up with that notion, that was actually contained in a recommendation that the Planning Board sent not too long ago to the BZA when we sought to obtain a Use Variance to do this. And your colleagues at the BZA, while they thought it was a fine idea, they suggested that if the City Council felt so strongly about it and others, that what the Applicant should do is amend the Ordinance.

So we took them at their word and we filed this Petition. We had a hearing last week before the City Council's Ordinance Committee. It was very enthusiastically received. Counselor Chung asked that we report to you, the Planning Board, the level of interest and enthusiasm of the Council and urge them to -- the Planning Board to

favorably -- it was Councillor Maher who pointed out to the Councillor Chung that it was the Planning Board that advised the Ordinance Committee and not the other way around. So it was a somewhat brief hearing. No one speaking against, and most Councillors recognizing that this is exactly what the Planning Board said in your commentary on the BZA case; that the characteristics of this street. Just remind you of the other uses, across the street is a long time --

AHMED NUR: Field.

ATTORNEY JAMES RAFFERTY: Tavern, Field is across the street. The Improv Boston is there. So the street itself -- the building does have as I said frontage on Mass. Ave. And we tried to convince the BZA that the hardship would be that patrons would have to enter into the office lobby, go up the elevator a floor, go down a corridor, and then go down a flight of stairs in order to

meet this requirement. But that case has been continued, but given my powers of prediction, I'm not expecting it to succeed. I think the preference at the BZA was that if everyone so convinced it was such a good idea, that perhaps rather than struggle over the issues and legal definitions of hardship, the more logical thing might be to attempt to modify it.

So it's a very discrete change. It simply asks to add in that section of the Ordinance in the Central Square Overlay District the phrase Prospect Street between Mass. Avenue and Bishop Allen Drive. So that then, that block of Prospect Street would then join Mass. Ave. and Main Street, the locations where principal entries could be located.

I think you probably will recall that there was a period of time when places like Green Street in particular had a lot of

active nightclub uses at Green and Brookline, and there was a lot of conflict with residences back in the 80's. And I suspect much of the thinking behind the adoption of this had to do with the fact of the conflict of residential uses was probably not ideal. We don't have that type of context on this section of the block. So that's the purpose for the Petition.

HUGH RUSSELL: Nor do you have a reputation that those businesses on Green Street had.

ATTORNEY JAMES RAFFERTY: Yes, they had an active following, but yes, I agree. But I'd be happy to answer any questions. I know my clients are eager to speak, but I emphasized that this is a policy decision and the testimony about what a fine establishment they run might be better served at the License Commission than the Planning Board so they've agreed to allow me to speak on

their behalf.

Thank you.

(Thomas Anninger seated.)

HUGH RUSSELL: Shall we proceed to the public hearing?

STEVEN WINTER: Yes.

HUGH RUSSELL: Does anyone wish to speak on this case?

(No Response.)

HUGH RUSSELL: So, I'm actually delighted to see the All Asia Cafe is going to have a way to relocate, because that's one of the difficulties when you develop areas and you can't always -- businesses who are -- good businesses don't always have all the options. I believe the street is completely suited to this use. I'm sure at some time a different operation come in that is louder and more boisterous, I still think it would be fine for the type of policy.

STEVEN WINTER: Mr. Chair, I'm

inclined to be favorable to this. The only -- but I would like to have some sense of due diligence that we have here, is there anything that we're missing, any impact that we're missing that could come up if other things were built on Prospect, if other uses that are zoned for what -- I just want to make sure that we're making a decision that's correct forever.

HUGH RUSSELL: Well, I think because it only affects one block, the west side, is very hard property. It's not going to change. It's, you know, there's this one part of the, you know, the place where they're planning to go in is sort of soft, but that's really the only -- on the other side of the street there's a similar use.

STEVEN WINTER: Very active side of the street.

HUGH RUSSELL: I think the building at the corner is of some historic

significance. And so I don't think we're apt to see a change there. You know, if somebody should choose to develop the part that's closer to Bishop Allen Drive and similar operations of Field came in, would that be a problem? I don't think so. I should remind you that we did look at a broader thing, when was it, last spring? Yes.

ATTORNEY JAMES RAFFERTY: That's right. That amendment proposed a complete deletion of the restriction. And I think we learned from the Ordinance Committee that there was a feeling that that was too broad.

HUGH RUSSELL: Right.

Ahmed.

AHMED NUR: I'm pretty confident and supportive of this and relieved that they're actually staying in Central Square. I've known these guys. They were on Broadway Street and I lived on Needham Street at the time and I used to bring my kids around the

corner where the restaurant was. And even though there was no nightclubs and drinking at the time, they had the biggest TV I know back in the early nineties. But All Asia is a very important landmark in my opinion in Central Square, especially when it gets dark. And I think this particular block between right around the corner from Mass. Avenue on Prospect across from the Field is a dead block after H&R and the CCTV moved out. I think it needs All Asia like and the type of entertainment to balance the field. And so I'm very confident and actually relieved that as part of the Central Square that we're looking for more like All Asia kind of entertainment for Central Square. So, you have my vote.

H. THEODORE COHEN: Well, I similarly support this. I mean, I think this particular block is totally appropriate for a restaurant, a bar form of entertainment. I

think the next block down has a lot of parking lots and there really are no residential neighbors anywhere very close by. It's a developed commercial park and bringing more life and activity would be good for it.

PAMELA WINTERS: I concur with my colleagues.

HUGH RUSSELL: So, have we -- Tom, you haven't weighed in on this.

THOMAS ANNINGER: It sounds reasonable to me.

HUGH RUSSELL: So we could recommend this favorably to the City Council citing what Ted has said about the expected improvement to the street frontage having an active use on this corner.

STEVEN WINTER: Could we mention that a favorable recommendation is enthusiastic and favorable recommendation? I mean I think it's not just -- we're saying okay. I think we're saying this is good.

HUGH RUSSELL: Yes.

AHMED NUR: Right. There are also, I might add what differentiates All Asia from the Field, for example, from any other bar or club, is they do music that are sort of what Central Square -- what we think of Central Square central, music from Africa, music from all over the place. The live music, it's a very cultural thing. It's a really unique thing. The majority of people that live in Central Square would go to the Downs Complex would walk to All Asia and this is now closer.

HUGH RUSSELL: Okay, I think we have to be careful in our recommendation to not condition this on the excellence of the proposed tenant, but on the principle. The Zoning principle. Yes.

AHMED NUR: The principle.

HUGH RUSSELL: Okay, that's our recommendation.

All those in favor?

(Raising hands).

HUGH RUSSELL: All members voting in favor.

ATTORNEY JAMES RAFFERTY: Thank you very much.

HUGH RUSSELL: Should we start on the Kendall Square Zoning discussion? And then at eight o'clock take a break to do the Cedar Street business.

IRAM FAROOQ: I think that would be great, because I don't think anybody who is interested in Kendall expected this to be over this quickly. So I'm expecting a few people to be here. I don't know how many, but it will be great if Cedar Street could go first.

HUGH RUSSELL: Well, Cedar Street can't go first.

BRIAN MURPHY: It can't go until eight o'clock.

IRAM FAROOQ: Oh, it cannot go until eight o'clock. I will then get started.

So, this is the slide that you have all seen many times, but I just wanted to start with it to remind us that the Kendall Square recommendations are based on the vision of creating a dynamic, even more dynamic Kendall Square, that's sort of a place to live, work, play, learn, innovate. And here's the build out vision in terms of the various uses and dimensions sort of scale and form that's expected over time. The yellows are residential. The whites -- these white buildings are existing and then these color grey and blue ones are intended to be commercial. This is the constellation, so it's its own unique color.

And most of that built form vision will materialize largely through the height, density, and use provisions that that are embodied through the various PUDs. So we

have these four PUDs that are being proposed for Kendall Square. MIT, which we've talked about some out here and then they expected that they will be before you over the next coming months.

The sort of Cambridge redevelopment authority and MXD District, Boston Properties area which is proposed to be PUD Kendall Square 1, the Volpe site, and then the Cambridge Research Park site which is largely built out but then has some opportunities along the Broad Canal edge as well as thinking a little more about the Third Street edge and with confirmation of NStar are located right now.

So the part that we really want to focus on today is a series of recommendation in the Kendall Square Zoning that pertain not to the height bulk use provisions in each individual PUD but to the -- to a series of provisions that will, are intended to apply

area-wide and that deal with things like having active ground floors, finding space to retain and encourage start-up businesses, how to have it -- how to get investment to continue to better Kendall Square, things that are not owner specific but more of a benefit for the entire district, which are going to be talked about through a community investment Kendall Square fund. And then things like parking and loading changes. And I snuck in after this historical preservation provision, that's not in your memo, but it's very, very simple.

And so, looking first at active ground floor -- could we dim the lights just a little because it's hard to see. Thank you.

So, active ground floors has at the Board has been a huge topic for -- well, for many, many years, as long as I've been here. But it becomes particularly important in the context of a place like Kendall Square where

you expect to have large buildings which are -- which also means large facades that one would be walking through. So it's not necessarily just a function of architectural variation that you might find in other -- in a residential district, but it needs to be the activity, and the rhythm needs to be created to a great extent through uses. And these are just two research buildings in our area.

One is -- this is the Novartis building on Mass. Ave. with Flour at the base which is extremely, is a very, very active edge at all times, indoors and outdoors. And then there's the Broad Institute building on Main Street which takes a different tact, and is essentially a lobby that tries to engage people. And is, you know, these various approaches are successful, some in greater measure than others. But we need to be thinking that there's going to be some

sections that can actually support retail, but there will have to be some sections that will be other uses and how can we think of those as being also active and engaging because the -- but that is really what will influence all of our experience in the area as it continues to grow.

So, in this arena, the most significant recommendations are -- aside from encouraging active ground floors throughout, that along Main Street, Broadway, and Ames Street between north of Main Street and then Third Street, are the streets where we think they're really priority streets for retail, where there's either an existing cluster or they're so central that you want to see retail evolve over time, because this is going to be kind of the active core of Kendall Square and right at the heart adjacent to the T station. So the one other section that we added to that list is the

Broad Canal edge. Both along the canal edge but especially along, along Broad Canal Way where you've already started to see restaurants like EVOO and Kika emerge.

AHMED NUR: We have a new building coming, too, Parcel G.

IRAM FAROOQ: That's right, and the Watermark. Second phase of Watermark is coming. And Parcel G is coming and they're both intended to have the ground floor retail. But the opportunity is also on the other side of this Broad Canal Way where there's a sliver that's owned by MIT. And in conversations about their Zoning, there's been discussion of what might be the most appropriate use along that edge. Could you have maybe a series of townhouse type units that line the garage and create a more active edge? Or could there be something that has retail at the ground floor? And so we haven't actually proposed requiring it on

that edge, but it's something that would be a -- one of the desirable, one of the possible desirable outcomes.

In addition to that, you know, one of the successes of Kendall Square from a retail perspective really is Third Street. And, you know, when we did the Eastern Cambridge planning study and came up with those Zoning recommendations, you'll recall there was a provision that exempted -- that required ground floor retail and exempted it from counting towards the permitted gross floor area. And we think that that's a provision that has allowed us to push developers to get the ground floor retail, allow you to leverage the development to get, and get the retail, and that's really been transformative for Third Street. And so we are proposing a similar measure that ground floor retail will be exempt from counting as gross floor area. We have criteria that goes along with the

ground floor both in terms of the requirement and the exemption which says that at least 75 percent of the building frontage must be retail, that it should be a minimum average depth of 40 feet, and that individual entrances should be provided to the street for each of the separately leased areas.

