

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

Case No: PB#144

Address: Technology Square

Zoning: Industry B District

Owners/Applicant: Technology Square, LLC, c/o Beacon Capital
Partners, Inc., One Federal St., Boston, MA 02110

Application Date: February 22, 1999

Public Hearing: April 20, 1999

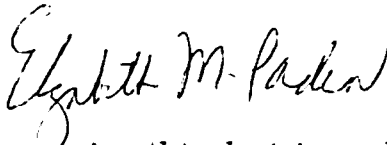
Planning Board Decision: July 6, 1999

Date of Filing Decision: July 16, 1999

Application: Interim Planning Overlay Permit (Section 11.500) for
599,000 square feet of Research and Development Office use.

Decision: Appeals, if any, shall be made pursuant to Section 17 of
Massachusetts General Laws, Chapter 40A, and shall be filed within
twenty (20) days after the filing of the above referenced decision with the
City Clerk. Copies of the complete decision and final plans, if applicable,
are on file with the Office of the Community Development Department
and the City Clerk.

Authorized Representative
to the Planning Board



For further information concerning this decision, please call Liza Paden
at 349-4647, TTY: 349-4621, email lpaden@ci.cambridge.ma.us.

1999 JUL 16 P 3:36
CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

Case No: PB#144

Address: Technology Square

Zoning: Industry B District

Owners/Applicants: Technology Square, LLC, c/o Beacon Capital Partners, Inc., One Federal St., Boston, MA 02110

Application Date: February 22, 1999

Planning Board Decision: July 6, 1999

Date of Filing Decision: July 16, 1999

Application

Special Permit application, with ownership certificate, dimensional form, zoning review, and supporting statement dated complete 2/22/99.

Plans, Area map, site location, existing public transportation, existing and proposed ground figure, photographs of the site and views of the area; context diagrams; existing conditions; site plan; urban design diagrams (2 sheets); cross sections; site elevations. For 100 Technology Square the following: basement and first floor plans, typical and penthouse floor plans, west and south elevations, north and east elevations. For 300 Technology Square the following: first floor plan, floor plans for 2-5 and 6-7, west, south, north and east elevations. For 600 and 700 Technology Square the following: first floor and floors 2-3 plans, floors 4-5 and 6 and the roof plans, west, south, north and east elevations. For 700 Technology Square the following: south and north elevations. For the garage: garage plan floor 1, roof plan, garage building elevations. All dated 2/22/99.

Traffic Impact Assessment/IPOP, dated February 1999, prepared by Vanasse & Associates, Inc.

Traffic Impact Assessment/IPOP, Technical Appendix, dated March 3, 1999, prepared by Vanasse & Associates, Inc.

Letter to Giles Ham, Vanasse and Associates, Inc., from Susan Clippinger, Traffic, Parking and Transportation, dated 2/17/99.

Certificate of Compliance from Susan Clippinger, dated 2/23/99.

Letter to Giles Ham, Vanasse and Associates, Inc., from Susan Clippinger, Traffic, Parking and Transportation, dated 2/24/99.

Other Documents Submitted

Letter from Vanasse and Associates to Susan Clippinger containing an analysis and conceptual plan of the redesigned segment of Broadway between Portland Street and Galilei Way and signalization of the Broadway and Hampshire Street intersection, dated 4/2/99.

Letter to the Planning Board from Vice Mayor Anthony D. Galluccio, dated 4/20/99.

Letter to the Planning Board from Councilor Michael A. Sullivan, dated 4/20/99.

Letter to the Planning Board from James W. Gascoigne, Executive Director of the Charles River Transportation Management Association, dated 4/20/99.

Letter to the Planning Board from Susanne Rasmussen, Parking and Transportation Demand Management Officer, dated 4/20/99.

Letter to the Planning Board from Stephen H. Kaiser, dated 4/26/99.

Letter to the Planning Board from Susan E. Clippinger, Director of Traffic, Parking and Transportation, re: Tech Square IPOP Analysis, dated 4/13/99.

Letter to the Planning Board from Barry Zevin, dated 5/4/99

Copy of letter to James J. Rafferty, Esq., Adams & Rafferty, attorney for the applicant, from William A. Bonn, Senior Vice President and General Council, Beacon Partners, dated 5/4/99 re: potential conflicts of interest for Planning Board member Hugh Russell.

Findings

After review of the application documents, testimony presented at the public hearing and subsequent information provided by the applicant, staff of the City of Cambridge and the general public, the Planning Board makes the following findings.

