NOTICE OF DECISION

Case No: PB#150

Address: One Kendall Square

Zoning: Industry B District

Owners/Applicants: Amgen Inc. on behalf of Amgen Cambridge Real Estate Holdings Inc., One Amgen Center Drive, Thousand Oaks, California 91320-1789

Application Date: April 12, 1999

Public Hearing: May 25, 1999

Planning Board Decision: July 20, 1999

Date of Filing Decision: July 28, 1999

Application: Interim Planning Overlay Permit (Section 11.500) for 285,000 square feet of research and development use.

Decision: GRANTED with conditions.

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.

Special Permit #150

Amgen
Application

1. Special Permit application, with ownership certificate, dimensional form, project tracking form and supporting statement dated and certified complete on April 12, 1999

2. "Amgen Center, Cambridge, MA" Plans (21 sheets) and drawings of proposed research and development facility, including existing conditions plan, landscape concept plan, layout and materials plan, grading and drainage plan, utility plan, floor plans for each level of the facility, elevations, longitudinal building section and transverse building section; dated

3. Project Photographs


5. Additional material to supplement the Traffic Impact Assessment/IPOP dated 4/12/99, prepared by VHB.

6. Additional analysis of Fulkerson and Binney Streets, dated 5/11/99 and 5/19/99 prepared by VHB.

Other Documents Submitted


Copy of a letter to Susan Clippinger, from VHB, dated 3/9/99

Copy of a letter to Joan Peyrebrune, of VHB, from Susan Clippinger, director of the Traffic, Parking, and Transportation Department, dated 3/17/99

Letter from Pete McCawley, Site Development Manager, Amgen Inc., dated 5/10/99; background on Amgen; response to Section 11.500; architectural/urban design executive summary, renderings and plans; traffic study executive summary.

Letter to the Planning Board from Susan Clippinger, dated 5/11/99, reviewing the IPOP traffic study.

Letter to the Planning Board from Barbara Broussard, Secretary of the East Cambridge Planning Team, dated 5/14/99.

Letter to the Planning Board from Ranjit Siganayagam, Assistant Commissioner/Zoning Specialist

Letter to the Planning Board from Susan Clippinger, dated 5/25/99; possible mitigation actions for Amgen.

Letter from Peter McCawley, Site Development Manager, Amgen Inc. dated 6/22/99, responding to certain specific issues raised at 5/25/99 session of public hearing; conceptual design studies.

Letter from Peter McCawley, site Development manager, Amgen, Inc., dated 7/13/99, responding to design review comments raised at the 6/22/99 Planning Board meeting; proposed design studies


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. For criteria (1), (2) and (4), which are indicators of potentially adverse traffic impacts directly related to the project, the project is within acceptable limits specified by the Board. With respect to criterion (3), one intersection (Binney Street at Galilei Way and Fulkerson Street) has been identified as a potential location for inadequate level of service as a result of the project. Mitigation measures, such as those proposed by Amgen and others developed by Amgen in consultation with the City of Cambridge Traffic, Parking and Transportation Department, will be explored, and implemented if feasible, to improve the level of service at this intersection.

With respect to criterion (5), which is an indicator of existing conditions unrelated to the project, several locations have been identified as having unfavorable accident histories. Mitigation measures that will be required by this Decision will improve the safety of these accident locations.

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 will replace a number of deteriorating buildings within the larger One Kendall Square development, which development has been proceeding for more than a decade,
principally through the rehabilitation of older industrial buildings, with some new infill construction. Much of the infrastructure needed to support this building has been in place for some time, including supporting accessory parking.

The proposed construction is not inconsistent with the existing dense development of most historic industrial structures on the large block within which the building is located; the Historical Commission has not designated the industrial buildings to be demolished as Preferably Preserved Significant Buildings. The demolition and new construction provides the opportunity of enhancing the network of pedestrian paths and spaces that have been developing within One Kendall Square.

As with other construction in the Kendall Square area with similar use programs, this facility will serve the city’s long term employment objectives in that research and development and production facilities are located in the city and solidified as the company’s activities expand and diversify. The growing concentration of high technology enterprise and support services locating in Kendall Square will be further strengthened.

As with any new construction, this facility will add to the city’s expanding tax base and the revenue derived from it.