And for new construction the ground floor must be at grade. If there's a renovation of an existing building for instance, the MIT Press Building, while it's desirable to bring it down to the ground, there may in fact be some solutions that involve a higher level solution that may be workable as well.

And then finally I think a question I would throw out, you know, one of the things that's happened is that while we've been from the time that we concluded the Kendall Square committee process about the end of the summer in June, end of June, and while we've been

kind of talking about the various PUD provisions, we've been working internally on trying to think through some of these provisions. So these elements like the minimum frontage and average depth, these are things that are additional beyond what the committee recommended. So committee basically said, let's examine the ground floor retail and so we've tried to figure out what might be the parameters that you attach to that. And Jeff has been principally working on that in addition to sort of our Zoning team.

And then one of the other questions related to this is should we include a provision like we had in North Mass. Ave. that limited bank frontages? And could we -- should we have something that limits other large frontages and tries to establish more of a rhythm of entryways. So I sort of throw that question out to you, or maybe there are

strategic locations where we have such a provision.

And then finally the -- well, so this is not really a Zoning requirement but more of an invocation to people that these are much needed uses in Kendall Square. We have not been to a single public meeting in any forum where we didn't hear from people, we need a grocery store and we need a pharmacy in Kendall Square. So while there's no real mechanism to require that, we want to put it out at least as an important goal.

And finally eliminating some of the restrictions such as now it's really hard to put in a retail use in an existing building in some of the base districts and also making that as an as-of-right provision if it's less than 5,000 square feet, so it doesn't have to go through an elaborate process. But if it's larger than that, we think it still requires a -- it deems a visit to the Planning Board

to get a permit.

So that's the piece on -- let's see -- oh, one other -- sorry, one other thing I will say is -- two other things I'll say is that we did talk about having ground floors be designed to accommodate retail in the future even in areas where the retail is not required, because as the area matures and the population fills in, you think that the need for retail would grow. I was on Third Street on Saturday, and I could not find a way to sit down at either Voltage or Tatte, and finally had to go and actually have lunch and sit down at Kika, because that was the only place that was -- I mean, it was standing room only in Voltage. So I think even now you could have more retail there, but certainly the need will grow as time goes on. And we've been joined by Brian Dacey who is one of our committee members and Tim Rowe who really helped with the innovation space

provision that we'll talk about in a little while.

And then the last piece, again, is that for retail that is unleased for six months or more, we wanted to say that the property owner work with the city entities like the Arts Council or with the Kendall Square Association to find some short-term uses like an art installation or a short-term pop-up gallery or a pop-up retail like there have been in Central Square with the Zaggat store and the Sony video game store. Maybe a community, non-profit use. But have a short-term lease like maybe even weeks or months so that if they get a tenant, they're able to still be mobile and not -- and it wouldn't be a deterrent for leasing the space.

PAMELA WINTERS: I think the Cambridge Art Association would be very much interested in that. Yes.

IRAM FAROOQ: Very good.

HUGH RUSSELL: Okay, so what I'd like to do is on each topic have a discussion after Iram's presentation rather than trying to remember everything until we get to the end.

So on the retail I would look at the text and I have three problems in the text -- four problems.

First problem is one I brought up in my memo over the summer questioning whether we should be forcing people to put retail on Broadway. And in my thinking about this is that I've sat on this Board for over 20 years and I have many times voted to remove requirements for retail in East Cambridge where because in the '80's we required it everywhere and it didn't work everywhere. And so we gradually removed the requirement from the places that it doesn't work. And I'm questioning Broadway because the south

side of Broadway has, you know, a fairly -- it's all developed, complete developed. There's only the one retail business on the south side, and there isn't much chance that there is going to be retail business on the south side at all. And the north side Broadway is on the DOT site. And the question is can you in your cross wits -- it's always going to be a busy street, one sided, should we tell people that they have to put retail where it's not a particularly good retail location? That's my concern that -- because I think it's -- and I haven't heard a response to that comment that I made. So that's a comment A.

Comment B is an average depth of 40 feet I think is excessive. There are certainly many businesses, particularly chain businesses that won't come in if you don't have 40 feet, but may not want to have every place encouraging chain businesses. And the

one example you showed, Flour, the depth is half of that, and the wine store is also half of that. So I'm wondering whether an average of 40 feet over 75 percent of the frontage is really too severe.

Now that comes to my third question. In the last bullet in the first section it says the Planning Board may allow minor modifications if the ground floor plan for these streets is consistent with the intent of these requirements. I'd like to see the word minor struck. If it's consistent, it's consistent. You know? If we're consistent, we'll necessarily rule. The intent is to produce continuous or nearly continuous retail. That might be a way of, you know, modifying this. When you say minor, then we get to say what is minor.

IRAM FAROOQ: Yes.

HUGH RUSSELL: When we don't really have any legislative or historical guidance

of what's minor. There's no definition of what -- which is a retail use is or what categories in the Ordinance constitutes -- are falling under these, you know, provisions. And I think that needs to be done in the final drafting. You know, we get the spirit of it, but you have to -- and it's not clear to me that putting say a day care frontage would necessarily be inconsistent with the idea in some places. It might be that, you know, in places that aren't going to be good retail from walk-in retail, maybe you need to be able to allow that.

So those are my comments.

Other people have comments? Ted.

H. THEODORE COHEN: Yes. Well, actually you hit on one of them, which was the reference to minor modification and what was the intent as to the scope of the power of the Planning Board to act. The key for me was the requirement of separate pedestrian

entrances for separately leased space which I think in general is a good idea and appropriate, but on a recent trip to Italy there were several situations where older buildings and newer buildings had been renovated which just had display windows on the street but then had an interior passageway which was very lovely and very successful for pedestrians. So I wouldn't want to eliminate something like that, you know. I understand we want to enliven the street and have people out on the street, but if there was an intelligent, you know, workable design that was acceptable either, you know, I'd like the by-law to allow it or the Ordinance to allow it or the Planning Board have the opportunity to review it and approve something like that.

And just, I don't understand what's being said on the paragraph in the written text that the memo we got the other day about

space shown anywhere on the ground floor is limited to retail consumer service may be exempted from GFA in which case the space may be occupied only by retail consumer services each occupying 5,000 square feet or less on the ground floor and the Planning Board must approve it. I just don't quite understand what the intent of that is. I mean, I understand that, you know, there's retail and consumer services will be exempted from the GFA, but I don't quite figure out what the rest of this statement is going to. So if you could tell me --

HUGH RUSSELL: It seems to be saying that if you're -- it's only small or up to 5,000 square foot establishments that get the relief from the FAR.

H. THEODORE COHEN: And is there a rationale for doing that?

AHMED NUR: Or even what if there is no occupancy or whatsoever, is there a

limitation for how long a place would be vacant?

IRAM FAROOQ: Say that again? I'm sorry.

AHMED NUR: In order for it to qualify, for example, are you saying that only if the area's occupied by retail then they -- and it's less than 5,000 square feet, then they qualify?

IRAM FAROOQ: Yes.

AHMED NUR: Okay.

IRAM FAROOQ: Yes, should I answer everything together or do you want me to go now?

HUGH RUSSELL: Sure.

IRAM FAROOQ: All right. So I'll start with Ted's question about what this means, and I think Hugh explained as well that it's for the 5,000. It essentially says small stores are exempt recognizing that maybe less -- there's a strong theme that

we've heard in Kendall Square, a desire to see local, independent retailers, and the retail that is most cherished is, you know, the retail on Third Street as opposed to the retail on Main Street across from the T or in the food court. So that distinction, I mean, of course a food court could -- each of the individual entities are pretty small, but this was just a proxy to try and think of what's the right number at which the space starts to be less appealing to a larger chain. But maybe 5,000 is -- we've been thinking in Central Square is maybe too large. We've been thinking of less than 1,000 even in Central Square. So perhaps that number is fluid.

H. THEODORE COHEN: Just curious, the highly desired grocery and pharmacy --

IRAM FAROOQ: Yes.

H. THEODORE COHEN: What size do they typically end up being?

IRAM FAROOQ: They are significantly larger. And I think that you mentioned a really good point, maybe we should say that we allow such an exemption. We were worried at some point that it gets to be too big of an exemption, but maybe we do allow the exemption for things that are really needed like a grocery store and a pharmacy.

So then --

PAMELA WINTERS: Iram?

IRAM FAROOQ: Yes.

PAMELA WINTERS: Can I ask you a quick question? When you said nobody mentioned -- none of the residents mentioned grocery and pharmacy, did they not mention it because they didn't --

IRAM FAROOQ: No, they all mentioned it.

HUGH RUSSELL: They all mentioned it.

PAMELA WINTERS: Oh, I'm sorry, I

misheard you. I'm sorry. Sorry.

IRAM FAROOQ: We also heard bakery, but we think bakery will fit in the rest of the categories more easily.

PAMELA WINTERS: Okay.

IRAM FAROOQ: So, should we force retail on Broadway because it's going to be one sided? And we actually had a lot of discussion on this topic because our retail consultant on the team felt that Broadway is suboptimal location for retail for exactly the reason that you cited. But then in further discussions at the committee it was like well, maybe you do want some measure of activation on Broadway even if you've kind of lost one side, you at least want to try to claim the other side of some activity there. So that's where -- why this requirement is here. We've been talking to Boston Properties during the process and a little bit subsequently about some small, really

small in-fill retail. They're starting close to where the new Microsoft entrance is and they're exploring how they might be able to kind of retrofit in between the mechanical and the front of that building on the Main Street side, some little kiosk type retail. So there is a longer term opportunity that cerated edge might have some little, maybe not even permanent, but some temporary kiosks or carts or something. So we just wanted to leave, to try to have an exploration of those ATS.

AHMED NUR: One possible problem with having -- I know there was a Bank of America kiosk that I used to stop in that corner just before I crossed the river. Parking is an issue and I wondered if along those lines if there are meters would be there because I just -- I know there's a big parking lot but it's for most of the people if they just want to run in and out. I

wonder why there's no meters to start with along Broadway? Because that might encourage that type of a --

IRAM FAROOQ: You know, Broadway is being redone. And I have to say that I don't know. Not on Broadway. Yeah, I just think there's not enough right of way to add parking in there. Plus the whole focus of the Kendall Square Zoning is to create a place that is extremely walkable, and the idea is that most people would be coming here by T, be walking or biking rather than driving to the retail establishments.

AHMED NUR: Right.

IRAM FAROOQ: So that's the --

AHMED NUR: Except we could never stop people from driving and leaving their blinkers on and running in and out, so on and so forth.

IRAM FAROOQ: Yeah.

I totally agree with you that the

40-foot depth is probably excessive and maybe we should notch it down. We were particularly thinking about it after the Planning Board walk where you talked about the Flour edge. So I think we can certainly notch it down.

Does anybody have a thought of what might be a more appropriate number? Is 20 a better for an average? Or is it 30 so that you could have some that are 20 feet deep and some that are deeper?

HUGH RUSSELL: Well, some of this relates to the notion are these going to be guidelines or are these going to be requirements? Because if they're guidelines, then you can say you want a significant amount of 40-foot deep space, but you know, it could be a balance of shallower spaces. When you're laying out a building, it's challenging. I just, you know, I'm designing a retail frontage in a new town right now and

I have to get -- I've got, you know, 40 feet for most of it, but I needed some stuff that I had to put in to cut some of this to 20 feet. Now, I don't want to get, you know, it was just like well, when you plan a real building, you have these kinds of constraints.