1. Conformance to the requirements of the Planning Overlay Special Permit, Section 11.500 of the Zoning ordinance.

a. Submittal of Required Documents

All requirements of Section 11.511 have been met with the submittal of a complete application, including a certified traffic study and confirmation that additional special permits or variances will not be required.

b. Finding of no substantial adverse impact on city traffic.

The Planning Board identified five criteria that would assist in determining whether a project should be found to cause substantial adverse traffic impact: (1) project vehicle trip generation, (2) traffic generated on residential streets, (3) effect on level of service at identified intersections, (4) length of traffic queues at identified intersections, and (5) nearby locations with a high incidence of accidents. Only four of the indicators directly related to the project's impacts exceed the thresholds enumerated by the Board. Two failures involve the level of service at the intersection of Hampshire street and Broadway. The redesign of Broadway between Portland Street and Galilei Way and the addition of a signal at the intersection of Hampshire Street and Broadway improve the level of service so that the project no longer fails this criterion; the permittee shall be responsible for such improvements as set forth in Condition 3a below. The AM and PM trip generation failures are only modestly above the thresholds established.

In addition to the impacts generated by the project itself, five intersections through which traffic from this project will flow currently exceed the threshold for accidents established by the Board. Mitigation that will be required by this Decision also requires changes to the pavement markings at two of these high accident locations: Portland and Hampshire Streets and Portland Street and Broadway. These changes will improve safety at the two intersections. In addition, the permittee will be required by this Decision to assist in safety improvements at Third and Binney Streets.

The Board finds that anticipated non conformance with its threshold criteria does not make it likely the project will have a substantial adverse traffic impact. Therefore, the Board concludes that the project will have no substantial adverse impact on city traffic with the implementation of the mitigation measures imposed by the Board as conditions of this Decision.

c. Conformance with Enumerated Growth Policies

The Planning Board further finds that the project is consistent with the growth policies enumerated in Section 11.500.

(1) Policy 13: Pace of development, maintenance of the tax base, adjustment to changing economic conditions, consistent with urban design plans, disruption of neighborhoods, overburden infrastructure.

The proposal anticipates build-out of the site at a scale well below that currently allowed and consistent with density changes proposed to this portion of the Industry B district that have been made by the Planning Board and other others in the past (i.e. the FAR proposed is 2.53 rather than the 4.0 allowed in the Industry B district). The southeastern portion of the site is within a quarter mile of the Kendall Square MBTA Red Line station, generally identified as an acceptable walking distance for commuters. The proposal reasonably balances the policy goal of having additional development densities adjacent to public transit where non auto access to places of employment is most possible, while limiting development density immediately abutting a low density residential neighborhood and at locations somewhat removed from public transit service.

The development program suggests that the future Technology Square will be better integrated functionally and physically into the larger, evolving Kendall Square urban core and will strengthen the growing concentration of high technology enterprise and support services thereby providing additional facilities for their use.

While no detailed urban design plan has been formulated by the city for this location, many of the policies in ***Toward a Sustainable Cambridge*** provide ample guidance as to the kind of urban environment that is encouraged here. The transformation of the physical layout and programmatic composition of Technology Square as proposed in this application are fully consistent with city policy: an isolated, self contained office block is proposed to be reoriented outward to the public streets; setbacks are being used adjacent to the residential development to provide an appropriate transition; internal vehicular and pedestrian circulation is reorganized to create a new system of circulation akin to a public street grid; and substantial retail

use in service to the office tenants as well as the general public is introduced for the first time. The entire complex will be more accessible to the general public and better integrated into the life of the city around it.

(2) Policy 27: Affordable housing and neighborhood character.

The Industry B district within which Technology Square is located does not allow residential use. The location of the project at the interface of the Kendall Square commercial district and residential Neighborhood 4 would provide an opportunity for inclusion of some housing in the development if it had been permitted. Nevertheless, this edge is of critical importance as it is where the dense commercial scale of Kendall Square meets the residential scale of the neighborhood at Portland Street (see comments below).

(3) Policy 39: Minimize impacts on abutting neighborhoods.

Section 11.500 is specifically designed to address the principal impact development at this site would have on residential neighborhoods: significant adverse traffic impacts which can radiate widely from any given site into nearby neighborhoods. One adopted criterion for measuring such adverse impact is included in the Planning Board's Section 11.500 criteria for impacts on residential streets, as those streets are identified within the scope of the required traffic analysis. This criterion is not exceeded on any residential street segment required to be subject to analysis by the City of Cambridge.

