

CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

## WRITTEN DETERMINATION MINOR AMENDMENT TO PLANNED UNIT DEVELOPMENT

Case Number:	368 Amendment 1 (Minor)
Location of Premises:	Volpe Exchange Parcel – 55 Broadway (33 Broadway, 2 Potter Street, 20 Potter Street, 156 Linskey Way, 220 Binney Street, 60 Sixth Street, 182 Binney Street)
Zoning:	Business A (BA); Residence C-2B (C-2B); Office 2 (O-2); PUD-KS; PUD-7
Applicant:	Massachusetts Institute of Technology (MIT) c/o MITIMCo, One Broadway, Suite 09-200, Cambridge, MA 02142
Owners:	United States of America 10 Causeway Street, Boston, MA 02030
Application Date:	December 9, 2022
Date of Determination:	January 17, 2023
Summary of Proposal:	Minor Amendment to modify the Phasing Plan to move the C3 commercial building to Phase 1 and the C2 commercial building to Phase 2.
Determination:	<b>APPROVED AS MINOR AMENDMENT.</b>

Copies of this Written Determination and plans, if applicable, are on file with the Community Development Department and the City Clerk.

Authorized Representative of the Planning Board: Swaathi Joseph

For further information concerning this Written Determination, please contact Swaathi Joseph at 617-349-4668, or [sjoseph@cambridgema.gov](mailto:sjoseph@cambridgema.gov).

2023 FEB 10 AM 10:14  
OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

## **DOCUMENTS SUBMITTED**

### Documents Submitted by Permittee

1. Request for Minor Amendment to PUD Development Plan from Michael Owu dated 12/8/2022.
2. Presentation slides shown to Planning Board on 1/17/2023.

### Other Documents

3. Memo to the Planning Board from Community Development Department (CDD) Staff, dated 1/5/2023.

## **SUMMARY OF REQUEST**

The Applicant seeks to modify the phasing of development as set forth in the PUD. Specifically, the Applicant requests that the timing of Commercial Building C2 and C3 be swapped, such that Commercial Building C2 (previously planned for Phase 1) be moved to Phase 2 and Commercial Building C3 (previously planned for Phase 2) be moved to Phase 1.

Along with this change, the southern portion of Sixth Street Park will also be included as part of the design review of Building C3 in Phase 1. All other conditions of the special permit will remain as-is.

The effect of the proposed change is a net reduction in commercial development in Phase 1 and an increase in Permanently Guaranteed Open Space.

## FINDINGS

### 1. Minor Amendment to Planned Unit Development Special Permit (Section 12.37)

The following standards are set forth in the Zoning Ordinance regarding Minor Amendments to Planned Unit Development Special Permits.

*12.37.1 Amendments to the Final Development Plan shall be considered major or minor. Minor amendments, as specified in Section 12.37.2 shall be authorized by written approval of the Planning Board. Major amendments, as specified in Section 12.37.3, shall be considered as an original application for a Special Permit to construct a PUD and shall be subject to procedures specified in Section 12.34 through 12.36. The Planning Board shall decide whether proposed changes are major or minor.*

*12.37.2 Minor amendments are changes which do not alter the concept of the PUD in terms of density, floor area ratio, land usage, height, provision of open space, or the physical relationship of elements of the development. Minor amendments shall include, but not be limited to, small changes in the location of buildings, open space, or parking; or realignment of minor streets.*

The Planning Board finds that the proposed phasing change constitutes a minor amendment, as set forth in Condition 5.d of the special permit. The proposed change is consistent with the standards for a Minor Amendment and do not result in any changes to the concept of the PUD in terms of dimensional requirements or overall development and mix of uses. The proposed change also does not violate any applicable Sections of the Cambridge Zoning Ordinance and does not require any additional zoning relief.

## DETERMINATION

Based on a review of the documents submitted and the above Findings, the Planning Board hereby approves the requested changes as a Minor Amendment to the Planned Unit Development (PUD) Final Development Plan authorized by Planning Board Special Permit Decision PB-368, subject to the following conditions and limitations:

1. In approving the Minor Amendment, the Board hereby makes the following modifications to the Conditions of Special Permit Decision PB-368 as they relate to project phasing:
  - a. Appendix C – Transportation Mitigation
    - i. Condition #5 – Broadway Reconstruction. Prior to completion of Phase 1, except for interim conditions along C2 frontage as coordinated with TPT and DPW.
    - ii. Condition #8 – Kittie Knox Path / Sixth Street Walkway. Kendall Way connection prior to completion of Phase 1, with Potter St. connection prior to completion of Phase 3.
  - b. Appendix E – Preliminary Phasing Plan
    - i. Replace the current Phasing Plan with an updated Phasing Plan reflecting the requested amendment.
2. Except as explicitly set forth above, the Conditions of Special Permit Decision PB-368 shall continue to be in effect.

City of Cambridge, MA • Planning Board Written Determination  
PB-368 Amendment 1 (Minor) – Volpe PUD

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Voting in the affirmative to APPROVE the Minor Amendment were Planning Board Members H Theodore Cohen, Steven Cohen, Catherine Preston Connolly, Mary Flynn, and Hugh Russell.