IRAM FAROOQ: Actually, these bullets are intended to apply to two different categories. One is the required retail, and then the second is the exempt retail. So I would say we had intended it to be requirements, particularly thinking about the exempt retail, that you want to have some clear definition of what you're exempting before you -- so that people aren't just doing some --

HUGH RUSSELL: Retail wallpaper.

IRAM FAROOQ: Yes.

So that was the intention, but I guess we don't -- neither the committee nor staff

feel strongly that it has to be requirements, right? I'm speaking for others, so jump in if I say something you don't agree with.

ROGER BOOTHE: I agree. I'm concerned about the requirement for the exact reason you cite. I think really it's clear that the committee very strongly wants it, but we also have to be careful we don't set up something in East Cambridge that's going to be a failure. Who wants a failure? I don't believe we had a minimum depth in the ECaPs retail.

IRAM FAROOQ: No.

ROGER BOOTHE: And that seems to work well.

IRAM FAROOQ: Yes.

ROGER BOOTHE: I don't know if Brian has feelings about that or --

BRIAN DACEY: Nothing other than what's already been said.

IRAM FAROOQ: And so that's

feasible. And I think the deleting minor totally makes sense.

And we were thinking that maybe in the required section it could be the set of categories that we talked about for Mass. Ave., North Mass. Ave. So it isn't just traditional retail but it includes like a dental office or a chiropractor or something like that in that range just to give some flexibility.

HUGH RUSSELL: At no time could the retail be more than 50 percent banks in the entire district.

IRAM FAROOQ: Yeah, maybe that is something to worry about.

HUGH RUSSELL: I tend to think that's a temporary phenomenon. Not that banks are temporary, but I don't think we're going to be using banks -- people don't go into the buildings now, they're always pretty empty. And at some point --

H. THEODORE COHEN: I think that's true, but my understanding is that a lot of the banks are not there for customers, but are just there as an advertisement and so I am not so certain that, you know, with the changes in banking they will whither away and die like the cellphone stores and the record stores.

HUGH RUSSELL: I'm aware of a bank in Harvard Square that has an absolutely prime location, or the location that is relocating to a B location. And hopefully their frontage will be more serving people.

IRAM FAROOQ: So, I'll turn it over to Chris Cotter our director of housing to talk about the housing provisions.

STEVEN WINTER: I don't want to leave the active ground floor. I have one comment, Mr. Chair.

HUGH RUSSELL: Sure.

STEVEN WINTER: And it's not

something that requires a dialogue but I wanted to bring it up. The strategic marketing/leasing plan which is the bullet at the bottom of page 2 of 7. I think if we're going to say that we are going to provide ongoing review of this activity, that we have to be absolutely certain that we've got this capacity in the Community Development Department. And we mentioned specifically the economic development division, and I don't believe that we have. I could be wrong. But the Board needs very strong staff guidance to make defensible decisions on this. And I think also the proponents need -- businesses need very strong staff support of somebody who really understands the issue and is working with them. So I just want to put that on the table, Iram.

IRAM FAROOQ: That's a good point.

CHRIS COTTER: Good evening.

So I'm going to talk a little bit about

the middle income housing recommendations and the Kendall Square Committee recommendations just to talk about middle income housing. To talk about middle income housing, the recommendations are to talk about housing for families in the 80 percent median to 120 percent median which is typically how we would see the middle income band of households within the programs, housing programs within the city. This is a range that is slightly above households that are eligible for typical affordable housing which tends to be affordable to households that are under 80 percent of median. Those are the developments that are created with public funding, tax credits, low income housing tax credits, other public sources from the state, federal sources like the community development block ranch which are home funds which the city receives as part of its annual funding. And funding that is developed by

housing trust which CPA funds which leverages a lot of that funding. There is a gap there for folks who are over the incomes necessary for the typical affordable housing programs who are still not able to afford a lot of the housing in the market. And I think most notably in the Kendall Square area when we look at rents and that across the city, some of the highest rents we see are in the Kendall Square area. So I thought I'd just start with giving you some quick numbers to tell you -- give you an idea of what we're talking about in the 80 to 20 percent median range. So for a family of four, it would span from roughly $78,000 a year in annual income to $117,000 a year. That would be the low at 80 percent just above eligibility for traditional programs up to 117,000 which would be 120 percent of median which is the upper limit of what we're talking about here in these recommendations. So that's 78 to

117 for a family of four.

For a single person it is roughly 55,000 to 82,000 would be that 80 to 120 range. So and then to give you a little bit on the housing market, rents are as high as we have ever seen them. They tend to -- they seem to be flat, although ticking up. And we're seeing a lot of development, as you all know, around the city, a lot of rental housing which tells you there's a strong rental market. Rentals are very, very strong. In our last analysis of the asking rents to get a sense of what someone looking for housing might be facing, we do an analysis of listings, buildings, try to understand what someone might be facing with the asking rents. And we found that they're not affordable to certainly folks under 80 percent. But at the larger size units, three bedrooms and two bedrooms and again certainly in Kendall Square, we're talking about the

highest part of the market. Not affordable to folks in the 80 to 120 range as well. So what we found is the median asking rent for a one bedroom was roughly 2300 a month, 2575 for a two bedroom, and 2750 for a three bedroom. This is an analysis that's done city wide. So it incorporates all neighborhoods, all types of housing. When we look at the Kendall Square market in more focus, we find rents are substantially higher. You tend to have new buildings there with higher rents. You've got nicer amenities in a lot of those buildings. It is a very small sample so it's hard to say with a great degree of confidence that this is the, you know, actual market. When you look at the buildings, the rents may be 20 to 30 percent higher than what we're seeing even in our city-wide analysis. So the idea behind the recommendation was to try to incorporate some housing there that would ensure a

diversity of household in these buildings in much the same way that the city's inclusionary Zoning Ordinances has ensured that there is a component of low and moderate income housing in any new element over the last 10 or 15 years. That's worked very well and it has produced almost 600 units now that are done under construction and we would propose to implement this in much the same fashion. You know, the details I guess somewhat need to be worked out.

So I guess walking through the recommendation to give you a sense here, so what we are looking at would be in buildings that exceed 250 feet in height, that -- so here we are. So buildings over 250 feet would then be required to include a component of middle income affordable housing. And that component would be a size based upon the amount of building based on the 250-foot limit. It would be based on a 25 percent, a

25 percent of the GFA over 250 feet. The units themselves would not have to be located in that upper tier of the building, but would be scattered throughout the building. And again in much the same way that the inclusionary units are now located throughout the building, so they would be vertical diversity. They would be around the building. We would look to have a typical unit sample, a unit that mirrors the building in terms of size. We would suggest a preference or a -- a preference for larger units, again, getting at the family. The biggest names for middle income housing across the city and really again the Kendall Square, this is the most acute area would be for the larger units, the two- and three-bedroom units. So to the extent that those are developed through this incentive, that would be preferable from a policy standpoint from our perspective.

And this would be in addition to the inclusionary and incentive zoning requirements which would continue to apply. So there would be in these buildings an inclusionary component, any building like there is now and then from those buildings that exceed 250 feet, there would be a component of middle income affordable housing in addition to that inclusionary. So that's, I guess the quickest overview.

Iram, you can tell me if I missed anything. I can answer any questions or have a discussion.

HUGH RUSSELL: So I guess two questions. What proportion of the Kendall Square workforce falls in this income bracket? I'm guessing it's a double digit number and it's somewhere maybe 20 to 50 somewhere in that range. And what proportion of the housing would be affordable? My guess is that it would be less than three percent.

CHRIS COTTER: Yeah.

HUGH RUSSELL: So I mean there's like a huge mismatch between --

CHRIS COTTER: Yes. It's certainly a supply and demand mismatch in terms of a lot of folks that work in that area. You know, certainly people commute from great distances to work in Kendall Square, because it's an area of a lot of opportunity, a lot of jobs. I don't know offhand what the median salary for folks working in that area, but certainly any place you would have business like that, you're going to have folks at all ranges of the pay scale. And the same way that we know the low and moderate income housing is there supporting the service level jobs in those buildings. The services in the community. The middle income units there would serve very similar need, albeit a slightly higher income level. As far as the housing affordability, again,

it's difficult to say because there's not a lot of buildings in Kendall Square now. There's still -- there's a lot more housing than there has been, but it's not like we have a city-wide sample that we could say this is really telling us what that is. When you ask what the asking rents are in that area, they are significantly higher than what they are in the rest of the city. You know, looking at some of them I don't want to use alarmist tactics, but there are, you know, listings that are 50 percent higher than you see even with our median -- our analysis of median asking rents. And I think particularly the taller buildings where you have premium rents with units on upper floors where they have the views.

HUGH RUSSELL: I went on the Watermark website and I saw rents over $4,000 a month.

PAMELA WINTERS: For how many

bedrooms, Hugh?

HUGH RUSSELL: Two I believe.

CHRIS COTTER: And we've seen rents approaching 5,000 for three bedrooms and admittedly there's very few three bedrooms there. So it's a very niche sample.

HUGH RUSSELL: Right.

CHRIS COTTER: If you see you're a family, you're not looking at that. If you're earning less than $180,000 a year, it's difficult to be in that neighborhood.

HUGH RUSSELL: Right. So it's -- so the question is is this proposal too modest? That's what I look at it and think very few of the people who work in Kendall Square can actually afford market rate housing because the market rate housing is so expensive. I mean, part of it, it's -- part of it, you know, rents are demand driven as much as anything, so -- and if you manage rental property, you try and get the best rents you

can for your property unless you, you know have people saying well, you can't do that. Let the rich folks partially subsidize the people who can't, don't have as much money and that's like the backbone of the state's 40-B program say for example. And the backbone of our inclusionary program.

CHRIS COTTER: I say, and I say that those have worked well certainly in Cambridge. I think insofar as whether this is a modest step? You know, maybe it's a new step. We've seen it work case by case. The permits, some of which you've approved. I think with this, it's also trying to strike the balance between ensuring that housing is built overall, and that when that housing is built, that there is a component of middle income affordable housing to ensure a mix of incomes throughout the building, but I think not losing site of also wanting to make sure there's enough of an incentive to build

housing so you can get the middle income housing in these types of buildings.

IRAM FAROOQ: Can I jump in?

CHRIS COTTER: Yes.

IRAM FAROOQ: I guess two other things that -- I mean, two things that relate to this. One is that people have talked a lot about the notion of microunits which I'm sure that you've been reading about lately in the planning arena a lot about a lot of cities are starting to allow smaller and smaller -- progressively smaller units recognizing that there is this gap between what people can afford and what the market is demanding. And so -- and also a lot of the people who make, who are in this middle income tier are young and working all the time and are starting out and they're in their lives and maybe don't need to be in a place all of the time. So this is one of the provisions that didn't make it -- I mean,

that is a recommendation of the committee, but didn't make it into this sheet, is the idea -- because we were focusing on middle income, is to remove hurdles to the creation of microunits. Because of all the places in the city, this seems like a place that would be a good match for that format.

PAMELA WINTERS: Definitely. And, Iram, I really love that idea I just want to say. Because a lot of these younger people who work all day, you know, they come home at night, they just want a place to, you know, have a quick bite to eat, you know, go to bed. And these units could be sort of almost like a dorm type of thing like where they could make friends and it would be a little minor community type of things where, you know, I think it's a great idea.

IRAM FAROOQ: You know, we had Barry Bluestone give a talk as part of the Central Square Advisory Committee process because

middle income housing is a big focus in that area. And it was interesting that even though we hadn't been thinking of microunits as being such a big thing in Central, his thesis was that for all urban areas like ours, this is going to be a direction of the future because people just -- like, I go home just to sleep. So why do I have to clean two bedrooms for no reason? So, and it's not just a model that --you know, we've been talking about as a model that caters to the young. But in places like Central Square, his thesis was that it is a model that might cater to the aging population as they want less space to take care of and less -- more amenities from a centralized pool essentially.