As indicated in the discussion of Policy #27, the Portland Street edge is a special case. The current condition at that edge is dominated by incidental landscaped green space, surface parking lots, and service areas with a suburban office park character. The current arrangement has the one virtue of providing some space between the differing uses and scales of development on either side of the street. The development proposal would insert a moderately scaled commercial building at this location, providing a more traditional urban, commercial edge along Portland Street. While in concept this configuration is acceptable to the Board, it is concerned about the impact of the new

construction on the housing across Portland Street as the proposed arrangement is looked at in specific detail. For that reason the Board has enumerated specific issues of design that should receive attention during staff review of the project, after the special permit is granted.

More generally, a series of circulation spaces and entry points is proposed, and a use mix suggested, that are intended to invite public entry into the complex and to encourage the public to pass through it to other destinations. Such improvements will diminish the site as a barrier and transform it into a more natural extension of the public circulation system of the city.

(4) Policy 66: Open space facilities.

The site is not currently organized to provide for active recreational facilities nor will it be with the additional construction proposed. Rather, the potential at this site is in providing smaller scaled open space amenities that more directly benefit the general public as settings for passive enjoyment or as a visual amenity available to every passer-by. While the site has relatively low building coverage now, the open areas on the site lose much of their beneficial impact by being threaded with service roads, parking lots, and loading facilities or by being minimally landscaped. Where a significant, carefully designed open space is provided, as at the Main Street plaza, it is not currently situated so as to attract active public use or integrated into a system of ground floor uses that would encourage either tenant or general public interest.

Even with increased building density and site coverage, the proposal makes significant improvements to the open space amenities on the site: (1) Most surface parking is transferred to structures; (2) site circulation is reorganized to provide logical pathways for pedestrians and vehicles to enter and move through the site, as in typical city street grids; (3) an aggressive program of expanding the range of uses accommodated in the development is proposed so as to provide a natural reason for a wide range of people to enter the site and make use of its services and amenities; and (4) the smaller spaces at the periphery of the site and within the site are redesigned in a coordinated way to better exploit their function as visual amenities or buffers between the higher density commercial construction and the adjacent

public streets and lower scaled residential development at Portland Street. The existing plaza is redesigned to make it more accessible to the general public and of more direct interest to them.

2. Conformance to the general criteria for the issuance of special permits contained in Section 10.40 of the Zoning Ordinance:.

A special permit will normally be granted unless the specifics of the proposal would cause the granting of the special permit to be a detriment to the public interest because of the particulars of the location or use, not generally true of the district or of the uses permitted in it.

a. The requirements of the Ordinance cannot be met.

With the issuance of this special permit the requirements of the Ordinance are met.

b. Traffic generated or patterns of access and egress will cause congestion, hazard, or substantial change in established neighborhood character.

Section 11.500 of the Ordinance establishes a higher standard for traffic impact than is required here. As proposed and with the mitigation measures set forth as conditions of this permit no substantial change in neighborhood character will result nor will it result in congestion or hazard. Significant improvements to both vehicular and pedestrian circulation will be made.

c. The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance will be adversely affected by the nature of the proposed use.

The proposed development is similar to other activities and uses in the vicinity. The Planning Board has made note of residential use abutting on the Portland Street side of the development. With additional analysis of the building and site designs advanced for this edge, with an eye to modifying the design in ways that will further reduce its visual and functional impact, the Planning Board finds that this residential edge will not be adversely impacted.

d. Nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City.

No nuisance or hazard will be created.

e. For other reasons, the proposed use would impair the integrity of the district or the adjoining district, or otherwise derogate from the intent and purpose of this Ordinance.

The proposed development will not impair the integrity of the Industry B district or adjoining residential districts, or otherwise derogate from the intent and purpose of the Zoning Ordinance.

Decision

Based on a review of the application documents, comments made at the public hearing and other comments received by the Board, and based on the above findings the Planning Board **GRANTS** the requested special permit subject to the following conditions and limitations.