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

The site is within the larger One Kendall Square development; housing has not been programmed by the private owners within this complex nor is it allowed in the Industry B district that governs private development at this location. Adjacent sites within One Kendall Square are heavily committed to office and R&D uses with ground floor retail. While it is possible that housing might have been a component of this larger development should it have been planned for in the past, this particular location is not particularly congenial to residential development as it is adjacent to the railroad right of way, removed from a public street, surrounded by commercial uses and well removed from other supporting residential development.
(3) Policy 39: Minimize impacts on abutting neighborhoods.

Section 11.500 is specifically designed to address the principal impact development that this site would have on residential neighborhoods: i.e., significant adverse traffic impacts. One adopted criterion for measuring such adverse impact is the amount of traffic directed to nearby residentially developed streets. The suggested improvements to the intersection at Fulkerson Street and Binney Street, as a measure to mitigate the impacts of the project at this intersection, will be reviewed to ensure that there will be no unacceptable impacts on residential streets. Actual residential occupancy is separated from this site by similar commercial construction north of Binney Street and between this site and Medeiros Way. As the building is well removed from existing housing, its physical features (e.g. height and bulk) and operational characteristics (e.g. parking and delivery access and noise) are not likely to significantly negatively impact enjoyment of the residential qualities of life in East Cambridge, Wellington Harrington or Neighborhood Four. However, building design and pedestrian circulation considerations identified by the Planning Board and addressed in the conditions set forth below do affect residents more generally as they traverse through this precinct of the city and do specifically impact residents of East Cambridge and Neighborhood 4, who can be expected to make use of the services and facilities present in the One Kendall Square area more frequently than any other residents of the City.

(4) Policy 66: Open space facilities.

The redevelopment of this site will free up space at the ground, which will allow further enhancement of the existing system of pedestrian ways already established at One Kendall Square. A significant new plaza space will be created. The Planning Board is urging further study of pedestrian circulation throughout the Kendall Square/Technology Square/One Kendall Square district to make this open space and others, both existing and proposed, better integrated and more useful to the general public. Amgen has agreed to work with the city and its neighbors in this effort to help develop a pedestrian master
plan for this area. Such an effort is particularly relevant as the convenience and appeal of pedestrian access from this proposed development and others in the vicinity to the MBTA service at the Red Line station in Kendall Square will determine in part whether alternate modes of access to the jobs in Kendall Square can effectively compete with access via motor vehicles.

In addition, every effort should be made by the permittee to make the ground floor of the building inviting for pedestrians, including consideration of establishing retail uses that would be available to the general public.

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, such as those proposed by Amgen and others developed by Amgen in consultation with the City of Cambridge Traffic, Parking and Transportation Department, set forth below as conditions of this permit no substantial change in neighborhood character will result nor will it result in congestion or hazard.

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 proposal is similar to other activities at One Kendall Square and other nearby sites, and like them consistent with permitted zoning uses.

*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, the adjoining MXD district, or other adjoining, industrial 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 **general** 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 April 12, 1999 as modified by revised design plans presented by the permittee to the Planning Board on July 20, 1999 and further 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. **Appendix I summarizes the dimensional features of the project as approved.**

2. The project shall continue to undergo design review with the staff of the CDD with the intent of making modifications that are practical and feasible in the following areas:
a. Modification of the location of the building on the subject lot in order to provide for a landscaped buffer area between the easterly side of the building (the building's loading and delivery areas) and the areas adjacent to the railroad right of way, which may be the future location of a recreational pedestrian/bicycle path to be used by the general public;

b. Developing a design of the first floor spaces on the easterly side of the building to present an active urban streetscape appearance;

c. Developing ground floor building elements and uses along the interior, westerly facade of the building that contribute to the effectiveness of the evolving network of efficient and inviting pathways appealing to pedestrians that is being develop with the cooperation of the permittee and others Kendall Square area. Ground floor retail or similar uses shall be actively considered;

d. As such design review approaches completion, Amgen will provide shadow studies to the staff for their review.

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, prior to occupancy of the project, prepare a complete analysis of the impact on future build traffic of opening the median on Binney Street and installing a signal. The analysis must include a complete warrant analysis, level of service, and the reassignment of existing, project, and future traffic that will be created by the change. The increase or decrease of trips on Fulkerson, Cardinal Medeiros and Third Streets must be quantified.