We've been joined by a number of other committee members, Conrad, Kelly, Maureen, so I just wanted to make sure that you know that we have a bunch of people here.

So other thoughts on housing?

H. THEODORE COHEN: Why was the 250-foot height selected?

IRAM FAROOQ: So, that was through a -- that's the height to which commercial buildings are allowed on this proposal. So the idea was that being able to go up above that should be an incentive that if, limited one, to housing, and two, as an incentive to provide middle income housing. So you would only be able to go up to 300 feet if you were doing housing and only be able to go up -- only be able to access that if you had the middle income components.

H. THEODORE COHEN: But I'm sorry, so you could only go above the 250 in a residential if you had middle income?

IRAM FAROOQ: Correct.

H. THEODORE COHEN: All right.

Now if it's a good idea, 250 isn't it a good idea to lower heights, too?

IRAM FAROOQ: It would be, but we were just trying to do the math on the incentive. So saying that the -- being able to go higher than commercial buildings is essentially the incentive. So you do the -- so we ran the math on that. And I think just to get to also the why is it so modest? Well, actually a little bit is that there's, you know, unlike affordable housing where we have a lot of mechanisms to support it financially, tax benefits as well as state programs, there really isn't any such mechanism for middle income. So it would be totally a subsidy -- a cross-subisidation across the building. It seems like a challenging piece and we weren't -- to be honest we weren't quite sure where that tipping point might be. So we figured that something that in conversation with the committee which had several developers, seemed like a potentially -- I mean, I think

it was more us pushing than them saying this is a great idea. But, you know, it sort of seemed like a balance, a point of balance. And also talking to Chris's team.

H. THEODORE COHEN: A follow up on that is what happens if these buildings turn into condos?

CHRIS COTTER: If the buildings are turned into condos, we would work with the owner doing that conversion to ensure that the not withstanding the change in tenure that the units remain affordable to households in that income range and we would change the (inaudible) restrictions to reflect the limited equity provisions of the home ownership program within those income requirements as opposed to the rental restrictions.

THOMAS ANNINGER: Maybe you could explain how do these rental restrictions work? I don't quite understand. Once you

have these units, who manages them and how? How do the rents -- how do you arrive at rents?

CHRIS COTTER: Sure. Well, again, this is something that we would envision running very similar to how we measure the inclusionary program which has got the same type of requirements which has the lower income eligibility limit. So in practice those units are accessed through CDD, and we work with owners of rental buildings that have those units to refer to them, eligible tenants are eligible applicants for them to consider for housing. When they approve an applicant, we will then determine what the rent is based upon 30 percent of that applicant, that tenant's income. So that becomes the rent and it's somewhere in the range of eligibility. So in this case it will be rent based somewhere between 80 and 120 percent depending on the applicant's

income. We would then work with the tenant and the manager over time on an annual basis as the lease is turned over to recertify income eligibility and calculate what the new rent would be to ensure that the tenant remained eligible for the housing. Again, remain within that income range.

THOMAS ANNINGER: And this is how incentive housing --

CHRIS COTTER: This is how inclusionary housing works --

THOMAS ANNINGER: Inclusionary housing works for the whole thing?

CHRIS COTTER: Yes.

THOMAS ANNINGER: And this doesn't have any issues to do with rent control?

CHRIS COTTER: No.

THOMAS ANNINGER: And why is that?

CHRIS COTTER: Why is it?

THOMAS ANNINGER: Why does it not touch on the issue of rent control?

CHRIS COTTER: Well, I think there's not a main sense of rent control. And this is a housing that has a continual means that folks remain eligible for it and a need for that. In fact upon recertification it's found that your income has increased, we will then work with you to help you then transition into a market unit as opposed to remain in that unit so the unit can be made available to an income eligible household.

ROGER BOOTHE: I think another aspect of this is there's a bonus given so that when you're doing affordable units, you're given bonus for --

CHRIS COTTER: As far as inclusionary, yes.

ROGER BOOTHE: As far as inclusionary. So in rent control they know as an application on that particular set of housing that doesn't have any sort of incentive.

CHRIS COTTER: Yeah. There's a bonus here -- there's bonus inclusionary that offsets the cost of producing and operating the affordable. And in the case of the proposal here, what there would be, there would be an opt in incentive for developers who want to build to that height, over 250 feet. In order to exempt them to do that, there would be this additional 75 percent of anything over 250 feet which would be market rate housing which would help us, any subsidy, internal subsidy necessary to make an affordable use.

THOMAS ANNINGER: I guess you're putting this the way Iram puts it as an incentive. I guess the other side of that is the question is this a disincentive to go above 250 feet?

CHRIS COTTER: Well, I think that gets into the balance of the incentive versus it being too modest. You know, that's again

trying to --

THOMAS ANNINGER: Or is it too much?

HUGH RUSSELL: So you --

IRAM FAROOQ: It's just right.

CHRIS COTTER: Either way.

HUGH RUSSELL: So you would -- when a developer looks at housing, he does a financial model that takes into account what he thinks he can get for rent. And so under this scheme he could study it at, you know, 250 feet and he can see what, given the costs and the rents that he can get, what it would be feasible or if he puts on another five floors and has to drop his rents in three percent of his units, how does that pencil in?

CHRIS COTTER: Right.

STEVEN WINTER: That's where the profit is.

HUGH RUSSELL: And -- well, I mean there's tremendous amount of wishful thinking

about what the rents will be when the time comes to rent the building because nobody knows. It takes several years to build a building. And so I work for a fairly conservative housing developer, and he keeps bidding on land and he keeps losing the bids because he has an idea of exactly what it's going to cost and he manages 20,000 units all over the region. He has a pretty good idea of what he can get for various things. And so he gives -- he bids to buy land at certain prices to get control of sites at certain prices and he doesn't win very many because he knows too much. . And somebody who doesn't is more hopeful than he is, offers more and sometimes they fail and sometimes he picks up, you know, he's standing in line. But it's a very American process as people to try to figure things out and see if they work. Most developers try to make projects bigger if they can because the bigger the

project is the more some of the very fixed costs can get amortized over. So that's why this theory should work.

CHRIS COTTER: I'd say that that is the idea and in that acknowledging that the additional density that you're allowing to be built over 250 feet is some of the most premium units in terms of what the income is. And then the fact that the middle incomes are located throughout the building, really gives you everything over 250 feet. You know, say for maybe a component of inclusionary affordable piece that might be in there to offset any internal subsidy for the middle income units. The idea that you are building, you know, within an economy of scale. The other thing I'd say is that, you know, as far as, you know, what the requirements are, they'd be predictable so that developers would be aware of that going in and be able to run their numbers knowing

how we would look at that requirement, be able to really make sense of whether that incentive would make sense and make their decisions accordingly. It wouldn't be we'd figure it out later. It would be something that they could know and find that that's a very important thing to development when running the numbers is that they know what range they're going to be in.

PAMELA WINTERS: Hugh, just a quick -- also, these recommendations they're not really written in stone. And as time go goes along, you know, we can sort of, you know, start at this point and then, you know, sort of see what the requirements are, what the tenants -- how the economy is doing. You know, a lot of things could change. And, you know, we could certainly revisit it and, you know, start at a certain point and revisit it as time goes on. I suspect that things will change as time goes on.

CHRIS COTTER: That's a very good point. And certainly this is an idea that we're putting out to have a discussion with the Board, with the Council, with the community. The other thing that's worked very well in that regard with the inclusionary is to have the Affordable Housing Trust involved from a policy perspective. Helping us to administer the program, set standards and policies, answer questions like that that come up from time to time. So that's something that I think we would recommend as well.

STEVEN WINTER: Mr. Chair. First thing I want to do is something that I wanted to, Brian, compliment the staff on these -- both of these memos, this one and the one before. They're -- the layout is perfect. The information is great, easy to read, easy to digest, and it contains a lot of content, too. Content rich.

In the location of middle income housing we're saying although the required amount of housing is based on the height, middle income dwelling units may be located anywhere within the PUD with Planning Board approval of the location. And I'd just like to make sure that we have some criteria somewhere that talks about where our defensible decision is in making those assessments.

And then in the diagram, which is very interesting, No. 3 says: Middle income housing may be distributed throughout the project. I don't think there's anybody wrong headed enough now to want to put all of these units on one floor or next to each other, but should we say that these must be distributed throughout the building as opposed to may? You know, just so that we don't have to run into that.

And also I want to mention the

micro-housing issue. The Cambridge Innovation Center has these terrific units called Unos. And Unos are very affordable Kendall Square addresses for entrepreneurs who are moving in different directions and may require for a short or a long period of time, we just don't know. I think that the micro-housing option is one we should certainly keep our eye on and not make a judgment on -- based on our own cultural or lifestyle preferences but that may be okay for somebody who wants to have that. So I think we should keep our eye on it somehow. And that was it.

CHRIS COTTER: Right. I would say that the micro-housing -- I think if -- it's a good point because the micro-housing as far as what you have and how the community is, not that different than many of the SRO projects that we call from years past. The model and the type of community that you

might find in that is certainly some that we see effective in other areas.

HUGH RUSSELL: Ahmed.

AHMED NUR: Yes, just a quick question.

The proposal requirement on bullet 1 over here it says that -- 30 percent, and that the cost of the unit must not exceed 30 percent of the household income.

Have you ever come across a place where it's less than 30 percent? I mean, the developers just going to maximize the 30 percent of the household income?

CHRIS COTTER: Well, there are certainly examples of people that are paying more than 30 percent of their income for rent or for housing.

AHMED NUR: Right.

CHRIS COTTER: And in fact the numbers are kind of staggering when you look at the number of people that are cost

burdening for the people that are paying more than 30 percent. You know, I don't know offhand what the data would be on that, but certainly I could.

AHMED NUR: Well, yes -- no, I'm just saying why don't we just call it what it is and let it be 30 percent?

CHRIS COTTER: To call it --

AHMED NUR: To call it 30 percent because the developers can then say I'll charge you 10 percent; right?

HUGH RUSSELL: But you're going to be setting the rents; right?

CHRIS COTTER: Well, you know, I should say, you know, there are examples where we have been able -- we've had situations where we were able to work out with developers where there have been hardships and we've been able to make that work. But point taken 30 percent, 30 percent.

AHMED NUR: Right. And speaking of working out, are there any language with regards to amenities for people who pay 100 percent parking and what not?

CHRIS COTTER: That's a really good question. I don't know that we've talked about that in detail.

IRAM FAROOQ: Yes, it would be the same. Just like the inclusionary model.

CHRIS COTTER: Absolutely. So yes, I would expect that we would treat it the same as inclusionary. The provision in the inclusionary ordinance. Other amenities I presume we'll handle the same way as far as that.

AHMED NUR: Yes.

HUGH RUSSELL: Thank you.

IRAM FAROOQ: All right. So on to item 3 which is the startup space provision. And much like, this is actually almost like middle income housing, but for businesses. I

guess that's my not so great analogy. But --

HUGH RUSSELL: This is micro-housing.

IRAM FAROOQ: That's right.

And you all probably read over the last -- well, today this morning there was an article about how Cambridge is at the top in the entire region in terms of venture capital funding and it's beating out Boston and it's beating out the 128 corridor. And one of the venture capital partners was quoted as saying that Cambridge has the benefit of the universities with many start-ups that are started by students and a great density of office and lab space. And that is the most appropriate infrastructure for start-ups. And the action is really where the young entrepreneurs are.

