

NORTHPOINT

Cambridge, Massachusetts

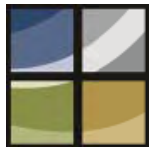
Application for Amendments to PUD Development Plan and Project Review Special Permits



Prepared for:
CJUF III NORTHPOINT LLC



c/o The HYM Investment Group, LLC
One Congress Street
10th Floor, Suite 101
Boston, MA 02114



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*Submitted in Compliance with the City of Cambridge Zoning Ordinance
and the Notice of Decision on the Final Development Plan for the NorthPoint Project filed
with the Office of the City Clerk on April 15, 2003*

PB #179

September 7, 2012



September 7, 2012

Cambridge Planning Board
City Hall Annex
344 Broadway
Cambridge, MA 02139
Attention: Elizabeth Paden

Via: Hand Delivery

**Subject: Request for Special Permit Amendments
Development Proposal
NorthPoint (PB #179)**

Dear Chairman Russell and Members of the Board:

The HYM Investment Group, LLC is excited to submit the attached Request for Special Permit Amendments for the NorthPoint project on behalf of CJUF III NORTHPOINT, LLC. This filing is submitted in accordance with the *City of Cambridge, Massachusetts Zoning Ordinance* (the "Zoning Ordinance") and the *Notice of Decision Final Development Plan* (Case No. PB#179) filed with the City Clerk's Office on April 15, 2003 (the "original Special Permit").

The purpose of the proposed amendments is to follow up on the recently enacted changes in the Zoning Ordinance for the North Point PUD Area. The amendments will establish a revised Master Plan that will enhance the proposed development by incorporating a new retail square, adding significant additional public open space, and providing space for a public market planned for the site, all of which serve the residents of the district and the general public alike. In addition, the amendments will enable adjustments to the building massing and heights, and make changes in the proposed development that will facilitate the successful development of the site, such as the ability to locate parking on lower building floors next to the Gilmore Bridge and an extension of the term of the Special Permit from its current expiration date (April 15, 2023) to December 31, 2030. **These adjustments will be achieved without changing the approved development square footage, the ratio of residential and commercial uses, or the previously approved traffic mitigation.**

The proposed amendments are consistent with the intent of the original Special Permit issued for the project, and with the policy objectives set forth in the *Eastern Cambridge Plan*, guidance provided in the *Eastern Cambridge Design Guidelines* and in more recent studies. The recently approved amendments to the Zoning Ordinance that allows for many of the changes in the Master Plan was recommended by the Board and approved by the City Council on July 30, 2012.

More specifically, the overarching goals of the requested amendments are as follows:

- Establishment of a vibrant new retail plaza to be called Lechmere Square;
- Appropriate integration of the Lechmere Green Line MBTA Station;
- Creation of additional public park and plaza areas, totaling approximately two (2) acres, dispersed throughout the site;
- Creation of a better pedestrian experience at the ground level and across Monsignor O'Brien Highway;
- Incorporation of a public market;
- Redistribution of approved development density and land uses in an appropriate manner to compensate for the additional retail plaza and open space being proposed;
- Advancement of an apartment tower on Parcel N;
- Creation of direct public pedestrian and bicycle access from the Gilmore Bridge to the site; and
- Extension of the special permit term and increased flexibility to allocate particular uses among buildings in order to accommodate market conditions.

The changes to the previously approved Master Plan and Special Permit are specifically described in Section 2 of the Application.

For the past 18 months, we have been meeting and coordinating with key stakeholders including City staff, local community representatives, MBTA officials and other State officials. We have listened to their input and have incorporated their suggestions, where feasible, to make this project more exciting and responsive to the opportunities that the site presents. We have received positive feedback on the proposed amendments and believe that the Planning Board will find that they will result in a significantly improved project.

The proposed amendments to the original Special Permit are being submitted to the Board as a Major Amendment, meaning that this application shall be subject to all of the same notice and hearing requirements as would be applicable to a new Special Permit. Under the original Special Permit, the Board shall consider the substance of the proposed changes (and not review the entirety of the original Special Permit) where proposed changes do not constitute “a substantial alteration to the intent, purpose and substance” of the original Special Permit. The changes proposed in this Application do not include any changes in the FAR of the project, the allocation of Gross Floor Area between various uses, nor the intent, purpose and substance of the original Special Permit for phased development of a primarily residential, transit-oriented, mixed-use project incorporating a large central open space and the relocated Lechmere MBTA Station.

