

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING 28 OARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA. 02139

CAMBRIDGE, MA. 02139

CAMBRIDGE, MASSACRUSERES

WRITTEN DETERMINATION MINOR AMENDMENT TO PLANNED UNIT DEVELOPMENT

| Case Number: | 179 Amendment #10 (Minor) | |
|------------------------|--|--|
| Location of Premises: | O'Brien Highway at First and East Streets in the North Point District and the MBTA Green Line Lechmere Station at Cambridge Street and O'Brien Highway | |
| Zoning: | North Point Residence District / PUD-6 Residence C-2B District / PUD-4A | |
| Applicant: | DW NP Property, LLC and DW NP Q, R, V Property, LLC c/o DivcoWest Real Estate Investments | |
| Owners: | DW NP Property, LLC c/o DivcoWest Real Estate Investments 200 State Street, 12 th floor Boston, MA 02109 | |
| | Massachusetts Bay Transportation Authority 10 Park Plaza, Boston, MA 02116 | |
| Application Date: | May 16, 2022 | |
| Date of Determination: | July 12, 2022 | |
| Summary of Proposal: | Minor Amendment to Final Development Plan to permit technical office/lab use at Parcel Q2 and relocate the proposed location of bicycle lockers from Parcel Q1 to Parcel Q2. | |
| Determination: | APPROVED AS MINOR AMENDMENT. | |

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.

DOCUMENTS SUBMITTED

Documents Submitted by Permittee

- 1. Request for Minor Amendment to PUD Development Plan from DivcoWest Real Estate Investments, dated 5/13/2022, including summary letter, development status table, revised statistical summary of the approved master plan (Appendix I) dated 5/13/2022, and Cambridge Crossing Design Review for Parcel Q2 dated 5/10/2022.
- 2. Presentation slides shown to Planning Board on 7/12/2022.

Other Documents

3. Memo to the Planning Board from Community Development Department (CDD) Staff, dated 7/6/2022.

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SUMMARY OF REQUEST

The Permittee seeks a Minor Amendment to Special Permit #179 first issued on March 11, 2003 and subsequently amended on March 6, 2007 (Minor), November 18, 2008 (Minor), November 16, 2012 (Major), February 13, 2015 (Major), July 30, 2015 (Minor), September 2, 2016 (Major), July 11, 2017 (Minor), October 15, 2019 (Minor), and March 15, 2022 (Minor).

The requested Minor Amendment includes expanding the permitted uses of Parcel Q2 to include technical office for research and development, laboratory and research facility (4.34(f) in the Table of Permitted Uses), as well as relocating bicycle lockers from the west side of Parcel Q1 to the east side of Parcel Q2.

Per Section 12.37 of the Zoning Ordinance, the Planning Board makes a determination as to whether the proposed change to the approved Final Development Plan may be approved as a minor amendment.

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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 originally approved use of Parcel Q2 was for a hotel, and was expanded to include general office uses as part of Minor Amendment #8. The proposed change of use from general office to technical office/lab on Parcel Q2 is the type of change contemplated by the original special permit approval in order to provide flexibility as demands for space for various nonresidential uses fluctuate over time. The Board agreed with the Applicant that the rise of remote work due to the effects of the COVID-19 pandemic have resulted in a decline in demand for general office space in the region; a trend which may continue for the foreseeable future.

As part of Minor Amendment #8, the Planning Board approved the location of bicycle lockers in building Q1, with additional lockers located along the western façade. A requirement of the Special Permit is that the bicycle lockers be operational when the relocated MBTA station is operational. To accommodate this timeline, the Applicant would temporarily locate the lockers within the Station Plaza open space on Parcel R until the substantial completion of the building on Parcel Q2. The new location of the bicycle lockers is approximately fifty (50) feet from the originally approved location and within the same plaza. The Board finds that the temporary and permanent locations of the bicycle lockers, as proposed, help to fulfill the initial requirements of the Special Permit and result in a better designed public realm and more usable open space than the previous design.

Therefore, the Board finds that sufficient information has been provided in the Request for a Minor Amendment and the communication from CDD staff to determine that the proposed modifications do not alter 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, and therefore may be approved as a Minor Amendment.