And so given that as being such a driving force in an innovation district, I'm sure that everybody has also read articles

over the past few weeks about how the start-ups are getting priced out of Kendall Square. So this is an attempt to try to make sure that over time we retain a presence of an office model that really is designed to appeal to and serve start-up businesses. And that is also the area where the greatest amount of innovation happens.

So the proposal here is that all -- five percent of all office space that is created under any PUD would be devoted to this start-up space. And then we have a definition for what is start-up space. Thank you, Roger.

HUGH RUSSELL: Do you happen to know what is office space?

IRAM FAROOQ: I'm sorry of what is start-up innovation space.

HUGH RUSSELL: My question is --

IRAM FAROOQ: We reduce the office and the office are in de-categories in the

Ordinance.

HUGH RUSSELL: Okay.

IRAM FAROOQ: Yes.

So the one thing that is new here beyond what we had talked about with the committee is that we figured we should think about what if there is some benchmark above which this applies and not to -- whoops, and not to all development. So we've proposed a -- it's not here, but it's in the text. We proposed that this applied to PUDs that contain at least 200,000 square feet of office space. Now that we will have to make sure we write language so that it's not, so that people aren't breaking up their PUD area into projects that are, you know, 190,000 square feet, but that it would be an aggregate over the PUD district. And then we also, similar to retail, we put in a provision that 50 percent of the space -- sorry, it's not -- 50 percent of the space,

of the innovation space is exempt from being counted as GFA. This is incorrectly stated in the memo that you have as a hundred percent of that innovation space. So I just wanted to point that out specifically as a correction, just because this could total to a more significant amount than the retail. And also I think people will be making potentially more of a return on the start-up space than they might be on the retail, which is really often a lost leader for folks.

And then that would be capped at -- the exemption would be capped at five percent non-residential GFA. So meaning that if 10 percent of their office space was -- if they did twice as much as they were required to do, they would get five percent of that office space. But people certainly could do more if they so desired.

HUGH RUSSELL: And this wouldn't apply to academic buildings because they're

on different line items on the Ordinance?

IRAM FAROOQ: Correct. It would not apply to academic buildings.

So then here is the series of definition for what constitutes start-up innovation space. And we essentially had to -- we found we had to work with Brian and Tim and Tim helped us convene a group of people who run innovation spaces in this area. So we were able to pick many brains to come up with this definition that essentially focuses on flexibility for the tenants and makes sure that a bulk of it is shared space so that you have very short term leases and that the average space that's occupied by companies -- so you're targeting smaller entities, the average space is 200 square feet or less. And also that less than 10 percent of the space could be leased by any one company, so that even if you do have some large entities, that they are not taking up the bulk of the

space.

And then finally that at least half of the space would be used for co-working and shared common areas. So not even the Unos but kind of like the big table, I don't know what the -- what that's called. The big tables where you bring your laptop and you're sharing that space as well as, you know, kitchen areas and common gathering spaces.

AHMED NUR: Like Darwin's.

IRAM FAROOQ: I'm sorry?

AHMED NUR: Darwin's is known for that. Like the couches and the big tables.

IRAM FAROOQ: Yes, exactly. Exactly, right.

And then some flexibility in terms of where this is to be provided. Because we -- one of the things that Tim particularly mentioned to us, that there is economy of scale is very, very important in these, in this particular model, and so not only did we

say you want to be in at least 20,000 -- pods of at least 20,000 square feet, but put in an incentive, I mean not an incentive but in a criterion that says you can combine with adjacent PUD districts to create a consolidated area. So which would hopefully -- I could see that it would be really hard to implement, but it could work that it would be very much easier in terms of the management of the space and the effectiveness of it.

HUGH RUSSELL: So that might come into play for Boston Properties that might be doing relatively little commercial development or it might allow the DOT site to be developed in smaller pieces.

IRAM FAROOQ: Exactly. Or if, you know, MIT decided that they would dedicate all of One Broadway to this space. They could essentially work out partnerships with all the other districts and be able to

accommodate as one giant innovation space.

And then let's see, what did I miss? Just the fact that there would be a reporting requirement, again, to just make sure that these criteria were being met over the long term and that you didn't over, you know, five or ten years find that they were just turning into regular office space.

HUGH RUSSELL: So the most important question I have is Tim, is this right?

TIM ROWE: This is terrific. And I will tell you that I reached out to -- we have four other companies besides Cambridge Innovation Center in Kendall Square that do this work, competitors if you will to us, and I reached out to all of them and I said look --

AHMED NUR: I'm sorry, could you come and use the microphone and state your name?

TIM ROWE: Oh, I'm sorry. Oh, I'm

not familiar with the process here.

So we reached out to all the players that are doing this in Kendall Square and we drafted this so that it works for everyone's model, not just, to be clear, not just for Cambridge Innovation Center. We have a letter that you have before you signed by all of us supporting these criteria.

H. THEODORE COHEN: I have a quick question. The idea that leases must not be longer than one month, what if parties do indeed want something longer than a month?

TIM ROWE: So, if you don't restrict that, then I think you'll find that landlords would much prefer a long-term lease and would simply require it.

H. THEODORE COHEN: Right, I understand that.

TIM ROWE: I will say that Amazon for instance recently set up a small space in Cambridge Innovation Center, and has a one

month lease and accepted that. So you will occasionally get a bigger company that will be willing to accept that. We haven't had any smaller companies object to the short term.

H. THEODORE COHEN: I mean, my concern is for the small company or the small person who wants some security that they can stay there longer than on a month-to-month basis and not be at the whim of the landlord who might decide, well, I'll evict you after a month.

TIM ROWE: Right. You would think that -- what I will say is that start-ups universally want this everywhere I've seen it in the world. They just don't have a planning horizon that farther than that. And it's one of the criteria that simply makes it start-up space as opposed to regular office space.

PAMELA WINTERS: So in other words,

after one month they can then renew their lease if they wanted to?

TIM ROWE: Yeah, it automatically renews.

PAMELA WINTERS: Oh, oh.

TIM ROWE: We have a company that's been there for about ten years. And they could do that just continually. But the average is about 24 months which is enough time to either fail or get big enough to move out.

PAMELA WINTERS: Make or break it.

And, Iram, I have a question for you. How did you come up with the 200 square feet? That's about half the size of this room?

TIM ROWE: 20,000.

PAMELA WINTERS: Oh. 20,000?

TIM ROWE: So the average size of the suite of 200 square feet was based on the analysis of, again, all of the competitors currently operating. If you don't have such

a restriction, what you end up with is the sort of 5,000 square foot things called start-up space but they're not really appropriate for what we think of as start-ups.

PAMELA WINTERS: No, I was just wondering why 200 and not say 300 or 100?

TIM ROWE: Oh. We just analyzed what's actually there --

PAMELA WINTERS: Got it.

TIM ROWE: -- and said this is what everybody is doing and this seems to be therefore, you know, it's a practical number.

PAMELA WINTERS: Okay. Good to know. Thank you.

HUGH RUSSELL: And it might be rather difficult to administer, you know, if it creeps up to 207, are you going to then lose your PUD, you know?

IRAM FAROOQ: Well, actually, to that point one of the things that I think is

not in this list but is in your memo is that -- oh, no, here it is, that you can approve an alternative format because this is what we know now based on how Tim is functioning and all the other operators are functioning, but maybe in three years, you'll come up with a different model or evolve this, and we wanted the flexibility for you to be able to grant those alternative model improvements as well.

AHMED NUR: Does it include the average?

IRAM FAROOQ: The 200 is the average for the privately rented suites.

TIM ROWE: Just the rooms themselves.

AHMED NUR: Oh, right. Okay.

HUGH RUSSELL: And, again, are these -- these are all in the context of a PUD Special Permit?

IRAM FAROOQ: Yes.

HUGH RUSSELL: And so, it seems like

some of these things ought to be seen as guidelines where they might be subject to, you know, change particularly over time and some of them are, you know, very specific where you shouldn't be changing them. So as -- when you put in a phrase in approving the space, the Board may allow variations. You have to decide what things you want us to vary and those are I think the guideline things. So I don't, you know, the total quantity strikes me as something you don't want to vary. So some of these characteristics, you know, might be a reason.

IRAM FAROOQ: Right.

STEVEN WINTER: Mr. Chair?

HUGH RUSSELL: Yes.

STEVEN WINTER: I have two comments on this.

One is the approval and monitoring at the bottom of page 4 of 7. That's the second bullet. Following the initial start-up the

developer shall submit annual reports to the Community Development Department. I think this is fine. I think it's great. But let's make sure that we make some kind of an on-line reporting system that's not onerous to the proponent. As someone who does report to public sector agencies, I can tell you that some of those agencies are armed and dangerous and ask ridiculous things. So we have to be very careful on what we ask, that we're being reasonable and that we really need the information.

And the other piece is that I just want to comment here, this whole innovation office space piece is just a solid as a rock. It's good foundation, directions, guided by the success that we have right here in the city, so this is just very solid piece.

IRAM FAROOQ: Thank you. I did want to say that Tim asked if he should bring a lot of people to help support this provision?

And I suggested that we didn't need a lot of support, so....

HUGH RUSSELL: I think we're all understanding that this is key feature.

TIM ROWE: If you like, we could bring any number of us at any time.

HUGH RUSSELL: You may need to take them to the big house down on Mass. Avenue.

IRAM FAROOQ: All right. So moving on then to the Kendall Square fund community investments provision. And this is intended to be a way to enhance Kendall Square as a whole and be able to leverage future development for improvements that would be hard for any one individual property owner to do on their own. So the three categories that particularly were pointed out, were one is public open space, particularly management and programming of it, and enhancing transit connections. So you know Red Line is kind of the heart blood of not just Kendall Square,

but all of Cambridge, but particularly of Kendall Square. And more and more as we talk about continuing the trend that we see in the city of people driving less and taking transit more and biking more. So transit continues to be really important, but it's not something that we control. So in addition to working with the state, we wanted to try and figure out if there are ways at least in short term measures, be able to support non-MBTA transit, things like the EZ Ride or expand that or increase frequency to it. There are connections to Kendall to make a connection, Kendall to North Station connection, that are really critical based on data that we have received particularly from the PTDM reports that people submit that show us where folks are coming from and where they're going to. But also it is the an important connection not just going home but in terms of a business connection. It's a

very significant one.

And then the final piece is workforce readiness because one of the most heart wrenching things about Kendall Square is that it sits right next to Area 4 where most people cannot hope to work in the or reap the benefits of the immense wealth that gets created in a place like Kendall Square, and we felt that it was really important to create that connection between the Cambridge's innovation and business economy and the community and make sure that it is a two-way traffic and that there is also a mechanism to supplement existing programs that are run by human services. There's a bring jobs program. There's also Cambridge Housing Authority runs a workforce program for youth. So there are school programs but then this would -- there's a big gap in terms of adult workforce training. So to be able to use this across the board and enhance

those existing programs, there are many things that are run by businesses. So Microsoft for instance and I think also Google have existing programs where they get student interns, but I don't think that there's anything for, as far as we could tell, for adults, you know, to assimilate adults and connect them to that economy. And so that's part of the emphasis here.