The following is an overview of the requested changes/enhancements to the approved NorthPoint special permit:

- A Revised Master Plan (Exhibit A) that i) shows the updated on-site roadway network to better accommodate the proposed MBTA Lechmere Green Line Station, ii) shows the

addition of the two (2) acres of open space, iii) shows the shift of some of the approved commercial square footage to parcels along the MBTA commuter rail yards and the shift of some of the approved residential square footage to parcels along the NorthPoint Common (formerly called the Central Park).

- A Revised Appendix I (Exhibit B), in the same format as the original special permit, detailing the use and square footage by lot and which parcels are included in each phase.
- A Revised Appendix II (Exhibit C), updated to demonstrate how the revised Master Plan is incorporating public pedestrian and bicycle access from the Gilmore Bridge down to the site, as required in the original special permit.
- A updated “Figure 1 Height Zones” (Exhibit D) which shows the revised height zones within the NorthPoint PUD District as recently approved by the Cambridge City Council. (Expansion of the 150’-220’ height zone towards parcels J, K, L and M).
- A updated “Height Diagram” (Exhibit E), a 3D axonometric representation of the height zones, also updated for the revised height zones as recently approved by the Cambridge City Council.
- A revised 40 scale Street Layout Plan (Exhibit F), which depicts minor changes to the previously approved on-site road network for the NorthPoint development. This includes the re-alignment of North First Street which dramatically improves the plaza space in front of the proposed MBTA Green Line Lechmere Station and which facilitates the creation of the new Lechmere Square Retail Plaza. (Note: Full size plans of this revised roadway network have been distributed, as required, to the various City of Cambridge Departments.)
- An updated “Conceptual Retail Plan” (Exhibit G) which updates the potential location of retail uses with the revised layout of the Master Plan. Please note the applicant is not proposing any changes to the approved amount of retail, which is capped at 150,000 GSF per a previous amendment to the special permit, nor any change to the type of retail that will be included.
- A new “Proposed 220’ Height Parcel Identification Plan” (Exhibit H), which depicts which parcels can have 220’ buildings within the 150’-220’ height zone. This parcel identification is intended to achieve consensus between the applicant and the Planning Board where the additional height is appropriate and to ensure the additional two (2) acres of open space can be created by shifting approved GFA to these parcels. The applicant has staggered/alternated these potential 220’ height parcels to create a variety of building heights through the 150’-220’ height zone, particularly when near the NorthPoint Common.
- A revised Open Space Plan (Exhibit I), which depicts the locations and approximate breakdown of the 11.0 acres of total open space, including the proposed additional two (2) acres of open space the applicant is proposing. (Note: The original special permit and master plan included 9.0 acres of open space.)
- A revised Phasing Plan, (Exhibit J-2), which shows minor changes for three parcels and the parcels included within each Phase of development. The original master plan depicted three phases of development: Phase 1A, 1B and 2, and allocated a specific amount of commercial/residential square footage into each of these phases. This phasing then

became the trigger/threshold of the proposed traffic mitigation requirements of NorthPoint. These proposed minor changes to phases by the applicant are simply to ensure that either the same or a lesser amount of commercial square footage and residential square footage remain within each of the phases following the changes in building sizes. This was done primarily to ensure that the agreed upon triggers for traffic mitigation would continue to be appropriate for the NorthPoint development.

- A new Exhibit K 500' Radius Plan is included herein illustrating the area within which Additional FAR for Proximity to Transit is allowed. This is our interpretation of the area referenced in Article 13.74.11 (Map 13.81).
- Exhibit L is documentation of the validity of the existing Traffic Impact Study ("TIS"). This is being submitted concurrently to the Traffic, Parking and Transportation Department in order that they may review and certify the existing TIS.

In addition, the requested changes include an extension of the term of the Special Permit to December 31, 2030, changes in the Special Permit to allow greater flexibility in designating the uses for particular buildings without changing the previously established limits for the project as a whole and for each particular phase, and other less significant changes that are described specifically in Section 2 of the Application.