Permittee shall consult with the Community Development Department, East Cambridge Planning Team, Neighborhood Four, and other interested community groups to present the proposed design and anticipated impacts and to seek input from such sources in modifying and refining such proposal.

If the Traffic, Parking and Transportation Department (TPTD) determines that the modification developed as a result of this community process should be implemented, the permittee shall bear 100% of the cost of construction of such proposed change.
b. The permittee shall, within ninety days of 90% occupancy of the project, conduct a survey of its employees, in a manner acceptable to the CDD 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.

c. The permittee shall, in a form and manner approved by the CDD and TPTD, annually monitor the modes of travel to work undertaken by employees to determine consistency with trip generation assumptions 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 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 the portion of the parking garage that is allocated to this project and report all findings to the CDD in a timely manner.

d. The permittee shall bear 100% of the installation of a crosswalk warning lights system and a raised crosswalk at the mid-block crosswalk on Binney Street between the One Kendall Square garage and the project site. The installation shall be completed prior to the issuance of the Certificate of Occupancy. The permittee shall share with the city technical information
about the installation so that it may be shared by other interested parties.

f. The permittee shall provide a 100% subsidy, or up to the maximum allowed under the federal tax code, for MBTA passes for all its employees who work at the site and shall require tenants of spaces in the project to offer free MBTA passes to their employees.

g. To encourage use of public transportation, the permittee will not subsidize employee parking in the One Kendall Square Garage except for employees with disabilities who commute to work by automobile.

h. The permittee will work with the Community Development Department and the Cambridge Redevelopment Authority to assist in the planning and development of the proposed bicycle and pedestrian path along the easterly side of the railroad right of way; as part of the project, the permittee will create a landscape buffer between the project site and the railroad tracks; and at the appropriate time the permittee will, at its expense, construct the portion of such path adjacent to the project site.

In addition the permittee shall cooperate with the Community Development Department, the Cambridge Redevelopment Authority and other property owners in the planning and development of improvements to Parcel 7 as a publicly accessible and inviting open space asset for the district. Parcel 7 is owned by the Cambridge Redevelopment Authority and is within the Kendall Square Urban Renewal Area.

i. To the extent that it is within the authority of the permittee to undertake, the permittee shall designate no less than ten (10) percent of the parking spaces 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.

j. 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.

k. The permittee shall fund pedestrian improvements at Medeiros Way/Binney Street and Bristol Street, in an amount and manner to be determined by the TPTD.

l. The permittee shall participate in the funding of signal timing and intersection stripping improvements at key intersections, in an amount and manner to be determined by the TPTD.

m. Implementation of the transportation demand management measures proposed in the Traffic Impact Study, March 1999, referenced above and set forth in Appendix II of this Decision, and as supplemented by subsequent communications listed above, shall be a condition of this permit.

4. 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 C. Mieth, A. Cohn, H. Russell, W. Tibbs and K. Benjamin, Associate Member appointed by the Vice Chair to act in place of an absent member, constituting more than the two thirds of the members of the Board necessary to grant a special permit.
For the Planning Board,

Carolyn [Signature]

C. Mieth, Vice Chair

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 28, 1999, by Roger Boothe, 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 #150 Amgen

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* and ** see attached
* Buildings 800, 900 and 1,000 located on the project site are currently unoccupiable and will be demolished pursuant to the proposed construction plan.

** Pursuant to the Parking lease with the existing parking garage at One Kendall Square, dated 1/12/95, Applicant has leasing rights in one parking space per each 1,000 square feet of developed gross floor area and a maximum of one and one-half (1.5) parking spaces per each 1,000 square feet of developed gross floor area, with the option to increase the number of spaces leased should the Cambridge Zoning Ordinance require such an increase. The Parking Garage is located across the street from the project site.
Appendix II

Transportation Demand Management Plan

In addition to the roadway, bicycle, and pedestrian improvements recommended above, Amgen will implement a Transportation Demand Management (TDM) Program to minimize the use of single-occupant vehicles and reduce peak hour demands. Amgen has extensive experience with TDM programs, having implemented and operated comprehensive TDM programs at their Thousand Oaks, California facility for eight years.