So, the idea is that for all non-residential development there would be a $10 per square foot payment into a Kendall Square fund. And it would be a minimum of 30 percent to each of these public open space, transit and workforce categories. And then there would be oversight by a committee that is similar to the CBA Committee that would make recommendations to The City Manager for how the money would be disbursed. We did want to leave the flexibility particularly for things like the open space category that,

you know, in-kind contribution might be possible, but also wanted to make sure that we don't end up double counting things that you would normally ask people for. So, you know, you ask Novartis to create a public connection through their campus, that's not something that would count towards this kind of contribution, but if sort of the Alexandria Park would be a situation that might be an in-kind contribution. But I just wanted to point out that it shouldn't, you know, PTDM measures should not count towards your transit enhancement, but that's really the -- yeah, that's the fund component.

AHMED NUR: How often is the fund going to be collected, monthly or yearly?

IRAM FAROOQ: No, no, it's a one -- it would be -- sorry, I think that should be in there. It's a one time payment when you do development. So, we've been talking about what's the most logical point for the

payment, and building permits seemed like to us the best time. But it's possible that we could have some greater flexibility where somebody could actually pay first --

HUGH RUSSELL: I'd like to speak to that.

So when you're developing a property, ultimately all your costs with paid by people who pay you rent. And the rent starts after the building is completed. And up to that time you're borrowing money. So if somebody has 100,000 square foot building, they have to borrow $1 million in addition to their building permit costs at the time they file for their building permit, and then they've got to pay interest on it for the two years of construction, so, you know, it's really -- it should be a -- I think I understand that the -- you have the latest date that you could make it which is an occupancy permit. Otherwise you're just increasing the cost.

It's true you'll get the money sooner, but I think that -- it's just not fair for a developer to have to borrow money, you know, for a long time under this requirement.

PAMELA WINTERS: That's a good point.

HUGH RUSSELL: The other comment I would make is the third bullet, the committee makes recommendations on the disbursement of funding to be approved by the manager. I mean that's not actually the right language. The manager has the authority to spend all funds in accordance with appropriations by the City Council by budget. Right? That's how municipal finance works. Other people don't decide to -- he decides. He may ask for advice, and this committee is the entity that gives advice and recommendations, but he has the power and we shouldn't write it as if that's not there.

IRAM FAROOQ: Okay.

HUGH RUSSELL: And from a bookkeeping point of view, I think having three things, each of which have to have 30 percent. So I'm asking myself, well, is that going to be measured every year? And how would you measure that? Would you measure it over the life history of the fund? And if you were using it to require open space, you might like to save up say some money. And you might, you know -- so I think it has to be somewhat more flexible if the intent is that each of these three areas achieve roughly equal attention over time, that's instructions to the committee essentially; right? It's not -- and I don't think we as a Planning Board will be monitoring that. And I don't think a developer who is kicking in the money would have anything to do with that. So... But I don't -- wouldn't want to see this language.

H. THEODORE COHEN: Hugh, in

following up your earlier comment.

HUGH RUSSELL: Yes.

H. THEODORE COHEN: -- could that 30 percent requirement or guideline be imposed on the City Manager?

HUGH RUSSELL: I think, you know, as a guideline, as a statement of purpose, statement of intent, I don't actually know how the city budget handles some of these essentially trust funds. And I'm not an accountant so I don't know that. It's just someone takes the books of your company and they could see that -- keeps the books of your company. So this is a proposed requirement and, again, I don't know how to do this. I don't know how this works with the Zoning language. And legally I know there are similar kinds of paragraphs in the Affordable Housing section of the Ordinance that --

IRAM FAROOQ: Yes. We can certainly

work with the appropriate folks at the city, but we wanted to make sure that the overall principle was something that made sense to all of you in terms of having the fund, the logistics of how that will work. I feel confident that we can figure out, but the one other confounding factor is that the City Council right now is also discussing their community benefits strategy. And so in some ways this will need to dovetail with that as well as it works out.

STEVEN WINTER: Mr. Chair?

PAMELA WINTERS: Sorry, go ahead.

STEVEN WINTER: Please?

I have five points that I'd like to make and I'm going to be very frank. Often public sector workforce development programs are not high performing programs. And often their deliverables are far from high quality deliverables. I think we need to be very careful in attaching funds to public sector

programs that perhaps we're not able to evaluate or provide feedback on how these programs are being run. An option could also be to indicate to not assign the money, but to have it -- to have some kind of a competitive process where both private and public sector folks could in fact request the money. But I think attaching a lamprey to the belly of a shark is a bad idea. And I really don't think we should go there.

IRAM FAROOQ: Okay.

STEVEN WINTER: The second one is that the -- I think that the -- I think this is a good idea by the way, but I think that the Kendall Square fund that we need to be very, very thoughtful as Cambridge is, about how we populate this committee. And I think we need to be careful not to have geographic restrictions. I just think we need to be very, very thoughtful about who this committee is so that it's a high functioning

committee making good, clear decisions and always has enough of a critical mass to make it work.

And I also think that the staff role needs to be very, very clear. What is the role of the staff on this committee? Is it to staff, is it to recommend, what is that role?

And also I think that the in -- kind contribution is a blessing in disguise. We can see some innovative contributions if we open that door and allow it to be used. You are correct that the word that they use actually at the federal level is that when the Feds give you money, they say this money will supplement, not supplant. And I think we need to be careful that these kinds of contributions supplement not supplant the original assessment, what we're talking about.

And the last piece is that I, I'm just

not sure I like the 30/30/30 and I don't know if there's other options, but I -- and I don't know how the committee came to these decisions, but I just am not sure that -- that it just seems that it's an inflexible piece and it may get in the way of long range strategic planning of when to do things. Maybe the 30/30/30 needs to be a ten year horizon, I don't know. But I think that overall we've got a really good idea, but there are some places where this could go terribly wrong.

PAMELA WINTERS: Steve, what 30/30/30 are you talking about?

STEVEN WINTER: The 30/30 is the 30 percent of the funds go to management of programming and open space.

PAMELA WINTERS: Oh.

STEVEN WINTER: 30 percent to enhance transportation.

PAMELA WINTERS: Okay. You know

what I was wondering about that, too, is that does -- in each year does it have to be equal or can one year all of the funds go to open space and -- you know what I mean? Like, does it have to be split up equally?

IRAM FAROOQ: Yes. You're asking all the tough questions. I think, I think this is something that we in a very simplistic way wanted to have the guidance that there shouldn't be -- that things should not end up skewing in one direction because we happen to pick a committee that had a really strong voice regarding open space and not as strong on workforce or not as strong on transit or the other way around. And so this was just an effort to say that things should be roughly equally -- all three of these things are really important and they should roughly get roughly equal benefit with a little bit of a sway in there with the remaining 10 percent. Now whether that

happened -- and you know what I'm hearing from you all is that it's maybe not a smart idea to try to do that every single year because how are you going to get critical amount of money to really make an effective difference? And maybe programming of open space it may actually be able to be a functional amount where you can -- it's what you need to pay for performances or tents or something.

PAMELA WINTERS: Well, something might come up one year where you want to spend all the money on one thing and then, you know, the next year --

IRAM FAROOQ: Sure. Let us go back and let us try to flesh that out in a way that makes sense.

PAMELA WINTERS: Okay, great.

HUGH RUSSELL: One suggestion I would make to you is that the Zoning requirement is that the committee come up

with a written plan and that, you know, the operation and how they will do things in accordance with these principles.

IRAM FAROOQ: That's good.

AHMED NUR: That's a great idea.

HUGH RUSSELL: And then we leave it to I guess the Community Development Department to assist that process, maybe to staff that process, but you know, maybe the Council decides they want to prove it. Maybe it's appropriate that there be communications with the Council to, you know, so that it's feeding with the other goals. But CD is the logical staffing because of the -- they have a broader view overall of these kinds of things.

IRAM FAROOQ: So that brings us to sustainability and I'm going to ask Susanne Rasmussen the director of environment and transportation to talk to the next two pieces here.

SUSANNE RASMUSSEN: Good evening. It's nice to be back before you again after a long hiatus here. And there's a range of sustainability recommendations that touch on some very different things and they're all -- and all of them are based in overall sustainability policies and sort of the state of affairs of the environment in Cambridge. And starting with the recommendation around improving building energy performance; namely, that all buildings would be required to meet the LEED gold design standard for new and existing buildings, and that very much came out of our understanding of the fact that 80 percent of greenhouse gas emissions in Cambridge come from buildings and that the types of buildings that we see in Kendall Square typically are very energy intensive. In fact, we did an analysis that showed that 50 percent of all energy consumed in Cambridge is consumed in just this small

Kendall Square area. And so they're very large buildings and typically very energy intensive buildings. And also the proposal you have before you contemplates a very significant increase in square footage compared to what is allowed under the Zoning envelope today. And this plan would resolve in even though there are of course many, many positive outcomes from these buildings, it would be a net increase in the environmental contribution in terms of greenhouse gas emissions. So, it was felt that moving the bar up from what is currently the requirement; namely, LEED silver, moving up to gold would be an appropriate requirement to compensate for the additional square footage that's going to be built and add to emissions in the area.

HUGH RUSSELL: Okay. In my comments on this requirement in the earlier dates, I asked you to look at whether that was a

realistic requirement for housing uses.

SUSANNE RASMUSSEN: Right.

HUGH RUSSELL: Because I've been only able to find eight or nine gold LEED housing projects in the Massachusetts; four of which were in the city, two of which were MIT dormitories, and one was a Harvard dorm, and one was the Watermark building.

SUSANNE RASMUSSEN: Right.

HUGH RUSSELL: And so did you do that? And what's your response?

SUSANNE RASMUSSEN: We've looked at what is -- what exists in terms of LEED buildings either at the gold level or even at the platinum level in the high rise category, and it's true, you're absolutely correct as far as Massachusetts, they're only beginning to be introduced. But -- and if you look in a couple years back, there really weren't any in the country either, and it's really accelerating now. We're beginning to see in

all kinds of climates be the Denver, Colorado, or Evanston, Illinois, all over New York and New Jersey in particular we're seeing a lot of LEED gold and LEED platinum buildings. It was just important --

HUGH RUSSELL: I was talking specifically about multi-family housing.

SUSANNE RASMUSSEN: Multi-family high rise. Those are the categories I'm talking about.

HUGH RUSSELL: And what is the additional cost?

SUSANNE RASMUSSEN: What we have been able to glean from people we've talked to is that it's -- depending on who you ask, but I would say everyone says it's under five percent. And some will tell you it's more like one to two. So it's not -- I think in relation to the added square footage that this plan proposes, it's not a very significant increase. And I think it's also

important to look at operational savings down the road that you're making up for the increased construction costs through operational savings as the building goes forward.

HUGH RUSSELL: So my concern is that by adding the requirement you're only going to have very, very expensive housing built and that some of the peripheral sites which might be suitable for housing, people will say well, you know, I got to build a high rise there. And that maybe some of the affordable developers who are appraising housing are going to say well, I can't make it work. I just think when you go so far beyond what is, what is the norm, you have to examine the consequences.

SUSANNE RASMUSSEN: I think we looked at a cost differential that's in the low single digits not a huge addition to the cost of development, and the -- probably in

Kendall Square as in we've been talking back and forth with the housing staff about this issue and the types of housing that the market will produce is going to be in the price range that we're seeing right now which is the 3,000 a month type of housing. That's what 303 Third Street, Watermark, Archstone, all those buildings, that seems to be where they're coming in. And it's through the provision, the middle income provision that we will be able to realize that housing units that are --

HUGH RUSSELL: So it's like six housing units, six middle income housing units in Watermark. It's not a lot.

SUSANNE RASMUSSEN: Somebody else knows this math. I don't.

HUGH RUSSELL: That's a couple hundred units.

AHMED NUR: 25 percent.