1. All use, building construction, and site plan development shall be in approximate conformance with the plans and application documents submitted to the Planning Board, including any non construction actions and commitments made in support of the project on and off the site, which documents are referenced above and dated February 22, 1999, except as they may be modified in response to the conditions and limitations set forth below by this Decision. The Community Development Department (CDD) shall certify such conformance for plans submitted to the Inspectional Services Department for a building permit prior to issuance of any building permit.
2. The project shall continue to undergo design review with the staff of the CDD with particular focus on the following:
 - a. The character of the building and the arrangement of loading and other facilities along the Portland Street edge: Greater modulation of the form of the building, relocation or buffering of the loading facility, and review of the pedestrian entry points along this edge, among other possibilities, should be explored as means to better ease the transition between the existing housing and the new construction.
 - b. Modification of the additions to the top of the parking garage to reduce or eliminate the appearance of such addition as viewed from Portland Street; such modifications will likely include pulling

back much of the new construction from the top of the parking garage along the Portland Street edge of the garage.

c. Overall building designs: As the schematic proposals undergo design development, review should ensure that the goals articulated in the application are achieved in the final designs, e.g. a pedestrian friendly and inviting ground floor on all buildings, well located and detailed retail spaces where those uses are feasible, well integrated circulation and open space systems and pathways that encourage use and activity throughout the precinct, etc..

d. Develop with others, including the Cambridge Redevelopment Authority, the City of Cambridge, Amgen and Biogen, Inc., a coordinated network of efficient and inviting pathways through an environment appealing to pedestrians, throughout the entire Kendall Square area, with the intention that this system will encourage walking as an effective alternate mode of transportation serving the all developments in the district.

3. In order to ensure that this development over the long term continues to comply with the standards for the issuance of this Section 11.500 special permit, the following mitigation measures shall be required:

a. The permittee shall continue to work with the Traffic, Parking and Transportation Department (TPTD) to develop the conceptual plan for the reconstruction of Broadway between Portland Street and Galilei Way, including signalization of the Hampshire Street intersection, into a final plan; the permittee shall fund all required improvements of this plan. The TPTD shall approve the final plan and construction schedule prior to implementation. The permittee will construct the changes the under City review and final acceptance prior to receiving a certificate of occupancy for the first building.

b. All conditions and requirements of the Parking and Transportation Demand Management Final Decision (PTDM) as authorized by Ordinance #1211 of the City of Cambridge are made a condition of this permit.

c. The parking provided shall be reduced by 180 spaces from that proposed in the application, resulting in a net increase of 442 accessory parking spaces and a total of 2,596 spaces on site.

d. The permittee shall, within ninety days of 90% occupancy of the project, conduct a survey of its employees, in a manner acceptable to the Community Development Department in consultation with

the TPTD, to determine demand for shuttle service to the MBTA Green Line station at Lechmere and report the findings of such survey to the Community Development Department and the Charles River Transportation Management Association (CRTMA). The permittee shall cooperate with the CRTMA and other businesses in the East Cambridge area in any similar survey undertaken by them for the same purpose.

The survey analyses shall be updated in two, twelve month intervals after the issuance of the first report, taking into account any additional development occupied within that interim period.

Should sufficient demand be identified for such shuttle service, the permittee shall be obligated to participate financially in the operation of such a service proportionately to the number of its employees in the total of all employees of companies participating in the shuttle service. The determination as to whether sufficient demand exists for such a service shall be made by the CDD and the TPTD in consultation with the permittee.

e. The permittee shall, in a form and manner approved by the CDD in consultation with the TPTD, annually monitor the modes of travel to work undertaken by employees, to determine consistency with trip generation assumptions presented in the permit application. The survey instrument shall also be designed to solicit employee attitudes with regard to their travel modes and programs that might encourage use of other than single occupancy vehicle (SOV) trips. The permittee shall report all findings to the CDD in a timely manner.

The permittee shall, at two year intervals, undertake parking utilization counts for its designated parking spaces and report all findings to the CDD in a timely manner.

f. To the extent that it is within the authority of the permittee undertake, the permittee shall designate no less than ten (10) percent of the parking spaces in each of the parking facilities available to on-site employees for preferential parking for carpoolers and vanpoolers, in order to encourage ridesharing. These spaces shall be clearly signed and/or marked for ridesharers only. Ridesharers may be required to register with the applicant to receive a rideshare parking space permit to display on their vehicle. The use of these spaces shall be monitored periodically to ensure that they serve ridesharers only. If monitoring indicates under-utilization of these spaces, the number of spaces reserved for rideshare parking may be adjusted to better reflect actual

usage. Such adjustment shall be permitted thirty days after the permittee has reported its findings and intent to make such adjustments to the Traffic, Parking and Transportation Department, unless the Department indicates its objection to the permittee in writing within thirty days of receipt of the report.

g. The permittee shall bear a portion of the cost of installing changes to traffic signals at Third and Binney Streets to accommodate an exclusive left turn phase as determined by the TPTD based upon the number of development proposals that receive a similar special permit under Section 11.500 of the Ordinance and that impact this intersection.