For the Planning Board,



Mary Flynn, Chair.

A copy of this determination approving Amendment 1 (Minor) to Planning Board Special Permit PB-368 shall be filed with the Office of the City Clerk. Appeals, if any, shall be made pursuant to Section 17, Chapter 40A, Massachusetts General Laws, and shall be filed within twenty (20) days after the date of such filing in the Office of the City Clerk.

ATTEST: A true and accurate copy of the above determination has been filed on February 10, 2023, with the Office of the City Clerk by Swaathi Joseph, duly authorized representative of the Planning Board. All plans referred to in the determination have been filed with the City Clerk on said date.

Twenty days have elapsed since the above decision was filed in the office of the City Clerk and:  
\_\_\_\_\_ no appeal has been filed; or

\_\_\_\_\_ an appeal has been filed within such twenty days.

The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. This certification shall in no event terminate or shorten the tolling, during the pendency of any appeals, of the periods provided under the second paragraph of G.L. c. 40A, §6.

Date: \_\_\_\_\_, City Clerk

Appeal has been dismissed or denied.

Date: \_\_\_\_\_, City Clerk



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December 8, 2022

VIA ELECTRONIC DELIVERY

Ms. Catherine Preston Connolly, Chair  
Cambridge Planning Board  
344 Broadway  
Cambridge, MA 02139

Re: *Request for Minor Amendment Related to Phasing for Volpe Redevelopment  
Final Development Plan Special Permit PB # 368 (the "Special Permit")  
Cambridge, Massachusetts*

Dear Chair Connolly and Members of the Board:

The Massachusetts Institute of Technology ("MIT") respectfully submits this Request for Minor Amendment (the "Minor Amendment") to Special Permit #368 (the "Special Permit") related to the Volpe Redevelopment.



**Purpose**

The objective of this requested Minor Amendment is to adjust the phasing of development as set forth in Figure H1: Preliminary Phasing Plan to the Final Development Plan and attached thereto as Appendix E (the "Phasing Plan"). Specifically, the requested amendment to the Phasing Plan removes the C2 commercial building currently in Phase 1 and replaces it with the C3 commercial building, currently in Phase 2. Accordingly, the C2 commercial building is moved to Phase 2 of the Phasing Plan.

Condition 5.d of the Special Permit allows for the Planning Board to approve modifications to the Phasing Plan by Minor Amendment, provided that all other conditions of the Special Permit and the requirements of the Cambridge Zoning Ordinance continue to be met.

**Basis for Request**

The Phasing Plan for the Volpe redevelopment approved during the special permit process was proposed by MIT with input from City Staff and the Planning Board, with the underlying assumption that development of the commercial buildings would generally occur from east to west on the site. Our collective understanding at that time was that the market would direct the development of the C1 and C2 commercial buildings first, which are included in Phase 1 of the Phasing Plan. Phase 2 of the Phasing Plan contemplates the development of the C3 commercial building to the west as the final commercial building likely to be built along Broadway. Since the Special Permit was issued, market interest in the C1

and C3 commercial buildings has been stronger than in the C2 commercial building. Therefore, it is critical for us to improve the time-to-market for delivery of C1 and C3 by changing the phasing plan.

We appreciate our mutual desire for the Volpe development to commence as soon as possible so that the infrastructure improvements and public benefits associated with the initial phase of development are delivered to the community. With the understanding that vertical and open space development on the site will likely only commence upon a commitment from an anchor tenant for a substantial portion of a commercial building, we anticipate a need to adjust our Phasing Plan to provide for the possibility of developing C3, rather than C2, in Phase 1 of the project.

### **Special Permit Conditions and Public Benefits**

MIT will comply with all of the other conditions of the special permit decision and the Cambridge Zoning Ordinance, regardless of the phasing change. For instance, MIT will fully honor its public benefits commitments, such as \$22 million for design and construction of an on-site community center and a \$10 million endowment to support operations and ensure ongoing affordability as well as \$1.5 million to support the job connector program.

As part of this requested Minor Amendment, the southern portion of the Sixth Street Park will be included in Phase 1 of the Volpe development. As the attached plan indicates, the inclusion of the C3 building and the southern portion of the Sixth Street Park in Phase 1 increases the amount of Permanently Guaranteed Open Space in Phase 1 from approximately 69% of the total two-acre requirement to approximately 77%.

### **Transportation Mitigation Obligations**

MIT restates its commitment to all of the Transportation Mitigation obligations associated with Phase 1 as outlined in the Memorandum from Joseph Barr to the Cambridge Planning Board on behalf of Traffic, Parking and Transportation dated July 15, 2021 (the "Transportation Mitigation Memo").

The anticipated traffic circulation patterns will not change as a result of the phasing amendment.