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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-179, 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-179, with reference to the Conditions set forth in Amendment #6 (Major) as modified by subsequent amendments:
 - Condition 4.c.: The Board hereby allows technical office for research and development, laboratory & research facility subject to the restrictions in Section 4.21m (4.34(f) in the Table of Use Regulations) as an alternate, permitted nonresidential use on Parcel Q2.
 - Condition 19.a.: The Board hereby approves the temporary location of the Bicycle Lockers in the Station Plaza open space adjacent to Parcel R, and the future permanent location of the Bicycle Lockers along the easterly façade of Parcel Q2, as depicted on Chapter 3 of the Application Documents dated May 10, 2022, in order to satisfy the requirements of this Condition 19.a.
- 2. Appendix I and Exhibit A, attached to this Determination, summarize the dimensional characteristics of the PUD as modified by this Minor Amendment.
- 3. The Board hereby approves the revised Subdivision Plan, attached to this Determination as Appendix I and Exhibit B.
- 4. Except as explicitly set forth above, the existing Conditions of Special Permit PB-179, as modified by prior Amendments, shall continue to apply.

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Voting in the affirmative to APPROVE the Minor Amendment were Planning Board Members Louis Bacci, Jr., H Theodore Cohen, Steven Cohen, Mary Flynn, and Hugh Russell.

For the Planning Board,

Mary Flynn, Vice Chair, Acting as Chair.

A copy of this determination approving Amendment #10 (Minor) to Planning Board Special Permit #179 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.

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| ATTEST: A true and accurate copy of the above with the Office of the City Clerk by Swaathi Jose Planning Board. All plans referred to in the decidate. | eph, duly authorized representative of the |
|--|---|
| Twenty days have elapsed since the above decisi no appeal has been filed; or | on was filed in the office of the City Clerk and: |
| an appeal has been filed within such two | enty days. |
| The person exercising rights under a duly appeal reverse the permit and that any construction performs certification shall in no event terminate or sappeals, of the periods provided under the second | formed under the permit may be ordered undone. horten the tolling, during the pendency of any |
| Date: | , City Clerk |
| Appeal has been dismissed or denied. | |
| Date: | , City Clerk |
| | |

Appendix I: Revised Statistical Summary of the Approved Master Plan

I. Project as a Whole A. Three City Summary

| a. Parcel Area | Total Area in Acres (Square Feet): | 45.37 acres (1,976,501 square feet) |
|------------------------|--|---|
| | FAR at North Point: | 2.66 |
| b. Floor Area | FAR at Lechmere | 2.5 |
| | Total GFA | 5,245,854 square feet |
| | Maximum FAR | 1.10 |
| c. Non- Residential | Approved GFA | 2,185,062 square feet for all non- residential uses |
| Residential | Retail GFA: | 300,000 square feet at North Point Amount TBD at Lechmere |
| 4. Decidential | Maximum FAR: | 1.55 |
| d. Residential | GFA: | 3,060,792 square feet |
| e. Open Space | Minimum Public, Green Area or Permeable Open Space Provided: | 392,000 square feet |
| | Other/Common Open Space in Square feet: | TBD |
| | Maximum Permitted: | 3,807 spaces +300 replacement MBTA spaces |
| f. Parking Spaces | Maximum non-residential: | See Special Permit |
| | Residential: | 0.5-1.0 spaces/unit for each building Average of 0.75/unit for the entire project at full build-out |
| g. Dwelling Units | Proposed Number: | 3,177 units |

B. Development in Cambridge

| in Cambridge | |
|----------------------------------|------------------------------|
| Total Area in Acres: | 38.77 acres |
| Square Feet: | 1,690,276 square feet |
| Area at North Point in Acres: | 37.1 acres |
| Square Feet: | 1,617,534 square feet |
| Area at Lechmere in Acres: | 1.67 acres |
| Square Feet: | 72,742 square feet |
| | 2.54 |
| | 2.5 |
| | 4,102,825 square feet |
| | 181,855 square feet |
| | 4,248,695 square feet |
| | TBD |
| | TBD |
| | 1,409,063 square feet |
| ** | 3,988 (Retail Only) |
| | TBD |
| | TBD |
| * * | 2,656,925 square feet |
| Approved GFA at Lechmere: | 177,867 square feet |
| Minimum Public, Green Area or | |
| | |
| | 323,507 square feet |
| at Lechmere: | 11,000 square feet |
| Other Open Space in Square feet: | TBD |
| | See Special Permit |
| | See Special Permit |
| at Lechmere: | - |
| | TBD $0.5 - 1.0$ spaces/unit |
| | for each building - |
| Residential: | Average of 0.75/unit at full |
| | build-out for all |
| | municipalities |
| | mamerpanties |
| | Total Area in Acres: |

C. Development in Somerville

| o Dorool | Total Area in | |
|-----------|---------------|---------------------|
| a. Parcel | Acres: | 5.28 acres |
| Area | Square Feet: | 229,856 square feet |

