

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

2022 MAY -3 PM 4:44
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

WRITTEN DETERMINATION MINOR AMENDMENT TO PLANNED UNIT DEVELOPMENT

Case Number:	179 Amendment #9 (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:	June 30, 2021
Date of Determination:	March 15, 2022
Summary of Proposal:	Minor Amendment to Final Development Plan to construct two pedestrian bridges between the Parcel H building and Parcel G, which will increase the Gross floor Area (GFA) associated with both parcels, and to approve the increase in commercial GFA on Parcels G and H will be offset by a reduction in commercial GFA on Parcel U.
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 6/28/2021, including summary letter, development status table, revised statistical summary of the approved master plan (Appendix I) dated June 2021, and Cambridge Crossing Design Review Revision for Parcels G and H prepared by nbbj, dated 6/23/2021.
2. Revised request for Minor Amendment to PUD Development Plan from DivcoWest Real Estate Investments, dated 9/10/2021, including summary letter, development status table, revised statistical summary of the approved master plan (Appendix I) dated June 2021, and Cambridge Crossing Design Review Revision for Parcels G and H prepared by nbbj, dated 9/9/2021.
3. Presentation slides shown to Planning Board on 9/21/2021.
4. Revised request for Minor Amendment to PUD Development Plan from DivcoWest Real Estate Investments, dated 2/9/2022, including zoning compliance report for parcels G and H, revised statistical summary of the approved master plan (Appendix I), and Cambridge Crossing Design Review Revision for Parcels G and H prepared by nbbj, dated 2/9/2022.
5. Presentation slides shown to Planning Board on 3/15/2022.

Other Documents

6. Memo to the Planning Board from Community Development Department (CDD) Staff, dated 9/14/2021.
7. Memo to the Planning Board from CDD Staff, dated 3/8/2022.

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), and October 15, 2019 (Minor).

The requested Minor Amendment includes a proposal to construct two pedestrian bridges between the Parcel H building (450 Water Street) and Parcel G building (350 Water Street), which will increase the gross floor area (GFA) associated with Parcels G and H. The addition of the pedestrian bridges would add 1,903 square feet of GFA to Parcel G and 1,210 square feet of GFA to Parcel H. This increase in gross floor area is offset by a reduction in commercial GFA on Parcel U of 4,238 square feet.

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.

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 additional square footage to Parcel G and H (+ 3,113 square feet) is offset by a reduction of 4,238 square feet to Parcel U, resulting in a total net reduction of 1,125 square feet. Overall, this results in very little change from the previously approved Development Program, and the overall project will remain within the total permitted non-residential GFA. Therefore, the Board finds that sufficient information has been provided in the Request for a Minor Amendment dated February 9, 2022 and the communication from CDD staff dated March 8, 2022 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.

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. Appendix I and Exhibit A, attached to this Determination, summarize the dimensional characteristics of the PUD as modified by this Minor Amendment.
2. The pedestrian bridges approved by this Minor Amendment are subject to design review and approval by the Planning Board, which was granted concurrently with this Minor Amendment. Materials and other design details shall be subject to continuing review by Community Development Department (CDD) staff. Prior to the issuance of a building permit, CDD staff shall certify that the construction plans for the pedestrian connectors are in substantial conformance with the Conditions of this Minor Amendment and with the approved design.
3. Except as explicitly set forth above, the existing Conditions of Special Permit PB-179, as modified by prior Amendments, shall continue to apply.

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

For the Planning Board,



Catherine Preston Connolly, Chair.

A copy of this determination approving Amendment #9 (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.

ATTEST: A true and accurate copy of the above decision has been filed on May 3, 2022, with the Office of the City Clerk by Swaathi Joseph, duly authorized representative of the Planning Board. All plans referred to in the decision 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

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)
b. Floor Area	FAR at North Point:	2.66
	FAR at Lechmere	2.5
	Total GFA	5,245,854 square feet
c. Non-Residential	Maximum FAR	1.10
	Approved GFA	2,185,062 square feet for all non-residential uses
	Retail GFA:	300,000 square feet at North Point Amount TBD at Lechmere
d. Residential	Maximum FAR:	1.55
	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
f. Parking Spaces	Maximum Permitted:	3,807 spaces +300 replacement MBTA 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

a. Parcel Area	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
b. Floor Area	FAR at North Point:	2.54
	FAR at Lechmere:	2.5
	GFA at North Point:	4,102,825 square feet
	GFA at Lechmere:	181,855 square feet
	Total GFA:	4,248,695 square feet
c. Non-Residential	Maximum FAR at North Point:	TBD
	Maximum FAR at Lechmere:	TBD
	Approved GFA at North Point:	1,409,063 square feet
	Approved GFA at Lechmere:	3,988 (Retail Only)
d. Residential	Minimum FAR at North Point:	TBD
	Minimum FAR at Lechmere:	TBD
	Approved GFA at North Point:	2,656,925 square feet
	Approved GFA at Lechmere:	177,867 square feet
e. Open Space	Minimum Public, Green Area or Permeable Open Space Provided at North Point:	323,507 square feet
	at Lechmere:	11,000 square feet
	Other Open Space in Square feet:	TBD
f. Parking Spaces	Maximum non-residential at North Point:	See Special Permit
	at Lechmere:	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 municipalities
g. Dwelling Units	Proposed Number:	TBD