HUGH RUSSELL: It's about three

percent is -- a couple hundred is six. I mean I may be 240, but maybe 30, but it's about 200 units.

IRAM FAROOQ: Hugh, I think as we looked at what the rents are right now where we were -- what we were realizing is that the rents that people are charging in Kendall Square are based more on what people are willing to pay rather than what the construction cost is. And for the foreseeable future we think that the demand is going to significantly exceed supply even despite our requirements for some percentage of development to be housing. And that was sort of jiving as to think that if that is not the -- if that's not the measure that links to what people are causing, are using for rent or asking for rent, is that something that should then hold us back from putting in place an energy efficiency requirement that we think is important for

us.

HUGH RUSSELL: Okay, I think that's a cogent argument. The part that I have a lot of trouble with is that we're not coming up with a plan for Kendall Square that produces housing for the majority of people who work there. That's the problem I'm having.

SUSANNE RASMUSSEN: And that may be -- the tool for that may be a different tool than this tool.

HUGH RUSSELL: Well, it sounds like you've given up on doing anything but very modest and you're going to -- and so therefore it's all going to be expensive high rises and, you know, I think you're right, if you're building an expensive high rise going to gold LEED, you know, makes it a little bit more expensive. I mean it's -- I'll give you an example: I don't know what Watermark costs. I don't know what the MIT dorms cost.

But I guess it's a few hundred dollars a square foot. And so five percent of that is, let's say it's $300, and five percent of that is $15 a square foot. So other than the burbs we're providing housing, we're building it for $110 a square foot and it's renting for half those prices. And you look at them and you say well, that's a pretty good deal actually. But that $15 is not five percent, it's 15 percent of an affordable housing in terms of construction. So I don't know if we'll ever build housing for a reasonable price that we can rent and that people can afford anymore in the city except through subsidy. But it's not in -- I just don't like -- I don't like it that we're only building for rich folks and poor folks.

SUSANNE RASMUSSEN: The underlying land values of course have a huge impact on this. I was looking at -- when I was looking at all these LEED gold and high rise

buildings, the rents were not -- they were rents that were 1800, but that's building a different location.

HUGH RUSSELL: Right.

SUSANNE RASMUSSEN: So it's not the construction cost, but it's not death to similar, but the underlying value of the land is hugely different.

HUGH RUSSELL: Right. But in terms of the land cost for housing, one thing is it may be free. For example, Boston Properties already has control of all the land and we're trying to get them to build housing on the land they already have. They don't have to acquire any land at all.

You know, MIT, you know, if they get their full commercial build out and they're required to build more housing, they don't have to acquire more land for that housing. They just have to pull a little more density. So it's not clear for housing. It's not like

you're telling the developer to go out and buy, you know, like 169 First Street, buy a piece of property to build the housing. And these sites, the housing is a requirement that you have to meet to get the ability to build a commercial space.

SUSANNE RASMUSSEN: It's sort of back to your question you asked earlier which is that is this, too (inaudible) what's being asked around the middle income. I think that's where the needs to have more discussion.

HUGH RUSSELL: Right. And Christy, what it means is that when people move into the city and work in these new jobs that we're creating, they're going to look for housing they can afford and they may start displacing other people because they'll pay 3,000 a month for that, you know, two-bedroom apartment somewhere in Wilmington-Harrington where somebody else won't pay that because

they're already living there. So it's not like this is just an isolated thing. They'll go out to Malden or Medford or --

PAMELA WINTERS: Somerville.

HUGH RUSSELL: -- wherever. There probably will be lots of pressures on the income and communities in the city where people are living now. So if you don't solve the problem in Kendall Square, it's going to get solved by throwing people out of their houses.

PAMELA WINTERS: Could I ask a quick question? Is there a huge difference between green and -- between gold and silver LEED in terms of the environment? Like, what is the -- I'm -- I apologize for being ignorant in that, but what is the difference?

SUSANNE RASMUSSEN: So, it's all, it's a point system and you have to get additional points.

PAMELA WINTERS: No, that I

understand. I don't know what the difference is in terms of what it does to the environment.

HUGH RUSSELL: Well, it's a laundry list and you pick things off the list. If you're silver, you have to pick off half the list. And for gold you have to pick off 60 percent of the list. That's --

PAMELA WINTERS: Does it impact --

SUSANNE RASMUSSEN: So to quantify exactly --

HUGH RUSSELL: It depends on what somebody picks.

SUSANNE RASMUSSEN: You can't say it's going to improve the energy performance by exactly 25 percent because it is a laundry list as Hugh says, so you will get improved energy performance, but it's hard to give like a very precise definition of exactly how it will be improved. You tend to be able to get more points out of energy when you go to

a higher level because you need more points. So the idea here is that it will improve energy efficiency. But you can't say like other systems, like the stretch code, you can be very clear and say it's going to improve energy performance by exactly this amount. It's a little harder because there are so many different elements of sustainability. That's part of the LEED system.

HUGH RUSSELL: So, and let me -- I've done a couple of silver LEED projects.

PAMELA WINTERS: Okay.

HUGH RUSSELL: And the construction that you need to get to get silver LEED, and it's basically sort of the -- it's the best typical construction. You do everything as best you can. It's commonly done. People can commonly do it. And you may have to -- and then you probably have to do a little bit better on say the efficiency of your heating equipment. Right? And so when you get to

gold, you have to take another step forward. And probably as Sue said, it's in the energy efficiency and those are some of the points, they're harder to get. They're more valuable from the city's point of view and that you can't get more points for being near a bus line because you've already taken those points. And then you can't do a lot more on saving water because those are actually fairly low hanging frugal points and you probably kept them just to get the silver.

PAMELA WINTERS: I see.

HUGH RUSSELL: And they're using less water. So it's -- I don't -- you know, I haven't seen an analysis of the difference between, you know, the Harvard gold dorm as opposed to the Harvard silver dorm.

PAMELA WINTERS: It might be interesting to compare, you know.

HUGH RUSSELL: It's --

PAMELA WINTERS: Equal. It would be

interesting.

HUGH RUSSELL: It's a -- you sometimes, I mean you don't get credit for things that are positive sometimes. In multi-family housing. The most important thing in multi-family housing is that you put the units adjacent to each other. You get no credit for that. And that's what saves you energy more than anything else, but you don't get credit at all in the energy calculation for doing that. So it's really bizarre. You know, the most important thing and yet you get zero points for. And it's just like Zoning, when you write down a set of rules, there are places where they make sense, there are places where for a particular project they don't make sense, and you have to write -- if you want to do something, you have to write the rules, you have to follow the rules. This is a highly respected set of rules, but it is incredibly difficult

bureaucracy, you know, and it just filling out those forms is really annoying.

SUSANNE RASMUSSEN: One thing I should have mentioned is we're not requiring, as is the case now under the silver rule, we're not requiring that projects be certified because it's as you say, it's an extremely bureaucratic undertaking and also it can be very costly. So that's not part of the requirement. So you have to demonstrate through a signature from your LEED professional that you are meeting the requirements. And then the sort of on the back end what we're proposing is that projects would be required to track and disclose their energy consumption and that's -- there's really two reasons for that.

One is this LEED gold requirement is a design standard, but that doesn't mean that your building necessarily operates according to how it was designed. And all of us who

live or work in LEED buildings know that that can be the case. And you can't really adjust something if you don't measure its performance. And so the requirement is to measure the performance and disclose it and the disclosure part of it is will help future tenants to really understand how your building performs and received from other places where building disclosure ordinances have actually been put in place as a city-wide requirement that there is an effect that comes from requiring disclosure that measures are put in place to upgrade buildings. And we've -- we've had a number of conversations with stakeholders, and people understand these systems. And in many cases use them already. I mean, we're talking, the kind of buildings we see in Kendall Square, it's typical that people actually already track their energy building performance using one of the systems we

propose.

Moving along to the next item which does two things: One is to encourage on-site generation of energy and cogeneration. And it's not a requirement in this proposal, it's really putting in place language that would prevent this, would allow the Board to grant relief so people can use shared systems. They can be much more energy efficient as we're learning now from the hurricane Sandy that they can also be more resilient. In New York where they have shared systems in Manhattan there have been many examples of where they've shared better than the individual systems in a storm, future storm scenarios, which unfortunately this is something we have to get used to. So the language is just encouraging that. And then there's a requirement to do an ability analysis of connecting to district scheme. And the reason for that is that the general

on power plants in Kendall Square produces waste steam which in most conditions from an environmental perspective is free because it's being produced anyway, so it is a waste product that can then be used and, therefore, you lower your overall environmental impact. That we're not requiring that people hook up to the steam system. It's simply an analysis of the financial and technical feasibility to just make sure that it is being considered. And the requirement is -- can probably in large part be fulfilled by the building that provided the steam because they can do the financial analysis. So it's not a heavy lifting kind of requirement. But we're of course hoping that as a result, that we may see more steam users in Kendall Square rather than sending the steam across the gradient to Boston so that they can use it over there.

HUGH RUSSELL: It also goes over the Longfellow Bridge.

SUSANNE RASMUSSEN: Yes. Also the Longfellow, yes.

HUGH RUSSELL: Mass. General, it's heated by --

SUSANNE RASMUSSEN: Right.

And then switching gears, there are a number of elements of the proposed Zoning that speak to the desire to reduce the reliance of automobiles and also increase use of alternative fuel vehicles. And some of them Iram has already spoken to. Namely the advocate for enhanced transit links to locations where the MBTA is not currently or in the future able to provide the service. But certainly also putting pressure on the MBTA itself to provide the service that we need. And when you look at the Zoning proposal, you'll see a very significant number of people that will have to come to and from Kendall Square without using vehicles. And that really, really will

require in the long term future much more transit and also bicycle access. So the fund that Iram described will help facilitate that by making funds available for enhancing transit and also enhancing bike riding through the hubway program for example.

And then the road shares that we're expecting and that the parking is designed to accommodate are significantly lower than what we've been using in the past and that all is based on analysis that we've been doing of existing projects through the PTDM program. So we know that when we're proposing that no more than 40 percent of people drive, will be able to drive to Kendall Square and therefore no more parking will be provided, that that is possible when we look at some of our best performers today. And so in addition to -- when we did this background study on transportation, we looked at all of the best practice for transportation and said road

shares for each category of development. And I'll talk about that in a minute because we'll get to the parking rates.

We have become increasingly focussed on the issues of urban heat gain, and this proposal seeks to address that issue by requiring cool roofs and that can be either a white or a green roof. We're not distinguishing as they both have environmental benefits. A white roof really does not have a cost implication today. So we don't -- since we're not requiring green roofs, it's really -- it is a no brainer that this can happen.

The proposal also talks about encouraging green walls and the planting of trees. So just really increasing the amount of vegetation which will help with shading and just cooling the urban environment in general.

And then the proposal includes language

about on-site storm water retention, but that is really already an existing requirement. This is not something new. It's -- we just felt that it was important to note it in the Zoning language as well.

So those are the non-parking related sustainability issues.

On the parking and loading side, like I said, we went through an analysis of what we see in terms is best practice in terms of how much sustainable modes can be part of the trip making, and that's what these numbers that you have in the chart are based on. So we have said -- we're proposing upper limits of ranging -- depending on whether it's retail, office, or indeed from 0.5 space per thousand up to 0.9. And we're proposing that there would be no set minimum. That the minimum would be part of a conversation with the Board about what is really needed because we do see quite a range. And so for example

if you look at the Broad Institute, very, very low. I think it's 23 percent dry. And then other projects it could be up to what's, would be allowed by these numbers, which is around 40 percent. So we didn't want to send something, set a minimum because we're seeing that these numbers fortunately keep going down over time. And where there's a continuous trend that SOV percentage is down over the past 20 years. So only for housing are we proposing a minimum, and a maximum growth. And the minimum we set as 0.5. And that's really based on, again, analysis. We have a wide range of housing developments in and around transit stations and that's the number that we see. And there have been recently in the Central Square Committee process, a lot of conversation about should it not be zero? And this number is proposed because there is and has been as you all well know, always concern about the traffic might

spill over, the cars might start parking on residential streets and supplanting or preventing existing residents from accessing those parking spaces.