D. Development in Boston

| a. Parcel | Total Area in Acres: | 1.29 acres |
|-----------|----------------------|--------------------|
| Area | Square Feet: | 56,369 square feet |

E. Development in Boston + Somerville

| Total Area in Acres: | 6.57 acres |
|----------------------|---|
| Square Feet: | 286,225 square feet |
| Total FAR | 3.49 |
| Total GFA | 997,159 square feet |
| Maximum FAR | 2.70 |
| GFA | 771,159 square feet |
| FAR | 0.79 |
| GFA | 226,000 square feet |
| Minimum Public, | |
| Green Area or | TBD |
| Permeable Open | IBD |
| Space Provided: | |
| Other Open Space in | TBD |
| Square feet: | IDD |
| Maximum permitted: | TBD |
| wiaximum perimited. | IDD |
| Proposed Number: | TBD |
| | Square Feet: Total FAR Total GFA Maximum FAR GFA FAR GFA Minimum Public, Green Area or Permeable Open Space Provided: Other Open Space in Square feet: Maximum permitted: |

II. PHASES

A. Statistical Summary - Phase 1A1. Overall Dimensional Limits

| a. Parcel Areas | Total Phase 1A in Square Feet: | 454,406 square feet |
|--------------------|----------------------------------|-------------------------------|
| b. Floor Area | Total GFA | 2,086,950 square feet |
| c. Non-Residential | GFA | 444,336 square feet |
| c. Non-Residential | Retail GFA | TBD |
| d. Residential | GFA | 1,642,614 square feet |
| | Public, Green Area or Permeable | 4.12 acres or 179,902 square |
| e. Open Space | Open Space Provided: | feet |
| | Other Open Space in Square feet: | TBD |
| | Non-residential: | See Special Permit |
| f. Parking Spaces | Residential: | TBD - Average of 0.75/unit at |
| | | full build-out for all phases |
| g. Dwelling Units | Proposed Number: | TBD |

2. Dimensional Limits on Individual Parcels

| marvioual Farceis | 1 | |
|--|--|--|
| | a. Total Parcel Area: | 100,837 square feet |
| | b. Total GFA: | 406,795 square feet |
| | c. Use: | Mixed-use |
| | d. Non-Residential GFA: | TBD |
| Parcel I | e. Retail: | Allowed, 25,714 square feet |
| | f. Residential GFA: | 374,343 square feet |
| | g. Total Parking Spaces: | TBD |
| | h. Associated Public, Green Area or Permeable Open Space: | TBD |
| | a. Total Parcel Area: | 49,284 square feet |
| | b. Total GFA: | 394,000 square feet |
| | c. Use: | Residential |
| Dancel N (consulated union to | d. Non-Residential GFA: | 8,600 square feet |
| Parcel N (completed prior to this Major Amendment) | e. Retail: | 8,600 square feet |
| uns wajor Amendment) | f. Residential GFA: | 385,400 square feet |
| | g. Total Parking Spaces: | 184 |
| | h. Associated Public, Green Area or Permeable Open Space: | 8,760 square feet |
| | a. Total Parcel Area: | 62,502 square feet |
| | b. Total GFA: | 371,828 square feet |
| | c. Use: | Mixed-use |
| | d. Non-Residential GFA: | 371,828 square feet |
| Parcel JK | e. Retail: | Allowed, 15,600 square feet |
| | f. Residential GFA: | None |
| | g. Total Parking Spaces: | TBD |
| | h. Associated Public, Green Area or Permeable Open Space: | TBD |
| Parcel T (completed prior to this Major Amendment) | a. Total Parcel Area: | 38,986 square feet |
| | b. Total GFA: | 242,194 square feet |
| | c. Use: | Residential |
| | d. Non-Residential GFA: | None |
| | e. Retail: | Retail not proposed |
| | f. Residential GFA: | 242,194 square feet |
| | g. Total Parking Spaces: | 151 spaces in garage, 79 spaces at other locations on NorthPoint |
| | h. Associated Public, Green Area or Permeable Open Space: | 13,861 square feet |