### **Special Permit Change**

The action we are requesting with this application for a Minor Amendment is detailed in the table below:

Condition/Provision to be Amended	Existing Language	Proposed Amendment
Appendix C – Transportation Mitigation  5. Broadway Reconstruction	Prior to completion of Phase 1, except for interim conditions along C3 frontage as coordinated with TPT and DPW.	Prior to completion of Phase 1, except for interim conditions along C2 frontage as coordinated with TPT and DPW.
Appendix C – Transportation Mitigation  8. Kittie Knox Path / Sixth Street Walkway Connections	Kendall Way connection prior to completion of Phase 2, with Potter St. connection prior to completion of Phase 3.	Kendall Way interim condition connection prior to completion of Phase 1 (with final condition completed prior to completion of Phase 2), with Potter St. connection prior to completion of Phase 3.
Appendix E – Preliminary Phasing Plan	N/A	Replace Appendix E to the Special Permit with Appendix E attached to this Minor Amendment Application.

**Conclusion**

This Minor Amendment will allow for the prompt development of the Volpe site and the delivery of the associated benefits. The requested amendment to the Phasing Plan will result in the addition of more Permanently Guaranteed Open Space in Phase 1 of the development. Additionally, all mitigation obligations already existing with respect to the Phase 1 development will be completed as part of Phase 1, in addition to those obligations associated with the C3 commercial building, as outlined herein.

We look forward to the opportunity to meet with the Planning Board to discuss this application. Thank you for your consideration.

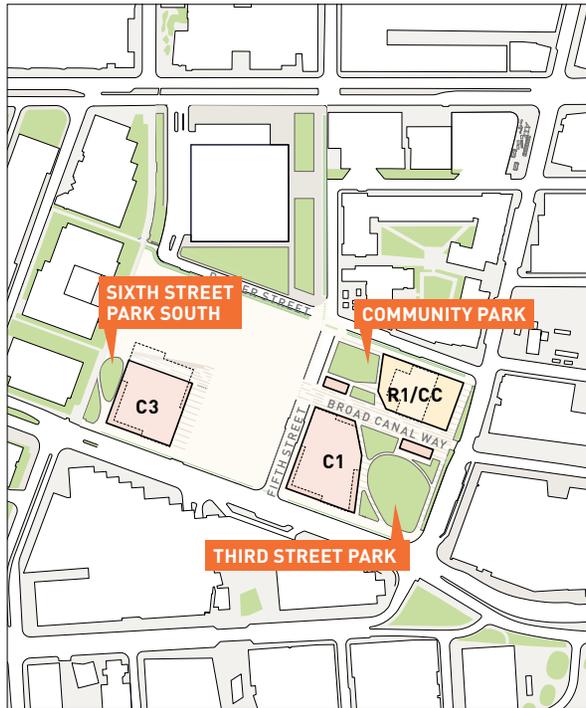
Sincerely,

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

DocuSigned by:  
  
 MICHAEL K. O'CONNELL

Managing Director, MIT Investment Management Company

Attachment: Appendix E – Figure H1 Preliminary Phasing Plan



**PHASE ONE**

Buildings C1, R1/CC, C3  
 Third Street Park, Community Park, Sixth Street  
 Park south of Broad Canal Way  
 Fifth Street south of Potter  
 Broad Canal Way east of Fifth Street

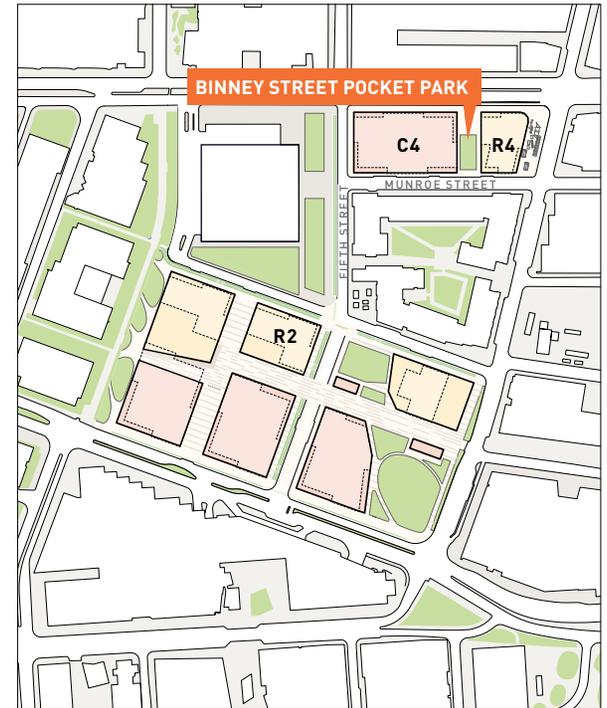
- ± 17% Residential
- ± 50% Commercial
- ± 77% Permanently Guaranteed Open Space
- 100% Community Center



**PHASE TWO**

Buildings C2, R3  
 Sixth Street Park north of Broad Canal Way  
 Broad Canal Way west of Fifth Street  
 Passageway  
 Kendall Way  
 Potter Street

- ± 38% Residential
- ± 29% Commercial
- ± 12% Permanently Guaranteed Open Space



**PHASE THREE**

Buildings C4 R4, R2  
 Binney Street Pocket Park  
 Fifth Street north of Potter

- ± 45% Residential
- ± 21% Commercial
- ± 11% Permanently Guaranteed Open Space

**Figure H1: Preliminary Phasing Plan**