C. Development in Somerville

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

D. Development in Boston

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

E. Development in Boston + Somerville

a. Parcel Area	Total Area in Acres:	6.57 acres
	Square Feet:	286,225 square feet
b. Floor Area	Total FAR	3.49
	Total GFA	997,159 square feet
c. Non-Residential	Maximum FAR	2.70
	GFA	771,159 square feet
d. Residential	FAR	0.79
	GFA	226,000 square feet
e. Open Space	Minimum Public, Green Area or Permeable Open Space Provided:	TBD
	Other Open Space in Square feet:	TBD
f. Parking Spaces	Maximum permitted:	TBD
g. Dwelling Units	Proposed Number:	TBD

II. PHASES

A. Statistical Summary - Phase 1A

1. 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
	GFA	444,336 square feet
c. Non-Residential	Retail GFA	TBD
	GFA	1,642,614 square feet
d. Residential	GFA	1,642,614 square feet
e. Open Space	Public, Green Area or Permeable Open Space Provided:	4.12 acres or 179,902 square feet
	Other Open Space in Square feet:	TBD
f. Parking Spaces	Non-residential:	See Special Permit
	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

Parcel I	a. Total Parcel Area:	100,837 square feet
	b. Total GFA:	400,057 square feet
	c. Use:	Mixed-use
	d. Non-Residential GFA:	TBD
	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
Parcel N (completed prior to this Major Amendment)	a. Total Parcel Area:	49,284 square feet
	b. Total GFA:	394,000 square feet
	c. Use:	Residential
	d. Non-Residential GFA:	8,600 square feet
	e. Retail:	8,600 square feet
	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
Parcel JK	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
	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

Parcel S (completed prior to this Major Amendment)	a. Total Parcel Area:	30,090 square feet
	b. Total GFA:	112,398 square feet
	c. Use:	Residential
	d. Non-Residential GFA:	None
	e. Retail:	None
	f. Residential GFA:	112,398 square feet
	g. Total Parking Spaces:	51 spaces in garage, 49 spaces at other locations on NorthPoint
	h. Associated Public, Green Area or Permeable Open Space:	11,255 square feet
Parcel L	a. Total Parcel Area:	30,475 square feet
	b. Total GFA:	312,399 square feet
	c. Use:	Residential
	d. Non-Residential GFA:	None
	e. Retail:	Allowed, None
	f. Residential GFA:	312,399 square feet
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD
Parcel M	a. Total Parcel Area:	30,475 square feet
	b. Total GFA:	218,880 square feet
	c. Use:	Mixed Use
	d. Non-Residential GFA:	3,000 square feet
	e. Retail:	Required, 3,000 square feet
	f. Residential GFA:	215,880 square feet
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area 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 or Permeable Open Space:	TBD

Parcel W	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
	e. Retail:	Required, 16,371 square feet
	f. Residential GFA:	None
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD

B. Statistical Summary - Phase 1B

1. 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
	Retail GFA:	0
d. Residential	GFA:	382,746 square feet
e. Open Space	Minimum Public, Green Area or Permeable Open Space Provided:	3.6 acres or 158,820 square feet
	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 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 Permeable Open Space:	TBD
Parcel EF	a. Total Parcel Area:	87,225 square feet
	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
Parcel H	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
	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