The above items are presented in more detail in the attached project narrative and we will also present these proposed changes in greater detail when we are before the Cambridge Planning Board.

As required, enclosed are two original printed applications with original signatures, plus fifteen additional copies, of the amendment package, which includes the information outlined in the following Table of Contents. We have also provided one CD-ROM containing all application materials in digital format meeting the requirements of the *Planning Board City of Cambridge, Massachusetts Special Permit Application Requirements* guidance document.

We will coordinate with the CDD staff on the installation of a public notification panel(s) at the site. The location of panel(s) is depicted on Exhibit F. The panel(s) will be erected and maintained in accordance with Article 10 Section 42.1 of the City of Cambridge Zoning Ordinance.

We understand that the Community Development Department will provide the requisite legal newspaper and abutter notices advertising the public hearing associated with this request.

I wish to emphasize again the fact that this application is not requesting any changes in the amount of approved GFA, or GFA allocation between residential and commercial uses, or the previously approved traffic mitigation. This request is focused primarily on the redistribution of mass and height to accommodate the proposed additional open space and proposed retail square, in addition to enhancing and increasing community benefits.



We look forward to meeting with the Board at the October 2, 2012 hearing. Thank you for your consideration of this Request.

A handwritten signature in blue ink, appearing to read "T. O'Brien", is positioned above the typed name.

Thomas N. O'Brien, Managing Director
The HYM Investment Group, LLC
On behalf of CJUF III NORTHPOINT, LLC

Enclosures

- cc: Cambridge City Clerk (1 copy via Hand Delivery)
Cambridge Traffic, Parking and Transportation Department (1 copy via Hand Delivery)
Cambridge Department of Public Works (1 copy via Hand Delivery)
Cambridge City Engineer (1 copy via Hand Delivery)
Cambridge City Arborist (1 copy via Hand Delivery)
Cambridge Water Department (1 copy via Hand Delivery)
Cambridge Conservation Commission (1 copy via Hand Delivery)
Cambridge LEED Specialist (1 copy via Hand Delivery)

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Section 1.0
Application Forms

Special Permit Application Cover Sheet

Ownership Certificates

Fee Schedule

Dimensional Form

Certification of Receipt of Plans by City of Cambridge

[Completed Forms with Originals]:

Traffic, Parking & Transportation

Department of Public Works

Tree Arborist

Water Department

LEED Specialist



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

SPECIAL PERMIT APPLICATION • COVER SHEET

In accordance with the requirements of the City of Cambridge Zoning Ordinance, the undersigned hereby petitions the Planning Board for one or more Special Permits for the premises indicated below.

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 District:

North Point Residence District and the PUD in the North Point Residence District (Section 13.70); Residence C-2B and the PUD-4A (Section 13.50)

Applicant Name:

CJUF III Northpoint, LLC

Applicant Address:

c/o The HYM Investment Group, LLC One Congress Street, Boston, MA 02114

Contact Information:

617-248-8905

tobrien@hyminvestments.com

617-248-8958

Telephone #

Email Address

Fax #

List all requested special permit(s) (with reference to zoning section numbers) below. *Note that the Applicant is responsible for seeking all necessary special permits for the project. A special permit cannot be granted if it is not specifically requested in the Application.*

Request for amendment to the existing following NorthPoint special permits:

Case No. 179 (April 15, 2003): Planned Unit Development Special Permits (Section 13.70 and 13.50) & Project Review Special Permit (Section 19.20)

Case No. 179 - Minor Amendment #1 (March 6, 2007)

Case No. 179 - Minor Amendment #2 (November 18, 2008)

List all submitted materials (include document titles and volume numbers where applicable) below.