| | a. Total Parcel Area: | 30,090 square feet |
|------------------------------|----------------------------------|-----------------------------------|
| | b. Total GFA: | 112,398 square feet |
| | c. Use: | Residential |
| | d. Non-Residential GFA: | None |
| Parcel S (completed prior to | e. Retail: | None |
| this Major Amendment) | f. Residential GFA: | 112,398 square feet |
| | g. Total Parking Spaces: | 51 spaces in garage, 49 spaces at |
| | 0 0 1 | other locations on NorthPoint |
| | h. Associated Public, Green Area | 11,255 square feet |
| | or Permeable Open Space: | 11,233 square reet |
| | a. Total Parcel Area: | 30,475 square feet |
| | b. Total GFA: | 312,399 square feet |
| | c. Use: | Residential |
| | d. Non-Residential GFA: | None |
| Parcel L | e. Retail: | Allowed, None |
| | f. Residential GFA: | 312,399 square feet |
| | g. Total Parking Spaces: | TBD |
| | h. Associated Public, Green Area | TBD |
| | or Permeable Open Space: | ТВД |
| | a. Total Parcel Area: | 30,475 square feet |
| | b. Total GFA: | 212,142 square feet |
| | c. Use: | Mixed Use |
| | d. Non-Residential GFA: | 3,000 square feet |
| Parcel M | e. Retail: | Required, 3,000 square feet |
| | f. Residential GFA: | 209,142 square feet |
| | g. Total Parking Spaces: | TBD |
| | h. Associated Public, Green Area | TDD |
| | or Permeable Open Space: | TBD |
| Parcel Q1 | a. Total Parcel Area: | 14,799 square feet |
| | b. Total GFA: | 18,823 square feet |
| | c. Use: | Commercial |
| | d. Non-Residential GFA: | 18,823 square feet |
| | e. Retail: | Required, 8,533 square feet |
| | f. Residential GFA: | None |
| | g. Total Parking Spaces: | None |
| | h. Associated Public, Green Area | TDD |
| | or Permeable Open Space: | TBD |

| | a. Total Parcel Area: | 20,743 square feet |
|----------|----------------------------------|------------------------------|
| | b. Total GFA: | 16,371 square feet |
| | c. Use: | Commercial |
| | d. Non-Residential GFA: | 16,371 square feet |
| Parcel W | e. Retail: | Required, 16,371 square feet |
| | f. Residential GFA: | None |
| | g. Total Parking Spaces: | TBD |
| | h. Associated Public, Green Area | TBD |
| | or Permeable Open Space: | 160 |

B. Statistical Summary - Phase 1B1. Overall Dimensional Limits

| a. Parcel Areas | Total Phase 1B in Square Feet: | 383,237 square feet |
|--------------------|----------------------------------|---|
| b. Floor Area | Total GFA: | 1,937,348 square feet |
| c. Non-Residential | GFA: | 1,554,602 square feet |
| c. Non-Residential | Retail GFA: | 0 |
| d. Residential | GFA: | 382,746 square feet |
| | Minimum Public, Green Area or | 3.6 acres or 158,820 square feet |
| e. Open Space | Permeable Open Space Provided: | 3.0 acres of 136,620 square feet |
| | Other Open Space in Square feet: | TBD |
| | Maximum non-residential: | See Special Permit |
| f. Parking Spaces | | TBD $0.5 - 1.0$ spaces/unit for each building - |
| 1. Farking Spaces | Residential: | Average of 0.75/unit at full build-out for all |
| | | phases |
| g. Dwelling Units | Proposed Number: | TBD |

2. Dimensional Limits on Individual Parcels – Phase 1B

| Parcel C | a. Total Parcel Area: | 69,003 square feet |
|-----------|---|---------------------|
| | b. Total GFA: | 382,746 square feet |
| | c. Use: | Mixed-use |
| | d. Non-Residential GFA: | TBD |
| | e. Retail: | Allowed, amount TBD |
| | f. Residential GFA: | TBD |
| | g. Total Parking Spaces: | TBD |
| | h. Associated Public, Green Area or | TBD |
| | Permeable Open Space: | |
| | a. Total Parcel Area: | 87,225 square feet |
| Parcel EF | b. Total GFA: | 419,529 square feet |
| | c. Use: | Commercial |
| | d. Non-Residential GFA: | 419,529 square feet |
| | e. Retail: | Allowed, amount TBD |
| | f. Residential GFA: | None |
| | g. Total Parking Spaces: | TBD |
| | h. Associated Public, Green Area or Permeable Open Space: | TBD |