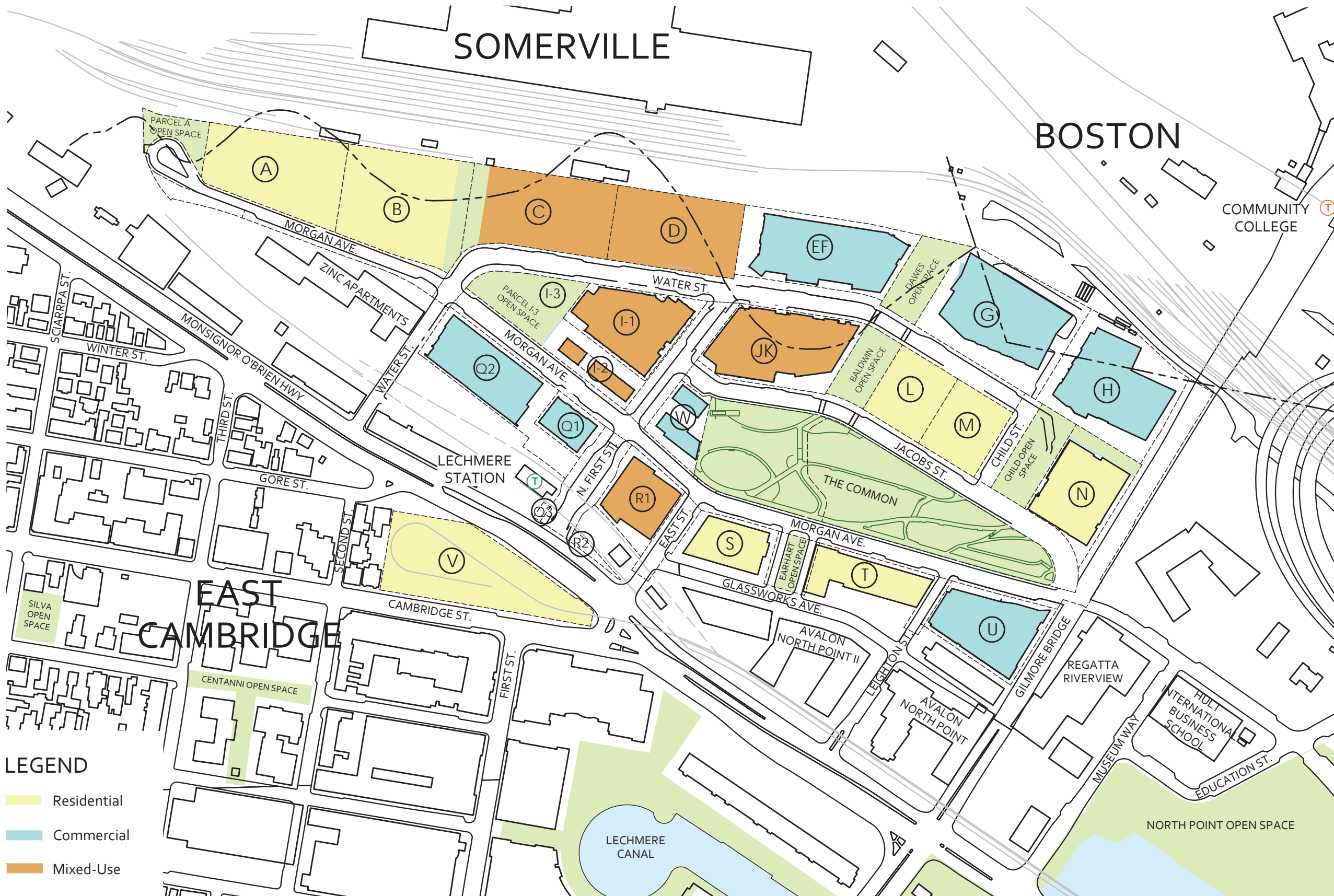
a. Parcel Areas	Total Phase 2 in Square Feet:	426,813 square feet
b. Floor Area	Total GFA:	1,221,556 square feet
c. Non-Residential	Maximum GFA:	186,124 square feet
	Retail GFA:	24,1331 square feet
d. Residential	Minimum GFA:	1,035,432 square feet
e. Open Space	Minimum Public, Green Area or Permeable 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

Parcel A	a. Total Parcel Area:	65,373 square feet
	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 Permeable Open Space:	TBD

Parcel B	a. Total Parcel Area:	80,325 square feet
	b. Total GFA:	335,251 square feet
	c. Use:	Residential
	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 Permeable Open Space:	TBD
Parcel D	a. Total Parcel Area:	59,838 square feet
	b. Total GFA:	306,491 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 Permeable Open Space:	TBD
Parcel Q2	a. Total Parcel Area:	114,928 square feet
	b. Total GFA:	163,794 square feet
	c. Use:	Commercial
	d. Non-Residential GFA:	163,794 square feet
	e. Retail:	Required, 1,801 square feet
	f. Residential GFA:	None
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD
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



LEGEND

- Residential
- Commercial
- Mixed-Use

Table 1:
GFA by Parcel

PARCEL	GFA	USE
A	93,971	RESIDENTIAL
B	335,251	RESIDENTIAL
C	382,746	MIXED-USE
D	306,491	MIXED-USE
EF	419,529	COMMERCIAL
G	452,798	COMMERCIAL
H	366,321	COMMERCIAL
I	400,057	MIXED-USE
JK	371,828	MIXED-USE
L	312,399	RESIDENTIAL
M	218,880	RESIDENTIAL
N	394,000	RESIDENTIAL
Q1	18,823	COMMERCIAL
Q2	163,794	COMMERCIAL
R	140,194	MIXED-USE
S	112,398	RESIDENTIAL
T	242,194	RESIDENTIAL
U	315,954	COMMERCIAL
V	181,855	RESIDENTIAL
W	16,371	COMMERCIAL
TOTAL	5,245,854	

Table 2:

TOTAL GFA Approved by Special Permit	
Maximum Non Residential:	2,185,062 gsf
Maximum Residential:	3,060,792 gsf
Maximum Total:	5,245,854 gsf