The program to be implemented at the Kendall Square site will include the following components:

- Membership in the Charles River Transportation Management Association
- Promotion of Public Transportation
- Staggered and Flexible Work Hours
- Ridesharing Program
- Provision of Bicycle Amenities
- Designation of Transportation Coordinator
- On-Site Employee Services
- Parking Policy

Membership in the Charles River Transportation Management Association

Amgen will become a member of the Charles River Transportation Management Association (TMA). The TMA, which was established in 1994, provides assistance with preparing and implementing transportation demand management programs for companies in East Cambridge and the surrounding areas. The TMA helps coordinate
ridematching services and guaranteed ride home programs, among other TDM strategies.

Promotion of Public Transportation

Given the project’s proximity to numerous transit routes, the promotion of public transit should prove to be effective in encouraging employees to utilize public transit options. To this end, Amgen will provide transit schedules to employees and will sell monthly MBTA passes during the last week of each month, as well as offering MBTA pass discounts.

Staggered and Flexible Work Hours

Amgen will allow its employees to have staggered and flexible work schedules, where possible. These schedules can provide added convenience to employees and reduce peak hour trips. Allowing some flexibility in work times not only reduces peak hour trips, but it often provides employees the opportunity to participate in carpools and vanpools, and helps them adjust their schedule to be able to utilize bus, rapid transit, and commuter rail services. Staggering work hours can allow people to commute to work on either side of a peak traffic period, reducing the number of vehicles entering the site during the peak hour. This is a common strategy used by commuters to avoid traffic and does have a positive impact on peak hour traffic conditions.

Ridesharing Program

Amgen will provide ridematching services through its membership with the Charles River TMA. Ridesharing programs are provided to encourage commuters to ride in vehicles with other commuters, rather than drive alone. The most common forms of ridesharing are carpools and vanpools. This program includes:

- **Carpool/vanpool Incentives**: Ridematching services provide an opportunity for employees to determine whether there are other commuters who share the same travel characteristics and would be available to form a carpool or vanpool.

- **Guaranteed Ride Home Program**: Guaranteed ride home programs, sometimes referred to as emergency ride home programs, are established to provide assurances that employees who participate in carpooling, vanpooling, or transit use will have viable and convenient travel options if work-related activity requires that they miss their regular ride home. These programs eliminate one of the most frequently cited reasons for people choosing to drive alone: the concern that they will need their vehicle during the day for an emergency or if they can’t
leave their work at the usual time. This type of program counters the concern with the guarantee that a reliable ride, at minimal or no cost, will be provided. The Guaranteed ride home program will be provided through the Charles River TMA.

Promotional Activities: Promotional activities such as transportation fairs and periodic newsletters, etc. provide employees information concerning carpooling and transit schedules and remind employees that there are alternatives to driving alone to commute.

Provision of Bicycle Amenities

Amgen will provide secure bike racks, locker and shower facilities for their employees interested in bicycling to work. The Transportation Coordinator will provide information related to these bicycle facilities and amenities to employees.

Designation of Transportation Coordinator

Amgen will designate a Transportation Coordinator to implement and oversee the TDM program. This person will be available to provide employees information regarding their commuting options and will coordinate the provision of the TDM programs. This person will also be responsible for coordinating with the Charles River TMA, CARAVAN for Commuters, and interested neighboring employers.

The Transportation Coordinator will be located in the Commuter Information Center where employees can go to receive information on their commuting options, receive any available state vanpool subsidies, or purchase MBTA passes. Information regarding the package of TDM programs will also be provided.

On Site Employee Services

An important element in the reduction of vehicle trips from any site is the provision of on-site services such as an ATM, cafeteria, fitness center, and others. The availability of these services reduces the number of off-site vehicle trips which need to be made by the employees, while also providing a convenience to the employees. On-site services that will either be provided by Amgen or that area available within the One Kendall Square complex include

- employee cafeteria and local restaurants
- on-site convenience store selling various sundries, greeting cards, etc.
- ATM bank machine
- direct deposit of payroll checks
employee fitness center
employee outgoing personal mail drop-off
convenient bicycle parking
shower room and locker facilities
day care facilities

Parking Policy

Amgen will lease 285 parking spaces (1 per 1,000 square feet gross floor area per zoning definition) for employee parking in the One Kendall Square parking garage. As part of their transportation demand management program, Amgen will not subsidize the cost of parking for their employees. Each employee who wishes to drive to the site will pay the cost of parking (approximately $150 per month). This parking policy will further encourage employees to seek alternate modes of transportation to commute to work.