See attached

Signature of Applicant:

For the Planning Board, this application has been received by the Community Development Department (CDD) on the date specified below:

Date

Signature of CDD Staff

OWNERSHIP CERTIFICATE

Project Address:

Application Date:

This form is to be completed by the property owner, signed, and submitted with the Special Permit Application:

I hereby authorize the following Applicant: CJUF III NorthPoint, LLC

at the following address: c/o The HYM Investment Group, LLC One Congress Street
Boston, MA 02114

to apply for ~~a special permit for~~: Amendments to Planned Unit Development and Project Review
Special Permits

on premises located at: MBTA Green Line Lechmere Station
at Cambridge Street and O'Brien Highway; North Point west
of the Gilmore Bridge and centered on East Street

for which the record title stands in the name of: Massachusetts Bay Transportation Authority

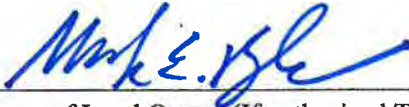
whose address is: State Transportation Building, Ten Park Plaza, Boston, MA
02116

by a deed duly recorded in the:

Registry of Deeds of County: Middlesex Book: _____ Page: _____

OR Registry District of the Land Court,
Certificate No.: _____ Book: _____ Page: _____

See attached

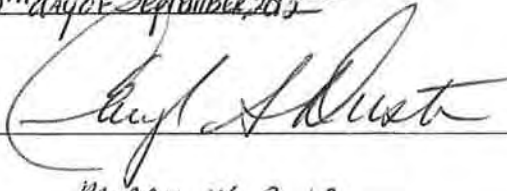

Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)

To be completed by Notary Public:

Commonwealth of Massachusetts, County of SUFFOLK

The above named MARK E. BOYLE personally appeared before me,

on the month, day and year 5th day of SEPTEMBER, 2012 and made oath that the above statement is true.

Notary: 

My Commission expires: MARCH 14, 2012

OWNERSHIP CERTIFICATE

Project Address:

Application Date:

This form is to be completed by the property owner, signed, and submitted with the Special Permit Application:

I hereby authorize the following Applicant: CJUF III NorthPoint, LLC

at the following address: c/o The HYM Investment Group, LLC One Congress Street
Boston, MA 02114

to apply for ~~a special permit for~~ Amendments to Planned Unit Development and Project Review
Special Permits

on premises located at: MBTA Green Line Lechmere Station
at Cambridge Street and O'Brien Highway; North Point west
of the Gilmore Bridge and centered on East Street

for which the record title stands in the name of: Boston and Maine Corporation

whose address is: 1700 Iron Horse Park, N. Billerica, MA 01862

by a deed duly recorded in the:

Registry of Deeds of County: Middlesex

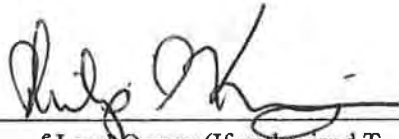
Book:

Page:

OR Registry District of the Land Court,
Certificate No.:

Book:

Page:



See attached

Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)

To be completed by Notary Public:

Commonwealth of Massachusetts, County of Suffolk

The above named Philip D. Kingman personally appeared before me,

on the month, day and year Sept. 5, 2012 and made oath that the above statement is true.

Notary:

Marianne D. Shippee

My Commission expires:

July 25, 2019



FEE SCHEDULE

Project Address:

Application Date:

The Applicant must provide the full fee (by check or money order) with the Special Permit Application. Depending on the nature of the proposed project and the types of Special Permit being sought, the required fee is the larger of the following amounts:

- If the proposed project includes the creation of new or substantially rehabilitated floor area, or a change of use subject to Section 19.20, the fee is ten cents (\$0.10) per square foot of total proposed Gross Floor Area.
- If a Flood Plain Special Permit is being sought as part of the Application, the fee is one thousand dollars (\$1,000.00), unless the amount determined above is greater.
- In any case, the minimum fee is one hundred fifty dollars (\$150.00).

Fee Calculation Not applicable for amendment

New or Substantially Rehabilitated Gross Floor Area (SF): $\times \$0.10 =$

Flood Plain Special Permit Enter \$1,000.00 if applicable:

Other Special Permit Enter \$150.00 if no other fee is applicable:

TOTAL SPECIAL PERMIT FEE Enter Larger of the Above Amounts:

DIMENSIONAL FORM

See Exhibit B Revised Appendix I and other exhibits to the application.

Final building dimensions will be determined as part of design review.