| Parcel G | a. Total Parcel Area: | 101,610 square feet |
|----------|--|---------------------|
| | b. Total GFA: | 452,798 square feet |
| | c. Use: | Commercial |
| | d. Non-Residential GFA: | 452,798 square feet |
| | e. Retail: | Allowed, None |
| | f. Residential GFA: | None |
| | g. Total Parking Spaces: | TBD |
| | h. Associated Public, Green Area or Permeable Open Space: | TBD |
| | a. Total Parcel Area: | 79,430 square feet |
| | b. Total GFA: | 366,321 square feet |
| | c. Use: | Commercial |
| | d. Non-Residential GFA: | 366,321 square feet |
| Parcel H | e. Retail: | Allowed, None |
| | f. Residential GFA: | None |
| | g. Total Parking Spaces: | TBD |
| | h. Associated Public, Green Area or Permeable Open Space: | TBD |
| Parcel U | a. Total Parcel Area: | 45,969 square feet |
| | b. Total GFA: | 315,954 square feet |
| | c. Use: | Commercial |
| | d. Non-Residential GFA: | 315,954 square feet |
| | e. Retail: | Retail not proposed |
| | f. Residential GFA: | None |
| | g. Total Parking Spaces: | TBD |
| | h. Associated Public, Green Area or Permeable Open Space: | TBD |

C. Statistical Summary - Phase 2

1. Overall Dimensional Limits

| a. Parcel Areas | Total Phase 2 in Square Feet: | 426,813 square feet |
|--------------------|---|---|
| b. Floor Area | Total GFA: | 1,221,556 square feet |
| c. Non-Residential | Maximum GFA: | 186,124 square feet |
| | Retail GFA: | 24,1331 square feet |
| d. Residential | Minimum GFA: | 1,035,432 square feet |
| e. Open Space | Minimum Public, Green Area or Permeable Open Space Provided: | Balance of 11 acres |
| | Other Open Space in Square feet: | TBD |
| f. Parking Spaces | Maximum non-residential: | See Special Permit |
| | Residential: | TBD 0.5 – 1.0 spaces/unit for each building - Average of 0.75/unit at full build-out for all phases |
| g. Dwelling Units | Proposed Number: | TBD |

2. Dimensional Limits on Individual Parcels – Phase 2

| | a. Total Parcel Area: | 65,373 square feet |
|-----------|---|-----------------------------|
| Parcel A | b. Total GFA: | 93,971 square feet |
| | c. Use: | Residential |
| | d. Non-Residential GFA: | None |
| | e. Retail: | Retail not proposed |
| | f. Residential GFA: | 93,971 square feet |
| | g. Total Parking Spaces: | TBD |
| | h. Associated Public, Green Area or | TBD |
| | Permeable Open Space: | |
| | a. Total Parcel Area: | 80,325 square feet |
| | b. Total GFA: | 335,251 square feet |
| | c. Use: | Residential |
| | d. Non-Residential GFA: | TBD |
| Parcel B | e. Retail: | Allowed, amount TBD |
| | f. Residential GFA: | TBD |
| | g. Total Parking Spaces: | TBD |
| | h. Associated Public, Green Area or | TBD |
| | Permeable Open Space: | |
| | a. Total Parcel Area: | 59,838 square feet |
| | b. Total GFA: | 306,491 square feet |
| | c. Use: | Mixed-use |
| | d. Non-Residential GFA: | TBD |
| Parcel D | e. Retail: | Allowed, amount TBD |
| | f. Residential GFA: | TBD |
| | g. Total Parking Spaces: | TBD |
| | h. Associated Public, Green Area or | TBD |
| | Permeable Open Space: a. Total Parcel Area: | 114,928 square feet |
| | a. Total Parcel Area:b. Total GFA: | |
| | | 163,794 square feet |
| | c. Use: d. Non-Residential GFA: | Commercial |
| Parcel Q2 | D . 11 | 163,794 square feet |
| | e. Retail: f. Residential GFA: | Required, 1,801 square feet |
| | | None |
| | g. Total Parking Spaces: | TBD |
| | h. Associated Public, Green Area or Permeable Open Space: | TBD |
| | i crineable Open Space. | |

| | T (1 D 1 A | 16.212 |
|----------|--|------------------------------|
| Parcel R | a. Total Parcel Area: | 46,343 square feet |
| | b. Total GFA: | 140,194 square feet |
| | c. Use: | Mixed-use |
| | d. Non-Residential GFA: | TBD |
| | e. Retail: | Required, 18,342 square feet |
| | f. Residential GFA: | 121,852 square feet |
| | g. Total Parking Spaces: | TBD |
| | h. Associated Public, Green Area or Permeable Open Space: | TBD |
| Parcel V | a. Total Parcel Area: | 60,006 square feet |
| | b. Total GFA: | 181,855 square feet |
| | c. Use: | Mixed Use |
| | d. Non-Residential GFA: | 3,988 square feet |
| | e. Retail: | Required, 3,988 square feet |
| | f. Residential GFA: | 177,867 square feet |
| | g. Total Parking Spaces: | TBD |
| | h. Associated Public, Green Area or Permeable Open Space: | TBD |