4. The permittee shall participate in the on-going maintenance of Lever Square (at the intersection of Hampshire Street and Broadway) with the City of Cambridge and other abutters, in a form and manner to be determined by the City of Cambridge in consultation with the permittee and other abutters to the Square. Such maintenance shall include new landscaping, snow removal from sidewalks, trash pick-up, and like maintenance actions.

5. Unless otherwise indicated in this decision, any plan or survey instrument required to be approved by the CDD or the TPTD by any condition of this permit shall receive such approval before issuance of any Certificate of Occupancy for construction authorized by this Decision by the Superintendent of Buildings, unless the department informs the Superintendent in writing that approval is to be granted at a subsequent date.

Voting in the affirmative to grant the Special Permit were P. Dietrich, C. Mieth, H. Russell, A. Cohn, S. Lewis, and F. Darwin, associate member appointed by the Chair to act in the place of a regular member, constituting more than the two thirds of the members of the Board necessary to grant a special permit.

Respectfully Submitted,

Handwritten signature of Paul Dietrich in cursive script.

Paul Dietrich, Chairman

A copy of this decision 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 correct copy of the above decision filed with the Office of the City Clerk on July 16, 1999, by Elizabeth M. Paden, authorized representative of the Cambridge Planning Board. All plans referred to in the decision have likewise been filed with the City Clerk on such date.

Twenty (20) days have elapsed since the filing of this decision.

No appeal has been filed.

DATE:

City Clerk
City of Cambridge

APPENDIX Dimensional Form - PB #144 Technology Square IPOP

	Allowed/Required	Existing	Proposed	Granted
FAR	4.0	1.80 ¹	2.53 ²	2.53
Floor Area	2,758,136	1,042,131 ³	1,641,000 ⁴	1,641,000
Max Height	120 feet	120 ft plus	see attached summary	see summary attached
Max Angle above cornice line	NA	NA	NA	NA
Min Lot Size	none	689,534 ⁵	no change ⁵	no change
Min Lot area/du	NA	NA	NA	NA
Max # du	NA	NA	NA	NA
Min Lot Width	none	865 ft	no change	no change
Min Yard Setbacks	none		see summary	see summary
Front		0		0
Side Left		NA		NA
Side Right		NA		NA
Rear		NA		NA
Ratio Usuable O.S.	none	47%	40%	40%
Off Street Parking				
Min #	1.0/KSF		+662	+442
Max #	1.5/KSF	2,154 ⁶	2,776 total	2,596
Handicapped	20+1/1000 spaces		20	20
Bicycle spaces	1/10 auto spaces		62	62
Loading Bays	2 / first 100,000 1/add. 100,000		12	12

see attached sheet for footnotes to dimensional form submitted in the IPOP special permit application

FOOTNOTES TO DIMENSIONAL FORM

- | | | | | |
|----|--------------|---|-------------|-----------------------------|
| 1. | Building FAR | = | 1.51 | |
| | Parking FAR | = | <u>0.29</u> | spaces in excess of 1.5/KSF |
| | Zoning FAR | = | 1.80 | |
| 2. | Building FAR | = | 2.26 | |
| | Atrium FAR | = | 0.12 | (floors 2-7 of open atrium) |
| | Parking FAR | = | <u>0.15</u> | spaces in excess of 1.5/KSF |
| | Zoning FAR | = | 2.53 | |

3. Existing Gross Floor Area

Building 545 (200)	155,751
Building 549	43,319
Building 555	460,864
Building 565 (400)	192,615
Building 575 (500)	189,582
	<hr/>
	1,042,131

4. Proposed Gross Floor Area (Note change in building numbers)

Existing Buildings

Building 200 (was 545)	155,751
Building 555	460,864
Building 400 (was 565)	192,615
Building 500 (was 575)	189,582

New Buildings

Building 100 (East)	347,553	(includes 98,000 sf atrium)
Building 300 (Central)	118,621	
Building 600 (Portland)	121,950	
Building 700 (Portland)	54,376	
	<hr/>	
	1,641,131	

Net New Buildings 599,000

4. Site currently consists of 6 lots held in common ownership. Total site size is 689,534 (15.83 acres).
5. 2,154 spaces currently exist: 1,800 in garage, 255 on surface.
6. 2,776 total proposed spaces; 2,741 in garage, 35 on internal drives. Increase of 622 spaces = 1.04 spaces per 1,000 sf of additional space.