HUGH RUSSELL: Right, but your last section where you look at ways to use existing facilities it might be how you described those facilities, sharing those kinds of things could mean that there might be no new net spaces for a use even though you'd have to get an allocation of 50 percent for the residential uses.

SUSANNE RASMUSSEN: Right.

And another element of this is to of course require a shared parking study. So when this mixed use development that you would be required to look at how could you maximize utilization of the parking spaces that are created? And again we've actually done a lot of analysis on this with the Traffic Department to see what are the

patterns of when do people leave their house and when do they come home from work and when do workers arrive and depart? And we have proposals that meet those patterns that we see and you can really use parking spaces much, much better than we have been doing by using shared parking. So that is a requirement in the new Zoning.

And also that the distance within which off street parking is increased to 2,000 feet to provide more of an opportunity to soak up some of the unused parking.

And then there's just an issue around loading bays, which is a different issue, but that the Planning Board can waive the required number of loading bays to allow for consolidation between projects. And obviously it's -- if you were loading bays, the fewer loading bays you have the better it is from an urban design perspective because you don't have vehicles coming in and out of

the bays across the sidewalk.

HUGH RUSSELL: And I assume that this represents a consensus of the committee working on the Transportation Department to the city?

SUSANNE RASMUSSEN: Yes. Yeah, we worked very closely on all of this.

AHMED NUR: Thank you.

HUGH RUSSELL: Okay.

IRAM FAROOQ: If people didn't have questions on that, I just wanted to throw in one final piece about historic reservation. This is just that we wanted to put in the same provision here in Kendall Square that has worked well in Harvard Square, so that if somebody is preserving a historic building, that they essentially have a mechanism to utilize that floor area on other parts of their site even if it's not on the same parcel. The reason this is important is because as you know, we've been talking a lot

about this, some ledge of three buildings on Main Street, the MIT Press Building and the two buildings adjacent the Rebecca's and then the clock tower building, and this is just a method in an area that doesn't have a lot of historic buildings, it's important to have some provision by which people aren't just demolishing buildings because they need floor area.

Charlie, did you have anything to add to that?

CHARLES SULLIVAN: I'll answer questions.

If you like I can try to explain the map in some more detail.

STEVEN WINTER: Yes, please.

THOMAS ANNINGER: Please.

CHARLES SULLIVAN: I'm Charles Sullivan. I'm director of the Cambridge Historic Commission.

I was asked to prepare sort of an

informal map of significant buildings in the Kendall Square and Central Square area. There are buildings that are already designated as landmarks like the loop building and the former firehouse here. There are buildings which are potential landmarks are being under study for landmarks like the three buildings in Kendall Square are currently entered in the landmark designation study. And so they're protected as if they're already designated until there's some recommendation made to the City Council. And the case that these three, we have our protection period runs for a year. And in this case the owner, MIT, has agreed to extend the protection period while the Zoning issues are worked out. And we've recently agreed further to not to make any further recommendations to the City Council until MIT files their Zoning Petition and that goes through the Council process.

So there are a lot of wheels turning with those three buildings.

The buildings that are colored in this sort of yellow color are all more than 50 years old. And I applied the standard of our demolition delay ordinance which says that if there's an application for a demolition permit, the staff gets to determine whether or not the building is significant. Then the public -- the Historical Commission at a public hearing will decide whether to confirm the determination of significance to find the building preferably preserved and possibly to designate it as a landmark.

So based on what I knew at the time, I was asked to do this plot, this map. These are -- all the colored buildings are more than 50 years old. They are ones which if I were asked today about a demolition permit, yes, we would find them significant and we would have a hearing. It's not just say that

we'd seek to preserve all of them, but the ones that are marked with a P are ones which I think are potential landmarks. At least from the staff level I would recommend that the Commission consider designating those buildings as to be protected permanently. The Commission doesn't take these actions typically designating buildings as landmarks unless there's a threat of demolition. We don't go out proactively and designate a bunch of buildings just because we think they're neat buildings or significant buildings. We pretty much wait for the threat to come along and then we see what the proposed replacement is also. So we're always trying to balance the public interest.

So this is kind of a notional map of significant buildings. It's not one that's based on a process, but it's the staff's best judgment of how conditions are today.

HUGH RUSSELL: Those large areas in

the yellow, is that a reflection of urban renewal process?

CHARLES SULLIVAN: I'm sorry?

HUGH RUSSELL: The large areas with no yellow buildings sort of a reflection of the urban renewal process that cleared all of the buildings in a wide area in Kendall Square in the sixties?

CHARLES SULLIVAN: Yeah. There were once some significant buildings in this area, a lot of that was not. But there were a few. And under the urban renewal approach at the time, the government paid 90 or 75 percent of clearing the entire area regardless and that's what we've ended up with a bunch of super blocks.

HUGH RUSSELL: And the -- and you didn't consider buildings outside of the dotted line. So, for example, the MIT campus which you obviously would find a way of being significant.

CHARLES SULLIVAN: And certainly there are. For the purposes of this exercise I didn't look it over other areas.

HUGH RUSSELL: Sure.

CHARLES SULLIVAN: Much of the older buildings at MIT are on the National Register of Historic Places so is the Metropolitan Storage. We would have flagged the old armory and the old storage. Necco as being significant also.

Thank you.

THOMAS ANNINGER: Charlie, before you --

IRAM FAROOQ: Tom has a question for you.

THOMAS ANNINGER: -- could you explain in a little more detail the agreement, call it what you will, that has been struck on the three buildings along Main Street?

CHARLES SULLIVAN: Well, it's -- it

would be an exaggeration to call it an agreement. We've been -- we have a process which started in December of 2011 when the Commission found -- initiated a landmark designation study. So typically those run for a year unless the owner agrees to extend the study. Which MIT has done two or three times. They're now protected until January. Most recently the MIT -- it's been on MIT faculty committee which has come up, which has gotten involved in the Kendall Square process, raised questions about the protection of these buildings, especially the MIT press building because it would, it would possibly conflict with their concepts that MIT should have a grand gateway or a gateway at the Kendall Square end to balance the other end of the Infinite Corridor on Massachusetts Avenue. So we've agreed to not to send a designation recommendation to the City Council immediately as we would

typically do before the end of the year, because of all these ongoing discussions about the goals for Kendall Square, the K2C2 process, and MIT's expected filing of a Zoning Petition. And we're very much part of this discussion process through the K2 and meeting with the Institute and Community Development for the past year. So we're interested in seeing how this works out. And we want to be constructive but we want the outcome to be the best thing, the best for Kendall Square. So it seemed like the most productive way to engage at this point is to maintain the status that the buildings have as being eligible for landmark designation as the Commission found them, voted to find them last September. And just to hold that status without trying to push it to the City Council at this point because these issues are complicated enough without having two complicated issues on the City Council agenda

at the same time. We're willing to defer, allow the Zoning to go, to go through the process. We, you know, the Zoning is neutral with regard to whether buildings, these buildings should remain or not, and the Zoning -- MIT Zoning Proposal will be neutral in that regard so that's enough for us. So we have a process in place that protects them. And when the moment comes, we'll send it to City Council or reach some other agreement with the parties concerned about preservation or disposition of these buildings.

HUGH RUSSELL: And presuming that moment is when MIT comes in and presents a PUD plan.

CHARLES SULLIVAN: Yeah.

HUGH RUSSELL: Although they might, we'll preview it before there's a formal submission.

CHARLES SULLIVAN: Yeah.

HUGH RUSSELL: Okay.

CHARLES SULLIVAN: Okay, thank you.

IRAM FAROOQ: That's it for our presentation of the overall, overarching provisions of Kendall Square Zoning. And I guess we'll be back when MIT is ready. And if you wish to remain to talk about their ideas.

BRIAN MURPHY: They're back here December 4th.

IRAM FAROOQ: December 4th MIT will be back to talk.

HUGH RUSSELL: So at our next meeting we're going to get a preview of what they intend to file which should give us the opportunity to request changes or adjustments to what gets filed.

AHMED NUR: Sure.

HUGH RUSSELL: We hoped that that process would be more extensive and that we would be filing in some joint fashion, but it

doesn't appear that that's going to happen that way. Besides it was very important however that we -- before things get filed that we review them, because as you know, the amendment process to file proposals limits use in some cases and you can't amend outside the general envelope that's created between the existing and the new.

STEVEN WINTER: Mr. Chair, I have a question for you, please. The letter from the MIT Provost, I was going to ask you, does indicate that the Institute will file a three Zoning Petition as soon as possible. That said, is there any way that we can salvage the -- our intention to work together with them to bring something forward together or do we think now at this point this is really the best way for this to work?

HUGH RUSSELL: So it's a two-part question and it calls for a judgment. So there is a meeting scheduled next week where

I'll be talking to members of the CE Department at MIT to get a preview of what they're going to show us on the 4th. And is this the best way to do it? I don't -- I'm not convinced. But it's really going to depend on the substance of their approval. If they, in listening to us along, and maybe the proposal is in fact presented in a form that we can approve or approve with some minor amendments, then that will be fine.

STEVEN WINTER: Okay.

HUGH RUSSELL: And then, you know, there are people out there, I see, Mr. Galluccio out there who has been working very hard to help make this process be a cooperative process. So there's nothing -- I've heard nothing from MIT that is more than -- I think their objections are procedural and bureaucratic rather than substantive and not trying to shove something down our throats, but they exist within a world that

has certain internal rules about the institute operates. And we have, you know, we're existing within a body of laws of how you propose changes.

STEVEN WINTER: Thank you, Mr. Chair, I appreciate your efforts on our behalf.

HUGH RUSSELL: Okay, if there's nothing else, then we're adjourned.

JEFF ROBERTS: The Cedar Street.

HUGH RUSSELL: Oh, Cedar Street has finally come. We were supposed to take a break at eight o'clock to do that.

Okay, Cedar Street. Thank you very much.

So the request to extend the time for decision on the permit to January 31, 2013.

STEVEN WINTER: Mr. Chair, I would ask Brian if you have any comments or concerns?

BRIAN MURPHY: No, I think it's a

reasonable request for an extension of time. I'm not sure when they'll be back. There's also I believe that some exploration by the proponent as to whether or not there's as of right option, but it seems from the staff standpoint that it's appropriate to give the extension of time to allow them to try to work this out.

HUGH RUSSELL: And we have a written request by them?

SUSAN GLAZER: Yes.

H. THEODORE COHEN: We received one.

STEVEN WINTER: From legal offices?

HUGH RUSSELL: Okay. So....

STEVEN WINTER: I move that we grant this extension based on Sean Hope's letter of November 19, 2012, and the discussion that we've had here tonight.

HUGH RUSSELL: Is there a second?

THOMAS ANNINGER: Second.

AHMED NUR: I second.

HUGH RUSSELL: Tom was first. Discussion?

On the motion, all those in favor?

(Raising hands).

HUGH RUSSELL: All members voting in favor.

9:55 now we're adjourned.

(Whereupon, at 9:55 p.m., the Planning Board Adjourned.)

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