Project Address:**Application Date:**

	Existing	Allowed or Required (max/min)	Proposed	Permitted
Lot Area (sq ft)				
Lot Width (ft)				
Total Gross Floor Area (sq ft)				
Residential Base				
Non-Residential Base				
Inclusionary Housing Bonus				
Total Floor Area Ratio				
Residential Base				
Non-Residential Base				
Inclusionary Housing Bonus				
Total Dwelling Units				
Base Units				
Inclusionary Bonus Units				
Base Lot Area / Unit (sq ft)				
Total Lot Area / Unit (sq ft)				
Building Height(s) (ft)				
Front Yard Setback (ft)				
Side Yard Setback – Side? (ft)				
Side Yard Setback – Side? (ft)				
Rear Yard Setback (ft)				
Open Space (% of Lot Area)				
Private Open Space				
Permeable Open Space				
Other Open Space (Specify)				
Off-Street Parking Spaces				
Bicycle Parking Spaces				
Loading Bays				

Use space below and/or attached pages for additional notes:



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

CERTIFICATION OF RECEIPT OF PLANS BY CITY OF CAMBRIDGE TRAFFIC, PARKING & TRANSPORTATION

City Department/Office:

Project Address: 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

Applicant Name: CJUP III Northpoint, LLC

For the purpose of fulfilling the requirements of Section 19.20 and/or 6.35.1 and/or 5.28.2 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the application documents submitted to the Planning Board for approval of a Project Review Special Permit for the above referenced development project: (a) an application narrative, (b) small format application plans at 11" x 17" or the equivalent and (c) Certified Traffic Study. The Department understands that the receipt of these documents does not obligate it to take any action related thereto.

Signature of City Department/Office Representative

Date



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

CERTIFICATION OF RECEIPT OF PLANS BY CITY OF CAMBRIDGE DEPARTMENT OF PUBLIC WORKS

City Department/Office:

Project Address: 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

Applicant Name: CJUF III Northpoint, LLC

For the purpose of fulfilling the requirements of Section 19.20 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the application documents submitted to the Planning Board for approval of a Project Review Special Permit for the above referenced development project: (a) an application narrative and (b) small format application plans at 11" x 17" or the equivalent. The Department understands that the receipt of these documents does not obligate it to take any action related thereto.

Catherine Mitrano

9.6.12

Signature of City Department/Office Representative

Date



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

CERTIFICATION OF RECEIPT OF PLANS BY CITY OF CAMBRIDGE TREE ARBORIST

City Department/Office:

Project Address: 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

Applicant Name: CJUF III Northpoint, LLC

For the purpose of fulfilling the requirements of Section 4.26, 19.20 or 11.10 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the application documents submitted to the Planning Board for approval of a MultiFamily, Project Review or Townhouse Special Permit for the above referenced development project: a Tree Study which shall include (a) Tree Survey, (b) Tree Protection Plan and if applicable, (c) Mitigation Plan, twenty one days before the Special Permit application to Community Development.

Signature of City Department/Office Representative

9-6-12

Date



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

CERTIFICATION OF RECEIPT OF PLANS BY CITY OF CAMBRIDGE WATER DEPARTMENT

City Department/Office:

Project Address: 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

Applicant Name: CJUP III Northpoint, LLC

For the purpose of fulfilling the requirements of Section 19.20 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the application documents submitted to the Planning Board for approval of a Project Review Special Permit for the above referenced development project: (a) an application narrative and (b) small format application plans at 11" x 17" or the equivalent. The Department understands that the receipt of these documents does not obligate it to take any action related thereto.

Signature of City Department/Office Representative

Date



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

CERTIFICATION OF RECEIPT OF PLANS BY CITY OF CAMBRIDGE LEED SPECIALIST

City Department/Office:

Project Address: 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

Applicant Name: CJUF III Northpoint, LLC

For the purpose of fulfilling the requirements of Section 22.20 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the application documents submitted to the Planning Board for approval of a Special Permit for the above referenced development project: (a) an application narrative, (b) small format application plans at 11" x 17" or the equivalent and (c) completed LEED Project Checklist for the appropriate LEED building standard, accompanying narrative and affidavit. The Department understands that the receipt of these documents does not obligate it to take any action related thereto.


Signature of City Department/Office Representative

9/6/2012
Date